

# Mind the Gaps

## A response to the Children’s Commissioner’s report on Herefordshire Council’s Children’s Services published March 2023

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### Executive summary

This report raises concerns about the gaps in the analysis presented by the Children’s Commissioner in her report published on 1 March 2023. The authors are concerned that the gaps they have identified are significant and put at risk the goal of protecting the children and families of Herefordshire from harm.

It asks the reader to consider:

- What issues does the Commissioner’s March 2023 report focus upon?
- Which underlying systemic causes of failure have been missed?
- Who does the Commissioner hold responsible for failure?
- Why does the current senior leadership team escape blame?

Both the recently published ‘*Report of the Commission to Consider Families’ Experience of Children’s Services in Herefordshire*’ (Report of the Commission) and the public statements from families following that report have validated the concerns of the authors.

We urge all those responsible for ensuring improvement to services for children and families in Herefordshire, from the Secretary of State downwards, to read this report and consider whether the March 2023 report from Herefordshire’s Children’s Commissioner, Eleanor Brazil, has a sufficiently comprehensive analysis and robust evidence base.

## Introduction

The authors of this report are the former Chair (Cllr Phillip Howells) and Vice-Chair (Cllr Jennie Hewitt) of the Children and Young People Scrutiny Committee (CYPSC) who replaced the previous Children's Scrutiny Committee Chairs in May 2021 and were in post until May 2023. It should be noted that they were no longer Councillors after the May 2023 elections.

The critique which follows has been produced out of concern that in failing to identify several of the root causes of long-standing and seemingly intractable failure in Children's Services in Herefordshire, the Commissioner's report, published on 1 March 2023, leaves children in Herefordshire at risk of harm.

A detailed background on the experiences of the former chair and vice-chair of CYPSC which have helped shape this report is attached in Appendix 1. It is hoped that all members of the new CYPSC will read and note the contents of that Appendix.

## Context

Before the appointment of the Department of Education Commissioner, Eleanor Brazil, there was already an abundance of reports identifying the problems in Herefordshire Children's Services. In the opening paragraph of her report the Commissioner summarises this as follows:

*For at least the past ten years the quality of children's services has been at best requires improvement, or inadequate. Ofsted inspections and other reviews in this time have pointed to the same issues: poor decision making, lack of focus on the needs of children, drift and delay, lack of management oversight, high level of vacancies and turnover amongst staff and managers.*

What was surely needed from the Commissioner was deep insight into the root causes of ongoing failure in Herefordshire, not a rehearsal of the history of failure and a generic route map to good social work practice?

## The gaps in the analysis

This critique suggests that there are three key gaps in the Commissioner's report.

1. **The rural demographic:** there is very limited analysis of the context within which the need for social work intervention arises in Herefordshire.
2. **Alarmingly high adoption rates:** there is no reference in the Commissioner's report to the fact that from 1 April 2021 - 31 March 2022 the adoption rate in Herefordshire was 24.4%<sup>1</sup> against a national average of 10% in England and 12% for statistical neighbours and that this alarming statistic is positively RAG rated (regarded as a positive outcome).
3. **Corporate failure and problematic organisational culture:** there is no analysis of deep-seated corporate dysfunction which has underpinned over a decade of deteriorating services for children and their families.

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<sup>1</sup> The Herefordshire Safeguarding Children Partnership, Annual Review of Effectiveness Report 2021-22. Page 13 of this report which can be on page 87 of the public reports pack for CYP Scrutiny Meeting December 2022: <https://councillors.herefordshire.gov.uk/documents/g8512/Public%20reports%20pack%20Tuesday%2013-Dec-2022%2014.00%20Children%20and%20Young%20People%20Scrutiny%20Committee.pdf?T=10>.

## GAP 1: The rural demographic

While the Commissioner acknowledges in her Executive Summary that, *“The demography of Herefordshire is important”*, there is little analysis of the link between demography and social care needs, and no recognition of the impact of the stubborn nature of Herefordshire’s dispersed rural poverty. (Herefordshire is in the bottom 20% of regions for social mobility, which, according to the Social Mobility Commission, suggests that deprivation is entrenched.)

In April 2021, immediately after Judge Keehan’s latest damning indictments of the Council, councillors were told it would be important to identify where in the county *‘children looked after’* (CLA) were arising in order to target early help. These were the much talked about ‘heat maps’ which interim Director of Children’s Services (DCS), Cath Knowles, proposed. With her unexpected resignation in September 2021, the drive to understand where and how to deliver targeted preventative programmes lost valuable time and foundered. Wouldn’t it have been reasonable to expect a structured enquiry to have been an immediate corporate priority as an inter-departmental programme with children as the primary concern and prevention as the main focus? To date, the heat maps have not materialised.

Research clearly shows the link between deprivation and an increase in care proceedings.<sup>2</sup>

*“Each £1000 increase in social care spend per child, year and local authority has led to a 12% decrease in the rate of children in compulsory family court proceedings.”<sup>3</sup>*

The rates of CLA in this county are extraordinarily high - more than twice the rate for statistical neighbours - and this puts huge strain on Children’s Services, Legal Services and the Council’s budget. The Commissioner’s report acknowledges the high rates (p38, Table 3), but the only explanation offered is this: *“...the number in care is very high. This is likely to be related to longstanding concerns about poor decision making and drift and delay.”* (p37) There is no further interrogation of this key part of the problem in the county.

Measures which address social inequality should be an integral part of tackling the entrenched failure in Children’s Services. In the Commissioner’s report there is praise for the corporate role that the Chief Executive (CEO) has played, but the praise is focussed on intent rather than outcomes:

*The CEO “is determined that Herefordshire will improve services and has ensured that all his corporate team, most of whom have joined Herefordshire in the past 18 months will help with this. Other strategic directors lead on key projects to deliver change in children’s services, such as workforce and commissioning. Project management support as also been made available”. (p5)*

The short and long-term corporate finance strategy is a key tool for reducing the need for social care intervention, and yet there is no indication in the report of how much of the considerable additional investment is being used to tackle long-term deprivation.

While there is an acknowledgement that *“there is potential to build on the Council’s early help*

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<sup>2</sup> Area-deprivation, social care spending and the rates of children in care proceedings in local authorities in England Stefanie Doeblér, Karen Broadhurst, Bachar Alrouh, Linda Cusworth, April 2023

<sup>3</sup> <https://www.lancaster.ac.uk/news/study-finds-link-between-deprived-areas-and-number-of-children-in-care-proceedings-in-england>

service” (p7) there is no business case for investing significantly more money into early help in order to save money later on funding the cost of children moving into care, and the trauma of separation to those families.

The Council’s Big Economic Plan was published in March 2023, six months after the appointment of the Children’s Commissioner, and yet the Commissioner’s report makes no explicit reference to the solutions for Children’s Services being linked in part to the county’s long-term economic plans.

On the other hand, a critique of the Big Economic Plan, called “*Where’s the Beef?*”<sup>4</sup>, published in May 2023 by a coalition of volunteers, offers a powerful analysis of the gap in strategic thinking and suggests that without a more thorough, nuanced and targeted approach there will be limited progress in tackling deprivation, and by extension the complex social problems which increase with deprivation and the concomitant social care and legal costs. Here is a telling extract from the ‘*Where’s the Beef?*’ report:

**So how can we deliver a substantial reduction in deprivation in the next 10 years?**  
Suggested Target: 40% Reduction in Deprivation

**Answer: Hitting the target will need a carefully designed programme of interventions to target Herefordshire’s specific problems, building on what works already, but delivered at much greater scale**

We need to design solutions that meet the county’s specific needs:

- Poverty in Herefordshire is far more dispersed than is usual - any solution must reflect that
- In Herefordshire, although most poverty is urban, we must address significant rural poverty with its own challenges
- Interventions must recognise how interdependent are the challenges facing those in poverty
- We should design early interventions around the needs of individuals, not existing organisational structures

Where possible, we should build on what works already: there is good evidence that this kind of targeted intervention can be successful in Hereford and we need to find a way to scale up the most effective approaches:

- With the right interventions at the right scale, we can hit our target 40% reduction
- Success may require an innovative and more integrated approach to governance

The Commissioner appears not to have engaged in any depth with the formation of the future economic strategy for the county when research shows so clearly that outcomes for children are so closely linked to economic strategy.

## **GAP 2: Alarming high adoption rates**

The adoption rate in Herefordshire from 1 April 2021 - 31 March 2022 was 24.4% against a national average of 10% in England and 12% for statistical neighbours. This figure was published in the annual report by the Herefordshire Safeguarding Children Partnership (HSCP), and was RAG rated ‘green’; in other words, recorded as a success. When the HSCP report was submitted to the CYPSC for scrutiny, one of the questions submitted by the committee was as follows:

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<sup>4</sup> [https://99-percent.org/wp-content/uploads/2023/05/Herefordshire-2030-Group\\_Shining-A-Light-on-the-Big-Economic-Plan-1.pdf](https://99-percent.org/wp-content/uploads/2023/05/Herefordshire-2030-Group_Shining-A-Light-on-the-Big-Economic-Plan-1.pdf)

9. Why is adoption of children being used as a measure of success?

*Given that the object of children's services is to offer early help to reduce risk of harm to children and enable families to stay together safely - why is a significantly higher number of adoptions in Herefordshire (24%) than the national average (10%) being used as a measure of good practice? It is surely the very opposite?*

*The Corporate Parenting Report tells us that there is a 'resource identified to review all CLA who may be able to be re-unified with their parents and to drive the permanence agenda.'*

*Is HSCP now in a position to reflect this clear change of focus and view the KPI on adoption numbers as low nos. = good?*

The answer supplied from the Independent Scrutineer, presented in full below, clearly indicates it is Children's Services who are largely responsible for adoption rates and they would be expected to provide the answer to this key question.

*The role of the HSCP is to ensure there are effective arrangements to ensure the safeguarding and welfare of children and young people. The balance between different permanency arrangements would largely be a matter for Children's services with the partnership looking for evidence that the service was always seeking to act in the best interests of the child and that every effort has been made to explore keeping children and families together.*

*The service may provide further information in response to this question.*

To date, the service has not provided any explanation as to why:

- (i) The adoption rate is more than double the rate of statistical neighbours
- (ii) Such a high adoption rate is given a positive RAG rating.

The table below shows the link between high adoption rates and poor Ofsted ratings. The Local Authorities listed are statistical neighbours of Herefordshire.

<b>Local Authority</b>	<b>Ofsted assessment</b>	<b>Year of last Inspection</b>	<b>Placement order per 10,000 children"</b>
Wiltshire	Good	2019	0.8
Cornwall	Outstanding	2019	1.5
Dorset	Good	2021	1.6
Suffolk	Outstanding	2019	2.5
Norfolk	Good	2022	2.6
Gloucestershire	Requires improvement	2022	3.0
Somerset	Good	2022	3.0
Devon	Inadequate	2020	3.4
Shropshire	Good	2022	3.5
Cumbria	Requires improvement	2023	4.1
Herefordshire	Inadequate	2022	6.1

There is an absence in the Commissioner's report of evidence of any critical questioning from the Commissioner around this alarming statistic, which leaves uncomfortable questions over why in Herefordshire a high adoption rate is regarded as a success.

### **GAP 3: Corporate failure and problematic organisational culture**

#### April 2021: a watershed moment

The long-standing problems in Children's Services had already been identified by Ofsted, long before Judge Keehan shone a light in April 2021 on further egregious failures by Herefordshire Council.

After the Keehan judgements hit the national headlines, a new CEO (Paul Walker) was appointed, and the Department of Education appointed an Improvement Advisor (Gladys Rhodes-White). Both are still in post just over two years later.

In April 2021, there were other new appointments: a new interim Director of Children's Services (DCS), a new Lead Cabinet member, and the Chair and Vice-chair of the CYPSC. Huge amounts of additional funding were ploughed in: £5m from Herefordshire Council in 2021 and an additional £11.4m in 2022. There was also £1.7m from the Department of Education.

April 2021 should have been a fresh start and the end to the merry-go-round of Improvement Plan followed by failure. The Leader, Cllr David Hitchiner, described the 2021 Keehan judgements as a "*watershed moment.*" There is no doubt that there was positive intent and expectations of significant and rapid change.

There was also no doubt who was to lead the change. The following statement appeared in the report to Full Council presented at the EGM in April 2021:

*"The Improvement required is a corporate priority and will be led by the incoming Chief Executive and not by the Directorate." (Page 17 of report to EGM).*

In November 2021 the Improvement Plan stated this:

*"There are clear expectations that by May 2022 there will be significant improvements in the quality of social work practice and in the leadership and management oversight of the service."*

In July 2022 when Ofsted inspected again, the new CEO had been in post for 15 months, as had the Improvement Advisor. And yet the service was rated inadequate in all areas. Both the social work practice and the leadership and management oversight of the service was heavily criticised by Ofsted and rated "*Inadequate*".

In January 2023, 20 months after the appointment of the new CEO and the Improvement Advisor, and 16 months after the appointment of a new, permanent DCS, the Commissioner's report describes progress as "*very slow with little impact on outcomes for children.*" She states: "*There has been a gap in strategic planning across all areas of children's services,*" and that "*the lack of a sufficiently rigorous approach has meant that any improvements have been slow.*"

The latest review findings from Ofsted follow a Monitoring Visit in March 2023, almost two years since the CEO's appointment. The findings are summarised in a letter to the DCS dated 29<sup>th</sup> March. The Multi-agency Safeguarding Hub (MASH) provides a single point of access to the services that help keep children safe. While welcome improvements are noted in the MASH team's response to referrals, the actual assessments being done on children identified by MASH as '*in need*' remain largely of poor quality and poorly managed:

*“Most assessments in Herefordshire continue to be of poor quality and are not sufficiently effective. This means that children’s needs and risks are not sufficiently identified within assessment and some children do not have an adequate response to meeting their needs.”*

*“Management oversight of assessment practice in most instances is not sufficiently robust. Most managers do not provide critically evaluative oversight and thresholds are not consistently applied, including decisions about whether children are at risk of significant harm.”*

*“Managers give insufficient weight to chronic patterns of concern.”*

*“For too many children, their views and experiences are not sufficiently well understood, or opportunities are not made to listen to them during assessment work.”*

In other words, our most vulnerable children are still being failed.

### Extraordinary corporate failure

The responsibility for Improvement in Children’s Services was explicitly handed to the Chief Executive.

The CEO is therefore responsible for the operational failure which led to the Ofsted judgement of inadequate in all areas, and the Leader, as the only elected Member with the power to hold the CEO to account, is responsible for failing to do so.

The public promise from the new CEO was to *“leave no stone unturned”*<sup>5</sup> and yet 18 months later, the Ofsted judgement had plummeted again to inadequate in all areas.

At the same time there was a public statement from the Leader of the Council, who said at the April 21 EGM:

*“We will be looking for cultural change, more openness and honesty where questioning and challenge are welcomed, where promises are delivered and mistakes acknowledged.”*<sup>5</sup>

The statement makes clear that the Coalition administration recognised the need for culture change, and for a culture which was transparent and honest about mistakes.

The Ofsted inspection findings and the testimonies of families recorded in the recent Report of the Commission both bear witness to the gap between intent and delivery.

Yet the Commissioner’s report does not focus on corporate failure or the recognised need for culture change. It does not engage with or address the Leader’s clear call on behalf of elected members for *“cultural change”*, or even use the term at all. The blame for the failure to make progress and deliver change has not fallen on the shoulders of the CEO. Rather it is shared amongst a number of individuals and groups:

- (i) The social workers on the ground
- (ii) Interim managers
- (iii) The Councillors, who are paid less than £10,000 to represent their constituents and who have no responsibility for day-to-day operational matters

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<sup>5</sup> <https://www.communitycare.co.uk/2021/04/30/council-vows-leave-stone-unturned-identifying-social-care-failings-following-damning-judgment/>

- (iv) The parents/carers who raise the alarm about risks to children, make complaints or attend public meetings, or continue to object to ongoing, but avoidable poor practice or safeguarding risks
- (v) Journalists Louise Tickle and Judge Keehan, whose work created unwelcome and difficult publicity for the Council.

The report does not directly assign any responsibility to the CEO for the lack of improvement in services since April 21, or for the shocking contents of the July 2022 Ofsted inspection report.

Neither does the report reflect what was said about the CEO by parents and carers at the meeting convened at the Rowing Club in September 2022 by 'A Common Bond' (a support group for families affected by inadequate services).

Furthermore, despite repeated references (pages 5, 23, 26, 27) to the problems caused by the inexperience of many Councillors, including the Leader and the Lead Cabinet Member, the report fails to mention that the current CEO has no experience as a Chief Executive at County Level and therefore no previous CEO experience of managing Children's Services. His only prior period of being a CEO was at Copeland Borough Council.<sup>6,7</sup>

The CEO seems to come out of the Commissioner's report without any blame.

If the Commissioner's roadmap to recovery is not to fail, it is surely imperative that there is clarity on why so little progress has been made since April 2021. That requires an honest assessment of the CEO's role in the failure since April 2021. That his role in the failure receives almost no criticism is deeply worrying. It must be noted that the families, who matter most, categorically share this concern (Appendix 6).

#### The Commissioner's focus

In her report and recommendations, the Commissioner identifies the basic nuts and bolts of good social work practice. No-one would argue against the need for:

- (i) More social workers and managers in permanent posts
- (ii) Social workers doing their work in person, in a timely fashion and to a high professional standard
- (iii) Managers having good oversight of their teams.

These basic building blocks of adequate service delivery had been identified by the Department of Education's Improvement Advisor, Gladys Rhodes-White, after her appointment in April 2021. Sadly, Gladys Rhodes-White reported at a meeting of the CYPSC meeting in December 2022 that things had got worse, not better.

If the road map to improvement were as simple as the Commissioner's report makes out - recruit more staff, manage staff and resources well, build good partnerships and improve morale - then Herefordshire would not be mired in intractable and high-profile failure, and recruitment and retention of social work staff would not still be a major issue.

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<sup>6</sup> <https://www.linkedin.com/in/paulwalker61/?originalSubdomain=uk>

<sup>7</sup> <https://www.nwemail.co.uk/news/16463568.copeland-axe-110000-a-year-chief-exec/>



Could it be that the Commissioner has missed the point, and the root causes of the long-standing and egregious failures lie beyond what she has chosen to write about, and beyond the Children's Directorate?

### Organisational culture

*"Culture Eats Strategy for Breakfast" (attributed to Peter Drucker)*

As we write this report the Report of the Commission has been published and is now available on the HSCP website:

[Publication of the Report of the Commission to Consider Families' Experience of Children's Services in Herefordshire - Herefordshire Safeguarding Boards and Partnerships](#) (Report of the Commission)

Had the Commissioner chosen to listen to the families from the outset, some of what is now widely known about the experiences of families might have been reflected in her report and would have provided the opportunity to look at the cultural issues we raise below.

This was a serious and significant omission; we ask the question - why?

The Commissioner chose not to write about the broader organisational culture within Herefordshire Council which is the bedrock of the success or failure of any Improvement Plan.

There is little attempt by the Commissioner to unravel why so many different Improvement Plans have failed, nor to interrogate why there was so little progress in the 21 months since the arrival of the new CEO and Improvement Advisor.

Problems of staff recruitment and retention are consistently put down to negative publicity, with implicit blame for Judge Keehan, Panorama and journalist Louise Tickle following their public reports of the problems in Herefordshire. She also explicitly blames parents and inexperienced Councillors who have persistently raised concerns about the systemic risks unearthed by the Council's response to safeguarding failures and complaints.

The Commissioner resisted for at least six months addressing families' concerns about an ingrained culture of cover up, bullying and silencing until it became impossible to ignore. She produced her report without their evidence and in so doing she has failed to win their trust (see Appendix 5).

In April 2021 an Extraordinary General Meeting of Full Council was called to discuss the latest damning Keehan judgements. This was the second EGM in just over two years to discuss egregious failings by Children Services and rightly, Councillors were furious that the change promised in January 2019 had not materialised. The Hereford Times coverage of the April 2021 EGM was comprehensive. Their article dated 27 April 2021 starts with the following sentence:

*"Councillors have criticised a culture of lying, delay, and misdirection in Herefordshire's children's services department."*

The [Hereford Times article](#) goes on to say:

*"Councillors at the meeting said ... they had been obstructed from properly scrutinising the children's directorate because they were not told the truth by officers."*

*"Councillor Carole Gandy ... hit out at the "often evasive" and untruthful culture within the department."*

*“Her views [Carole Gandy’s views] were backed by Councillor Jennie Hewitt, who said proper scrutiny had been prevented by officers failing to act in a timely manner, using general data protection regulations (GDPR) as a smoke screen to avoid uncomfortable questions, not responding to emails, closing down public questions by labelling them as defamatory, and frequently adopting a threatening and obstructive stance.”*

*“I have found them to have their own best interests at heart when there is a problem. The best interests of children have not been the driving factor in their decisions.”*

Such statements suggest that the root of the problem lies in a failing, deleterious organisational culture. The newly arrived CEO, who attended that meeting and heard those allegations being made, did not ask to speak to the two Councillors making those shocking allegations.

It is equally surprising that the Commissioner did not engage with those two Councillors to ask for the evidence behind their claims. The authors have also had a statement from one former Cabinet Member who felt that they were not part of a collaborative process with the Commissioner.

The Commissioner did attend the ‘*A Common Bond*’ meeting at the Rowing Club where families gave painful first-hand testimony as service users of their experiences with Children’s Services, the complaints department and Legal Services. However, her analysis of the common themes which emerged from the testimonies of families is limited to comments made about poor social work practice:

*“There were some common themes: unsympathetic social workers, lack of knowledge or response to children’s special needs, children removed at short notice and wider family not considered.”*

The Commissioner makes no reference in her report to the evidence given by family after family at that meeting about a pernicious culture of lying and cover up, bullying and silencing, which stretches beyond Children’s Services into the complaints process and to Legal Services. This was the single unifying factor in every story recounted at the meeting and is now evidenced in the Report of the Commission. The Commissioner omits this completely from her report, but it would be untrue to say that the evidence was not available to her before the Report of the Commission.

There is also evidence in the Report of the Commission that some schools have experienced forms of bullying or silencing when attempting to work with officers; being excluded from core meetings and, after challenging the local authority’s views, being accused of “*protecting mum*”. (Appendix 7).

#### Response to families raising concerns

Recommendation 1c in the Commissioner’s report is that Herefordshire Council, “*Resolve, as far as is possible, all outstanding historic complaints.*”

The Report of the Commission notes that the term “*historic*” is misleading as many of the so-called “*historic complaints*” are in fact live cases of current and ongoing failures involving children and young adults. Labelling these cases as “*legacy*” or “*historic*” cases is inaccurate and deeply wounding to the families affected.

In her March report, the Commissioner does not properly acknowledge the suffering caused to the families by inadequate service or the true human cost of egregious and long-standing failures. Referring to the families affected as “*long-standing complaints*” belies the painful truth that these are people who have already suffered hugely and continue to be unfairly treated by the children’s directorate, the complaints department and Legal Services.

The Commissioner's report does include a section (Section 14) entitled: *"Impact on families who are public about their experience of children's services and impact of those families on the Council"* (page 22). However, this section of the report talks only of the impact on the Council of the public persistently raising concerns. Astonishingly, despite being the victims of appalling practice, the families who raise concerns are cast as part of the problem.

When the true human cost of the inadequate services was laid painfully bare at the Rowing Club in October 2022, in front of the Commissioner, what was the response of the Council, which was by then under her guidance?

Families have evidenced that they were not approached at all. Several families who attended the Rowing Club meeting also wrote directly to the Commissioner, but say they were ignored. Independent reviews of *"historic"* cases were also promised, publicly and privately by the CEO, including, as the families have told us, in correspondence with Sir Bill Wiggin MP.

As far as we are aware, to date, only one independent investigation has been undertaken. The families who were promised an independent review have once again experienced drift, delay and broken promises. It is clear within the Report of the Commission, that there is still no certainty for families over whether independent case reviews will now happen.

However, it is clear, from the Report of the Commission, that the urgent care and safeguarding needs highlighted by some of the families at the Rowing Club in October have still not been addressed, let alone resolved, contrary to the statement made in the Commissioner's report (page 22) that:

*"The DCS is reviewing all these cases, ensuring that those needing immediate attention are urgently responded to."*

On page 5 of her report, the Commissioner states that the Chief Executive has been, *"listening to parents and fully investigating their concerns."*

The families reject this assertion. At the Full Council meeting in December 2022, the CEO gave the impression to Councillors and to the public that the independent reviewer was working with a *"group of families"*. (The full transcript of what he said is attached as Appendix 2).

The statement was misleading. We now know from the Children's Commissioner's report (p22) that by 11 January 2023 only one independent review had commenced. We have been told that other families who were waiting for the promised independent case reviews were still being largely ignored.

Some families are still waiting for the independent reviews promised to them nearly a year ago.

#### The right to ask public questions

The public have a constitutional right to ask public questions at Council meetings (Constitution 4.1.39). It is an integral part of the scrutiny process, and one of the ways in which the public can raise concerns.

Scrutiny chairs met with the Commissioner at our request. We were dismayed to be advised by the Commissioner to consider closing down public questions to CYPSC for a year. In her opinion the public had *"plenty of places where they could raise their questions"*.

For CYPSC the sounding at grass roots level was that families were finding it hard to get appropriate responses to their concerns, with the committee as their only perceived effective channel to raise them. Both chairs found the Commissioner's suggestion to be alarming and perplexing. To reiterate: Herefordshire Council's constitution gives the right to public questions at all public meetings, including scrutiny committees. Families have stated that they would prefer not to have to ask questions in public about sensitive issues around their children and families, but they feel they have to do so as they believe that the concerns they raise point to systemic risks and they have no other option when direct approaches to officers have repeatedly failed.

It was disappointing to the chairs that four public questions posed to the CYPSC meeting in February 2023 were not published (officers apologising for this administrative error). It is particularly unfortunate this happened at a sensitive juncture when there was already alarm and uncertainty about the future of children's services in Herefordshire and it meant the public were not able to ask any supplementary questions.

### Public distrust in senior leadership

Distrust of the CEO amongst affected families grew after he failed to attend the October 2022 Rowing Club meeting and subsequently claimed he was not invited. However, it was clear that the CEO was expected since there was an empty chair with his nameplate evident.

The Hereford Times had also published an article the day before the meeting (Appendix 3), which could have left no doubt in the minds of any senior figures that they were invited and the public wanted to see them at the meeting.

A press release issued in February 2023 by 'A Common Bond' in response to the invitation to the Independent Commission, denigrated the parameters for attendance in the Terms of Reference for the Commission (Appendix 4) and said this was "*a far cry from the public enquiry the families have demanded and deserve*" into Herefordshire Children's Services failures. (Appendix 5)

The recent statement (Appendix 6) issued by nine families affected by inadequacies in Children's Services in response to the Report of the Commission includes a call for the resignation of both the Chief Executive and the Director of Children's Services.

*"Neither Paul Walker nor Darryl Freeman has ever had the confidence of the parents calling for change; after the publication of the independent commission's report, people might start to understand why. The families are calling for them to resign."*

## **The appointment of Eleanor Brazil**

When the Department of Education appointed the Commissioner to Herefordshire, they were not appointing a fresh pair of eyes. The Commissioner introduced herself to members and the public at the Full Council meeting in September 2022, but she omitted to mention that she had previously worked in a senior position in Adult Services at Herefordshire Council in 2007-9 and this is also not in her report.

Whilst some people will have been aware of her previous appointment, in order to inspire confidence with councillors, the public and affected families, full disclosure was surely essential at this point and it did not happen.

She did mention in her report that she had been commissioned by the current Chief Executive as an independent consultant to undertake two reviews in 2021 relating to Children's Services. Again,

whilst known to some, most councillors and the public would probably not have been fully aware. Full disclosure would have been advisable earlier.

In other words, many would not have known earlier that she had a prior client-consultant relationship with the CEO. These previous appointments have raised questions about her independence. Could it be that her prior experiences before being appointed as Commissioner have undermined her ability to be fully rigorous and independent in her approach?

There is in any case surely an inherent risk in appointing a single individual as Commissioner with no (known) checks or balances in place to quality assure their work, to uncover bias, to ensure that the evidence base on which they form their recommendations is comprehensive and that their conclusions are rigorous. Equally, it cannot be expected of any single individual to be expert in social work practice, corporate culture and financial strategy.

## **Summary**

We have identified three significant gaps in the analysis in the Children's Commissioner's Report.

### **Gap 1 – Failure to analyse broader drivers behind familial needs**

The Commissioner's report fails to acknowledge the close link between deprivation and children coming into care and to consider the impact of the dispersed and entrenched nature of poverty within Herefordshire.

After Judge Keehan's indictments of the Council in April 21, councillors were told it would be important to use data to identify where '*children looked after*' were living in order to target early help and ensure effective delivery of services to those most in need.

This analysis has not yet been delivered and there are no recommendations in the report on what needs to be done to redress this critical identification failure. Nor is there serious any engagement with the use of economic levers as a solution to reducing need by tackling deprivation.

### **Gap 2 - Failure to unpick the economic thinking behind adoption ratings**

Investment in early prevention can significantly reduce the numbers of children coming into care, but once in care, adoption is often a cheaper option for an authority than longer term investment in reuniting a family and supporting them to stay together.

The authors have real concerns about the lack of interrogation in the Commissioner's report around the extraordinary adoption figures in Herefordshire.

### **Gap 3 – Failure to challenge a defensive, self-protective corporate culture**

It is rare that a Children's Services Directorate fails in an otherwise successfully run Council. There is real and widespread concern within Herefordshire that unless and until the broader organisational and leadership issues within Herefordshire Council are addressed, Children's Services will continue to fail the families of Herefordshire.

The analysis in the Commissioner's report is limited; she has chosen not to address the "toxic" organisational culture publicly identified in April 2021 by Councillors, including the previous Leader, a culture which has undermined multiple attempts at improvement over the years.

The evidence base on which she relies is compromised as it has:

- (i) Relied in part on unsubstantiated and misleading reassurances from senior officers
- (ii) Omitted the voice of local families raising the alarm
- (iii) Invalidated the voices of Councillors who have attempted to address an overall harmful officer culture and to offer challenge and proper scrutiny.

In failing to identify the corporate behaviours which have underpinned and hidden long-standing and egregious failure, the Commissioner is surely allowing the current culture to continue unchallenged, with the concomitant risks to the people of Herefordshire. Despite repeated assurances, 'Think Family' is clearly not yet an embedded culture with the Council.

Finally, the authors would like to publicly thank Karen Manners and her team for their unflinchingly honest report, *'The Report of the Commission to Consider Families' Experiences of Children's Services in Herefordshire'*. It is an exceptional and reflective report which illustrates all too clearly the ongoing risk of harm to the families of Herefordshire.

END

## **Appendix 1: Detailed background on the experiences of the former chair and vice-chair of CYPSC**

Following the damning judgements from Judge Keehan in the YY case in April 2021, an Extraordinary General Meeting of Full Council was called at which Cllr Hewitt publicly and clearly stated her concerns that at the heart of ongoing failure in Children's Services was a lack of engagement with and a culture of silencing those raising concerns, which could be seen as a reluctance to discover the truth. This clearly resonated with Councillors in the room. Just a month later Cllr Hewitt was appointed as Vice-Chair of CYPSC with Cllr Howells as Chair.

It was clear to both Chairs from the outset of their tenure that culture change was essential. In order to counter the undermining of the Scrutiny function which both the Chair and Vice-Chair had observed up to April 21, they quickly and proactively engaged with the Local Government Association (LGA) who had offered (free) children's services specialist scrutiny support to the council, but which had not been taken up by officers until the Chairs intervened. The chairs completed an LGA Children's Services Scrutiny self-assessment template running to some 25 pages, concluding that the Committee was not fit for purpose, especially with a new Improvement Plan to scrutinise.

In a timely response, the LGA organized structured and customised training to meet the identified needs of committee members to improve their scrutiny effectiveness. CYPSC members and attending officers, as well as both the LGA and the DfE Improvement Advisor, reported an upgrade in scrutiny expertise and confidence as a result.

However, additional support from the Council (identified as necessary in the LGA assessment) to further empower CYPSC was disappointingly slow and limited despite lobbying from the chairs.

We realise some of this would be down to staffing and financial constraints, but feel the inaction experienced demonstrates the low priority which the scrutiny function was given. Despite CYPSC clearly understanding that the Improvement Board shifted the usual central function of the committee, it nevertheless still had an important role to perform. Indeed, three significant recommendations on the Improvement Plan were unanimously accepted by the Cabinet.

The action tracker for the CYPSC for the period May 21- May 23 is testament to the breadth of issues raised by the committee and is evidence of how many unanswered questions there have been. For example, despite repeated requests, the committee was never given the results of the audit of '*all cases*' promised in April 21 by the new Chief Executive.

The Chair and Vice-Chair also initiated the appointment of a service user as a co-optee to the Committee as a way of capturing the parent voice at all meetings. This was in response, even at this '*early stage*', to representations made by families to the committee that the complaints system for families was not working and that families were experiencing chronic drift and delay.

The authors remain concerned that without honest recognition of the culture of delay, obstruction and silencing, any progress within Children's Services will not be sustainable.

## **Appendix 2: Transcript of Chief Executive's statement to Full Council on 9th December 2022 about the review of cases by an external investigator**

This exchange can be watched on the recording of the meeting from 2 hours 38 mins 45 secs

**Cllr Hewitt:** I am pleased to hear that there is an independent external investigator who has been allocated the task of responding to those families with care concerns..... some of those historic cases are still complaining of a lack of response

....I want to know if ACB as a group have been invited to bring their concerns before an external investigator.....

**Cllr Hitchiner:** Your question was about whether we are reaching out to this particular group that you mentioned...

**Cllr Hewitt:** .... Invited that group to bring their concerns?

**Cllr Hitchiner:** There has been a public meeting with them, it's always quite difficult in these circumstances to meet with a group to then discuss individual cases ....

2 hours 40 mins....

**Paul Walker:** ... to help with clarification

The scope of the independent reviewer's work includes a number of families who made contact with us. Those who've done so through the offices of Sir Bill Wiggins, those families who attending [SIC] the special council meeting to consider the Ofsted report when it came in and those families who attended the public meeting recently down at the Rowing Club. Those is the scope of those families who will be looking to make contact with the review [SIC]

I'm also conscious that there may well be other families whose voices we haven't been heard yet and there's a piece of work which the Cabinet Member wants to bring forward as to how we make contact with those other families who perhaps haven't spoken out yet.

So that's a piece of work which is ongoing but the scope of the work for the external independent reviewer includes contacting those families who I've kind of listed out for want of a better description if that's helpful.

**Cllr Hewitt:** May I come back?

What we are hearing as Children's Scrutiny is that there are many families who have similar concerns, so I'd like to know have you set a limit on how many families you are going to engage with, have you got .... what are the numbers of families you are engaging with, with this external independent review?

**Paul Walker:** If I may, we haven't set a limit in the first instance we thought it was important as a priority we responded to those who've in a way have been in touch with us through a meeting in the Council, or through their MP or through the public meeting ... that was the first group of families

And we are working with our external reviewer and making contact with them.... We haven't made contact with all of them yet .... but that is kind of our immediate priority in terms of the group we are going to work with....



Those are the families who have spoken out, we haven't yet got to those who haven't yet spoken, and if there are others, other families who come through you from a scrutiny perspective, more than, as ever, more than happy to have the details of those families and we will consider the contact with them as part of that piece of work

There isn't a limit. I'm conscious there are a number of historic cases that we may not know about and the only way we'll find out is to invite people to tell us

**Cllr Hewitt:** ..... so really that's the invitation ..... there is an invitation to engage with an external investigator, if that is what they choose to do

**Paul Walker:** yes I think the route for that is through myself or through the Corporate Director for Children's Service

### **Appendix 3: Hereford Times: Invitation to senior officers to attend the Rowing Club meeting**

## **Senior figures yet to meet concerned Herefordshire parents**

Hereford Times 19th October 2022

By Gavin McEwan Local democracy reporter

A public meeting this week will give Herefordshire parents a chance to make known their bad experiences with the council's children's services. But whether senior council figures will be there to hear them remains unclear.

Organised by support group A Common Bond, the meeting will be held this Thursday (October 20) between 9:30 and 11am at Hereford Rowing Club, 37 Greyfriars Avenue, Hereford HR4 0BE.

The group said that as councillors and senior management could not attend the original meeting planned for last week, "we have set a date to the following week, to give all the opportunity to attend and show they are serious about hearing your voices".

The group's coordinator Angeline (we are not using her surname for legal reasons) said that Eleanor Brazil, the children's commissioner recently appointed by the government to determine whether the department should be put under external control, had accepted an invitation to attend.

But neither director of children's services Darryl Freeman, council chief executive Paul Walker, nor cabinet member for children's services Coun Diana Toynbee had responded to invitations, she said.

The Local Democracy Reporting Service asked the three whether they would attend, but had not received a reply at time of publication.

## **Appendix 4: (Initial draft) Terms of Reference from Eleanor Brazil to families who were to be invited to give evidence to the Independent Commission**

**See in particular, Parameter 11 for the relevant clause in the initial invitation draft, which was subsequently amended on the demand of Councillors**

**Terms of Reference for proposed Commission to consider families' experience of children's services in Herefordshire**

### **Background**

Herefordshire's children's services have been publicly criticised in recent years. The recent Ofsted Inspection also highlighted concerns about the effectiveness of the safeguarding partnership.

In 2018 a High Court judge published his judgement relating to the inappropriate use of Section 20 for children in long term care in Herefordshire, and in March 2021 the same judge published a highly critical judgement relating to very poor practice regarding a sibling group of four. More recently, in April 2022, the BBC broadcast a Panorama programme, which covered the negative experience of five families who had been receiving social work intervention in Herefordshire.

One of the mothers featured in the Panorama programme, set up a group called A Common Bond. She was and is supported by one Councillor in particular and the local M.P. In October she organised a public meeting for families to present their stories to councillors (about 12 attended this meeting) and myself as Children's Commissioner. About 15 families had prepared statements which they presented. There were some common themes: unsympathetic social workers, lack of knowledge or response to children's special needs, children removed at short notice and wider family not considered. Several of those who presented their story had come to an extraordinary council meeting held a few weeks previously to debate children's services and have continued to ask questions at subsequent Council meetings.

Managing 'legacy' cases is challenging given the numbers involved, the high profile following the Panorama programme, the historic poor decision-making, and the frequent changes in social workers. The publicity following the recent inspection has further increased lack of confidence in the Council and the Safeguarding Partnership. A small number of parents continue to take opportunities to publicly raise their concerns at council meetings and through emails and complaints to the local M.P.s and Councillors.

Given this background and context the Council, with the Children's Commissioner and the safeguarding partners, have considered what more can be done to try to resolve issues for families, to restore confidence and to learn from what has happened. The proposal to establish a Commission is intended to do this.

### **Purpose of setting up a Commission**

- a. To give parents and families an opportunity to tell their story to an independent panel.
- b. To identify any steps that the Council and partners can and should take as a result of hearing families' testimonies, either in relation to individual cases or in respect of general issues.
- c. To learn from their experience and to ensure that that knowledge is used to inform improvements to children's services.

- d. To ensure that, as far as possible, families feel that their concerns have been listened to and responded to, and that this is as much as can be done to resolve matters.

#### **Parameters for the Commission**

1. The Panel will consist of 3 individuals, not connected to Herefordshire Council, with appropriate knowledge and experience, identified by the Children's Commissioner.
2. The Panel will meet in Hereford in private as circumstances relating to individual children will be discussed.
3. Families will have the opportunity to present to the Panel in person or to submit written statements.
4. Any parent or carer who wishes to address the Panel will be able to be accompanied by someone to support them.
5. If any children wish to address the Panel we will look at each situation individually to ensure that they are fully supported to do this.
6. If any families are currently involved in care proceedings, the Panel will not be able to consider any request to impact on those proceedings, but will hear from parents who wish to tell their story of what led up to the initiation of proceedings.
7. The Panel will not be able to consider any request to review a case where a child has been adopted, but will hear from parents who wish to tell their story of what led up to an adoption outcome
8. Where families have already had their concerns investigated through the Council's complaints process the Panel will have access to all the documentation relating to the complaint investigation and outcome, as well as hearing directly from the families.
9. The Children's Commissioner and key representatives of the Council and safeguarding partners will attend the Panel sessions as observers.
10. Representatives of the Safeguarding Partnership who attend will follow up any specific issues relating to their agency that are raised and respond to the Panel.
11. If families participate in the Panel there will be an expectation that they will not raise the same issues as a public question at future Council meetings.

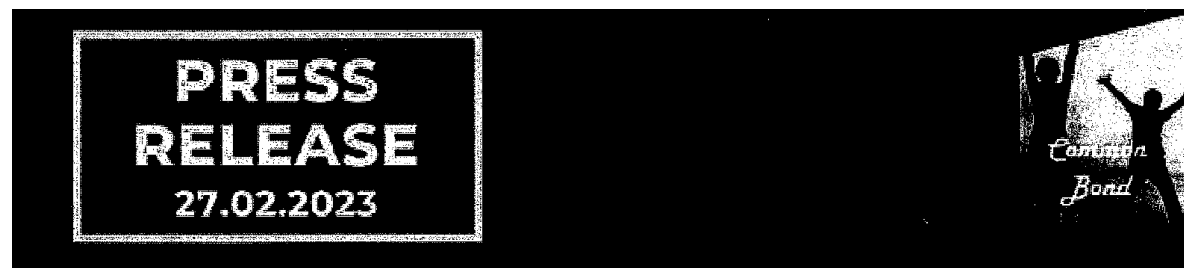
#### **Process**

- The Council will identify families who have raised their concerns through a number of routes, including directly to their M.P., councillors, Chief Executive, Children's Commissioner, at Council meetings and scrutiny committee meetings.
- If the parameters above are met, families will be offered the opportunity to present to the Panel.
- The Panel will meet for between 3-6 days, depending on the numbers of families who wish to be involved, during late February/ early March if possible.
- The Council will provide administrative support to the Panel
- The Panel will produce a written report identifying general themes and recommendations, which will be published.
- The report will be received by the Council and the safeguarding partners
- The Panel will write separately to individuals, the Council, and safeguarding partners if there are specific recommendations in relation to their case.

Eleanor Brazil

Children's Commissioner 6/2/2022

## Appendix 5: A Press Release response to the invite and Terms of Reference for the Independent Commission by 'A Common Bond'



### **FAILED FAMILIES STILL DEMAND A PUBLIC INQUIRY INTO HEREFORDSHIRE CHILDREN'S SERVICES, DESPITE SAFEGUARDING CHILDREN'S PARTNERSHIP INDEPENDENT COMMISSION INVITE**

Families affected by the scandalous failings of Herefordshire Children's Services have started to receive letters inviting them to appear in front of an independent commission next month, on the pretext that by sharing their concerns this will ensure their experiences are used to inform improvements. This is a far cry from the public inquiry the families have demanded and deserve. A Common Bond welcomes the opportunity for families to be heard and for learning to take place however does not believe this goes far enough. A Common Bond is calling for families planning to attend to state they have no confidence in this commission, partnership and council and do not accept the parameters as binding or as effective remedies for its members with current or legacy cases.

The failings spanning decades have not been timely addressed by the local authority or the Herefordshire Safeguarding Children Partnership since it was established in 2018. The recent judgments by Justice Keehan highlight that the Partnership is not fit for purpose along with the full house of inadequate OFSTED rated children's services. The Partnership includes the council and the notion that this is independent is clearly up for debate. A Common Bond has spent the last 12 months campaigning for justice for failed children and families and does not recognise the outcomes as effective remedies to those impacted by failings and the COVID pandemic on care proceedings. There is no recognition for the trauma so many have endured and will be expected to relive in front of a panel with no offer of support to families once they leave. The commission appears to be a ruse to silence families and an opportunity to go back on the independent reviews and personal apologies many were promised. The parameters even state families will be expected to stop asking public questions at council meetings leading to continued embarrassment for the council. What is needed is a public inquiry to allow for all cases to be given the attention they deserve even when court proceedings have concluded. Tangible documents for families to show they were failed and accountability is being taken, support to report current and former staff to regulatory bodies regarding their suitability to practise alongside the commitment of lessons learnt.

*"When I first got the letter I welcomed an opportunity to be heard however when I started to explore the purpose and parameters of the invite it quickly became apparent this is a PR opportunity and an exercise in lip service. If anything I have now lost faith and confidence in Eleanor Brazil, Children's Commissioner and the CYPD cabinet for allowing such a suggestion. What has come out in the public domain is the tip of the iceberg and whilst Herefordshire may be the authority in the spotlight the issues span nationally and needs the backing of a public inquiry into care proceedings as a whole." HC*

The panel consists of Karen Manners a retired police deputy chief constable, Sally Halls a qualified social worker and Mairead MacNeil a qualified social worker and will be joined by known observers who are key representatives of the Council and safeguarding partners. There is no family representative on the panel with lived experience to highlight differing points of view to safeguarding. There is no human rights expert to balance the needs to safeguard with the rights of families, some of whom experienced gross abuses of power by police and social services.

A Common Bond respectfully requests that those involved consider if this would be acceptable to them if they were in the position of the families AND if they would be so quick to agree to terms that benefit only those that have so utterly failed them.

## Appendix 6: Statement by families

9<sup>th</sup> June 2023

**Statement from nine families affected by Herefordshire Council's "Inadequate" Children's Services in response to: *Report of the Commission to Consider Families' Experience of Children's Services in Herefordshire*, published 6 June 2023**

The report from Karen Manners and her team, published on 6 June 2023, is welcomed by families harmed by the long-standing inadequate Children's Services in Herefordshire; for the first time since the appointment of the Children's Commissioner nine months ago, parents' experiences have been respectfully heard, believed and recorded in the public domain. The families would like to thank Karen Manners and her team for their work in exposing the systemic failures which have resulted in so much harm.

It is important for everyone reading the report to understand that families have seen no change to date. Families are still experiencing the appalling treatment which is described so clearly in the report: a complete lack of accountability which results in ongoing parent blame, lack of support, poor or disrespectful communication, empty promises, breaches of confidentiality and GDPR, silencing, bullying, slow or no response to safeguarding risks, unanswered questions, and a broken complaints system.

The question the families are left with is why has it taken so long for their voices to be heard at a senior level? Many Councillors including the Chair and Vice of Children's Scrutiny, and Cllr Terry James have heard, but the Chief Executive, Paul Walker, and the Director of Children's Services, Darryl Freeman, have not. When Full Council was alerted to the fact that its Care Concerns portal was not working in July 2022 nothing changed. Families who were promised in writing a full independent review of their cases last year are still waiting. Families heard the Chief Executive mislead Councillors at Full Council in December 2022 about the scope and pace of the work being done with families who had raised concerns.

Eleanor Brazil was appointed as Commissioner in September 2022. She was present to hear impact statements from parents at a public meeting in her first month in post. What she listened to was harrowing accounts from a dozen or so families, and direct appeals for help. But she chose not to engage with those families in the subsequent months, nor to identify in her investigation the common thread going through the impact statements: a culture in the Council of bullying, lying and silencing.

Section 14 of her report is entitled: Impact on families who are public about their experience of children's services and impact of those families on the Council. But there is no attempt to capture the impact on families, no acknowledgement of the pain and trauma which has resulted from failing services. The focus in Section 14 is the impact on the Council of families who raise concerns.

Despite being invited to this public meeting with families, Paul Walker chose not to attend.

Some families contacted Eleanor Brazil after the September 2022 meeting to share concerns with her directly, including concerns over the kinds of systemic risks now identified in Karen Manners' report. She chose not to engage with the families.

Eleanor Brazil's report to the Minister for Children, published on 1 March 2023, failed the families of Herefordshire. It did not identify the scale and depth of the problems across multiple Council departments because the Commissioner had chosen not to engage with the families most seriously affected by inadequate services. Ironically, she became integrated into the culture of refusing to listen to the voices of those raising legitimate concerns, a culture which has underpinned failure for so many years.

Her request to the former Children's Scrutiny Chairs that they consider closing down public questions for a year as parents had 'plenty of places to go' to raise their issues was robustly rejected. The families thank the Chairs for this. Karen Manners' report shows clearly that, just as Children's Scrutiny feared, there has been nowhere in the Council where parents' concerns were being properly heard.

Eleanor Brazil chose to listen to officers not to families who had been harmed, and as a result her report failed the children of Herefordshire. The independent panel hearings were only offered to families six months after her appointment – long after her report recommendations were published and thanks in large part to the pressure exerted by parents who kept turning up to public meetings to ask why the promised independent reviews had not materialised.

The original Terms of Reference for the Independent Panel – drafted by Eleanor Brazil - included the requirement that once families had attended the panel hearing, they would be expected not to raise the issues again in public. This condition was roundly and publicly rejected by the families and the families are grateful that Cabinet insisted that this wholly unreasonable condition was removed.

Families have a strong sense that Eleanor Brazil did not want their stories heard, and the truth about the scale and depth of the failures in Herefordshire to surface.

There is no dispute that the promise of improvement after the Judge Keehan judgements in April 2021 has not materialised. The person appointed in April 2021 to oversee the Improvement Journey, the new Chief Executive, received no criticism from Eleanor Brazil in her 1 March 2023 report. Indeed, she praised him repeatedly for listening to families. Karen Manners' report, by contrast, evidences that parents have not been heard.

The people implicitly blamed for ongoing failure within children's services were social workers on the ground, interim managers, inexperienced Councillors, parents who persistently raised the alarm, and the journalist and judge who shone a light on egregious failure and gave courage to other families to speak up.

This latest report shows the need for a public inquiry into the scale and depth of the problems here in Herefordshire. There also needs to be an urgent statement from the new administration about how and when the Council proposes to meet the needs of the families

so grievously harmed, and how it proposes to tackle the culture of bullying and silencing which has allowed failure to persist for so long.

Alongside that, there must be swift change in social work practice, especially improvements in the early help service, complaints procedures and record keeping and a Think Family approach. Otherwise, the time and efforts of those who participated in the Commission will be squandered.

Neither Paul Walker nor Darryl Freeman has ever had the confidence of the parents calling for change; after the publication of the independent commission's report, people might start to understand why. The families are calling for them to resign, and for the Department for Education to urgently review the robustness of the evidence base which underpinned the Children's Commissioner report published in March.

The time for honest brokerage with families who have been harmed is long overdue.

Quotes from individual family members directly affected:

### **Family 1**

'The BBC News website states, "The [Commission] panel itself experienced delays and poor-quality communication with the children's services." Therefore, what hope is there for children and families to receive an acceptable standard of service?'

There must be a public enquiry into Herefordshire Children's Services to ensure that lessons are enacted.

### **Family 2**

With all these people that have investigated the council and found them at fault, there has still been no improvements, this council cannot change as it cannot accept responsibility for the continuous poor practice. How can they learn when they refuse to be held accountable?

I don't think Paul Walker and Darryl Freeman should resign, they should be sacked and banned from senior positions across the UK. They should not be allowed to cause more harm to families in different counties.

### **Family 3**

I fear it could end up as another detailed and damning document of the consistent failings that will just sit with the others on the 'decade failings shelf' along with the long list of previous inadequate Chief Executives and incapable Directorates.

Why is this inadequate and incompetent Chief Executive still in post after the multitude of failings that have been exposed and why did he come out unscathed in Eleanor Brazil's report?



#### **Family 4**

They don't seem to understand the public sector equality duty. They fail to recognise hidden disabilities, make reasonable adjustments. They don't seem to have a handle on the human rights act or how to treat people who have already been traumatised by inadequate services. Working parents aren't even given proper notice of meetings.

#### **Family 5**

My husband uses the term "Mother hating Council" a lot.

#### **Family 6**

I'm sick of apologies. They mean nothing. I want them to change the way they treat us.

What's the point in asking families to contact them with concerns, only to ignore us? They treat us with contempt and just want to shut us up. That includes Eleanor Brazil.

#### **Family 7**

I am calling for the resignation of Darryl Freeman as I fail to see how the department can make the changes it must do, in a timely manner with Darryl at the helm. The independent commission's report based on our experiences highlights the problems are still ongoing and certainly in my case they are. To meet with the panel made me and my family retraumatised as we relived our experiences but without this report we would not be heard. I met with Darryl Freeman 2 years ago and told him all that is in the report and more and he chose to ignore it just as he will ignore it again.

This must stop now. We will not be silent.

#### **Family 8**

##### **Parent 1**

The glee in the social workers voice when she told me I wouldn't be allowed a final goodbye in person sent chills down my spine. The judge had told them (Herefordshire Children's Services) to ensure that it happened in the child's best interests. I never got the chance to hug or kiss my son again. It was a total abuse of power from the start of a witch hunt to the end, they concealed information from the courts and then disrespected the judge's directions once more. It was clear there was no Think Family happening!

##### **Parent 2**

Until someone is willing to consider that the records written/recorded and shared are inaccurate and worded to achieve a preferred result, and order all cases be independently reviewed Herefordshire Children's Services, Council and externally appointed persons are still conspiring to hide the true level of abuse of power and failings.

Justice Keehan was very clear this is happening as a warning to the local authority in his judgement of Re YY. I have supplied proof via complaint processes that the social worker failed to look at the red book as well as having hidden kinship carer offers from the courts

and other professionals, even from the councils IRO. This offer was significant as the offer was to look after the child for the 12 months, the improvements recommended would take. As this was hidden the false account was regurgitated to the former legal guardian by the former IRO. The IRO left Herefordshire shortly after this came to light and the guardian left her job when CAFCASS became aware of the fact she had used this legal loophole in preference to speaking to the kinship carers yet no one has taken accountability at Herefordshire for this happening.

Natural justice has been and still is being denied, it's time that adoptions and care orders based on fraud/dishonesty, abuse of power and coercion by Herefordshire Council be challenged as the families and the children deserve reunification especially given the council's position during Covid-19 acknowledged that families didn't have access to the services to evidence changes.

### **Family 9**

I was told by a social worker 'If you kick up a fuss you will never see your children again'. My reasonable fear is this bent council will hold a grudge and restart spiteful proceedings again. Lessons aren't learned. Given the history how can the councillors just continue doing nothing? Surcharging councillors should be an option for the govt inspectors. This has been going on for many years. They knew.

## **Appendix 7: Evidence excerpts from the Report of the Commission**

7.1.4 Several individuals praised the vital work of schools in the safeguarding world and the role they performed in providing the day-to-day assessment of the children in their care.

*"Schools were very supportive and helpful but were not allowed to be at the core meetings".  
"Education challenged the local authority and then were accused of protecting mum".*