



House of Commons
Communities and Local
Government Committee

Child sexual exploitation in Rotherham: Ofsted and further government issues

Ninth Report of Session 2014–15

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 10 March 2015*

HC 1114
Published on 17 March 2015
by authority of the House of Commons
London: The Stationery Office Limited
£0.00

The Communities and Local Government Committee

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Summary

This report follows up our November 2014 report on child sexual exploitation in Rotherham and covers two matters: the role of Ofsted and Louise Casey's inspection report on Rotherham. We also took evidence from Roger Stone, the Leader of Rotherham Council from 2003 to 2014.

It is clear that the inspection arrangements that Ofsted had in place from 2007, when it became responsible for inspecting children's services at Rotherham, failed to detect either the evidence, or the knowledge within the council, of large-scale child sexual exploitation. The structured inspection method used at that time to inspect local authorities' children's services was designed by Ofsted and did not focus on child sexual exploitation. Nor was there time, incentive or encouragement to go beyond the confines of the framework. The result was a lack of intelligence and understanding in Ofsted's handling of Rotherham. Child sexual exploitation was missed as was the superficiality of Rotherham's response to inspection findings and its dysfunction. Ofsted itself was distracted by its 2007 reorganisation which in the short-term served to reinforce its internal silos.

At the end of this exercise, which was not a full inquiry but an evidence gathering exercise involving a range of witnesses, we are left with two still partially unanswered questions. First, given the inability of Ofsted to recognise organised child sexual exploitation until 2012-13, is it possible there are more Rotherhams waiting to be found? It is essential that the current round of inspections covers the whole country and gets the answer to this question. Second, is Ofsted currently attuned to look for only already known types of failure? We are concerned that it will not be the body that picks out and recognises the next, as yet unidentified category of failure in children's services.

We found Louise Casey's report on her inspection of Rotherham to be penetrating and instructive. It not only confirmed the dreadful findings in the Jay Report but, what was worse, revealed that Rotherham Council was in denial about child sexual exploitation. In the face of the findings of the Jay and Casey Reports the Secretary of State was right to send in commissioners to run Rotherham. The challenge now is to get improvements made in Rotherham, reach the victims and get the authority functioning effectively under local democratic control.

1 Introduction

Purpose of the report

1. On 18 November 2014 we published a report, *Child sexual exploitation in Rotherham: some issues for local government*.¹ Our report followed the publication of the *Independent Inquiry into Child Sexual Exploitation in Rotherham: 1997–2013* by Professor Alexis Jay OBE (the “Jay Report”)² on 26 August 2014, which provided a damning indictment of the failure of one local authority to protect its children from organised sexual exploitation. We, like other MPs, were shocked not only by what the Jay Report showed had been happening in Rotherham since 1997 but by the implication that the pattern revealed could be repeated across the country. We have therefore closely followed developments in Rotherham and we are now able to follow up two matters since our earlier report.

Ofsted

2. First, we considered that the Jay Report posed serious questions about the performance of Ofsted and its inspection of Rotherham Council's children's services. We therefore said in our earlier report that we would be questioning Ofsted about its record at Rotherham.³ We took evidence from Debbie Jones, Director, Social Care and Regional Director, London, Ofsted, who has been in post since 2013, and, exceptionally, from former officers in post from 2007, when Ofsted took over responsibilities for inspection of children's services:

- i) Michael Hart, Director for Children, June 2007 to December 2008;⁴
- ii) John Goldup, Director of Social Care Development, September 2009, then National Director for Development and Strategy and finally, January 2012 to April 2013, Deputy Chief Inspector;⁵ and
- iii) Miriam Rosen, Director, Education, April 2004 to August 2009, Executive Director, September 2009 to April 2010 and then Her Majesty's Chief Inspector (interim), July 2011 to January 2012.⁶

Having taken their evidence we have a number of concerns about Ofsted's performance, which we set out at chapter 2.

1 Communities and Local Government Committee, Third Report of Session 2014-15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648

2 Rotherham Metropolitan Borough Council, [Independent Inquiry into Child Sexual Exploitation in Rotherham 1997-2013](#), (the “Jay Report”)

3 Communities and Local Government Committee, Third Report of Session 2014-15 [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648, para 34

4 Q352

5 Q353

6 Q488

The Report of Inspection of Rotherham Metropolitan Borough Council

3. Second, on 10 September 2014, after the publication of the Jay Report, Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government, announced that he would use his powers to commission an independent inspection of the compliance of Rotherham Council in the exercise of its functions on governance, children and young people, and taxi and private hire licensing. He appointed Louise Casey CB to carry out the inspection and asked her to report.⁷ We said that we intended to call Ms Casey to give evidence after she and her team had completed the inspection at Rotherham. Her Report of Inspection of Rotherham Metropolitan Borough Council (the “Casey Report”),⁸ was published on 4 February 2015 and we took evidence from her on 23 February. We comment on the Casey Report and Ms Casey's evidence in chapter 3.

Roger Stone, former Leader of Rotherham Metropolitan Borough Council

4. On 10 March we took evidence from Roger Stone, the Leader of Rotherham Metropolitan Borough Council from 2003 to 2014. Our purpose in asking him to appear was to put to him the serious criticism of his leadership and management of children's services set out in the Jay and Casey Reports. We have published a transcript of the session,⁹ which speaks for itself. Our views on the failure of the authority are set out in this and our earlier report. **Having carefully listened to, and read, Mr Stone's evidence we are clear that in the light of the findings of Professor Jay and Louise Casey, which we fully accept, the authority which he led failed to protect the children of Rotherham from organised sexual exploitation. In these circumstances as Leader—and given that he was aware of the child sexual exploitation from 2004/05 and given the culture in the Council which prevented the follow through and tackling of child sexual exploitation on the scale it was occurring in Rotherham—Mr Stone's position was wholly untenable. Therefore he had no alternative other than to resign and to apologise.**

The evidence

5. In contrast to most of our inquiries the evidence we took in this case was predominantly oral evidence. We did, however, receive written supplementary submissions from Ofsted, the Local Government Association and the memorandum from Roger Stone, which we have published.¹⁰ This inquiry was also unusual, as we have noted, in that we took the exceptional step of calling three former Ofsted officials to give oral evidence. They gave evidence in personal capacities as former employees of Ofsted.¹¹ We did this because the current senior official at Ofsted with responsibilities for children's services had only been in post since 2013 and the Jay Report highlighted deficiencies in the service from 1997.

7 HC Deb, 10 September 2014, [cols 37-40WS](#)

8 Department for Communities and Local Government, [Report of Inspection of Rotherham Metropolitan Borough Council](#), February 2015, HC (2014-15) 1050 (the “Casey Report”)

9 Qq526 and following

10 Roger Stone ([JRR 005](#))

11 Qq353 [John Goldup], 488, 490 [Miriam Rosen]

6. We would like to thank all those who gave evidence and our specialist adviser, Gladys Rhodes White.¹²

Measures announced on 3 March 2015

7. On 3 March in response to the Jay and other reports, including one published that day concerning child sexual exploitation in Oxfordshire,¹³ the Government announced a package of measures to protect children. Child sex abuse has been prioritised as a “national threat”, like serious and organised crime, meaning that police forces, chief constables and police and crime commissioners will have a duty to collaborate with each other across boundaries to safeguard children. The Government also announced proposals to extend the crime of “wilful neglect” to cover children's social care and education, with unlimited fines for individuals and organisations shown to have let children down. In addition, senior staff who leave councils after abuse scandals could see their pay-offs clawed back if it is shown they failed to protect children under their responsibility. A new national helpline will be established to help professionals blow the whistle on failings in care for children.¹⁴

12 Ms Rhodes White had no interests to declare.

13 Oxfordshire Safeguarding Children Board, [Serious Case Review into Child Sexual Exploitation in Oxfordshire: from the experiences of Children A, B, C, D, E, and F](#), February 2015

14 HC Deb, 3 March 2015, [cols 812-14](#); Gov.UK, [“PM unveils tough new measures to tackle child sexual exploitation”](#), 5 March 2015

2 Ofsted

Introduction

8. When she gave evidence to us on 13 October last year we asked Professor Jay, “Do you think Ofsted failed the children of Rotherham?” she replied, “To some extent, yes.”¹⁵ Professor Jay's Report gives more detail.

- In December 2009, following a critical report rating Rotherham children's services as 'inadequate' on the grounds that the safety of children could not be assured, the Department for Education served an improvement notice.¹⁶ (We learned subsequently that the inspection that triggered the intervention had followed a “very narrowly focused two-day inspection”¹⁷ and that the notice did not mention child sexual exploitation.¹⁸)
- In July 2010 Ofsted conducted an inspection of safeguarding and looked after children. Safeguarding services were deemed to be 'adequate' in their overall effectiveness and capacity for improvement. The partnership between children's social care, the Police and the voluntary sector was described as carrying out effective and creative work to prevent sexual exploitation, with cross-agency training.¹⁹

(At that time, however, child sexual exploitation was still going on.²⁰) The Jay report continues:

- In December 2010 Ofsted published its Annual Assessment of Rotherham's Children's Services. The report acknowledged the work that had been done to bring about the improvements which had been required by previous inspections.²¹
- In January 2011 the Department for Education removed Rotherham's children's services from Government intervention.²²
- In November 2011 Ofsted's Annual Children's Services Assessment took place. The Council was commended for having invited a peer challenge team to review its safeguarding services.²³

15 Q200

16 [Jay Report](#), p11, paras 3.14-3.16

17 Q376 [John Goldup]

18 Q306 [Debbie Jones]

19 [Jay Report](#), paras 3.17-3.19

20 Q311 [Debbie Jones]

21 [Jay Report](#), paras 3.20-3.21

22 [Jay Report](#), paras 3.20-3.21

23 [Jay Report](#), para 3.23

- In August 2012 Ofsted rated Rotherham’s child protection services as ‘adequate’ commending ‘significant improvements’.²⁴

9. Subsequently, Ofsted supplied us with a table summarising the overall grades of its inspections from 2006.²⁵

Inspection type ²⁶	Date of inspection	Report publication	Overall grade	Inspectorates involved
SIF	16 Sep 14	19 Nov 14	Inadequate	Ofsted
CPI	02 Jul 12	10 Aug 12	Adequate	Ofsted
CRA	10 May 11	09 Jun 11	Not graded, but included areas for development	Ofsted
SLAC (Safe-guarding)	19 Jul 10	27 Aug 10	Adequate	Ofsted CQC
SLAC (LAC)	19 Jul 10	27 Aug 10	Adequate	Ofsted CQC
CRA	04 Aug 09	04 Sep 09	Not graded, but included areas for priority action	
JAR	2006	10 Oct 06	Grades were given for: Local services overall <ul style="list-style-type: none"> • The five ECM outcomes • service management • capacity to improve Council services <ul style="list-style-type: none"> • capacity to improve • children’s services • education services • social care services for children Health services for children. All judgments were good	<ul style="list-style-type: none"> • Adult Learning Inspectorate • Audit Commission • CSCI • Healthcare Commission • HM Crown Prosecution Service Inspectorate • HM Inspectorate of Constabulary • HM Inspectorate of Court Administration • HM Inspectorate of Prisons • HM Inspectorate of Probation • Ofsted

Table 1

10. On the face of it the Ofsted reports show an underperforming authority with intermittent improvement. The actuality, however, was that at least 1,400 children were being systematically sexually exploited in Rotherham between 1997 and 2013. As Miriam Rosen, from Ofsted, told us: “the main problem was that at the time we did not have

24 [Jay Report](#), p 13; see also [Casey Report](#), chapter 2 and p 69

25 Ofsted ([JRR 003](#))

26 Key:

CPI Child Protection Inspection
 CRA Contact, Referral And Assessment
 JAR Joint Area Review
 SIF Single Inspection Framework
 SLAC Safeguarding Looked After Children

sufficient understanding about the scale, scope and nature of child sexual exploitation”.²⁷ But the nature and scale of the exploitation at Rotherham was known by the victims and their families and within the Council.

a) Risky Business, a youth project, had noted problems since the late 1990s: it would refer to children's social care any young person who gave rise to serious concerns and might require statutory intervention, it was part of the Council's Youth Services and one of its main functions was the provision of training to voluntary and statutory agencies working in the field, to magistrates, the Police, schools and foster carers.²⁸ In her report Louise Casey described its approach in reaching out to victims and in collecting evidence about perpetrators as “ground breaking” and pointed out that it “constantly and relentlessly shared what [it] knew [and] produced maps which showed the places child sexual exploitation was happening, wrote reports on the victims involved, and drew on national evidence to draw attention to what was happening in Rotherham [and it] met with social workers and police to pass on relevant information about individual cases”.²⁹

b) There were seminars for elected members and senior officers held in 2004-05 which presented the abuse in the most explicit terms and after these events, Professor Jay said, “nobody could say 'we didn't know'”.³⁰

Why did Ofsted not detect and expose Rotherham's failure to address child sexual exploitation?

11. We asked why Ofsted had failed to notice the seriousness of the problem of child sexual exploitation in Rotherham. We identified several reasons.

12. First, Debbie Jones, currently in post in Ofsted, said that “we inspect according to what are the published frameworks of the time”.³¹ Ofsted had designed its frameworks³² and they “examined processes [...] systems [and] strategies”.³³ This approach had inherent weaknesses as Professor Jay told us that Rotherham

had no shortage of policies, procedures or plans. There were mountains of them, but the weakness was that nobody checked whether they were being implemented, or indeed whether they were any good.³⁴

13. The first weakness in Ofsted's approach was that it relied on the appearance of, and paperwork describing, Rotherham's systems rather than the actuality. It did not

27 Q495

28 [Jay Report](#), paras 1.5-1.6; see also para 5.20 and chapter 6

29 [Casey Report](#), pp 37-38

30 [Jay Report](#), p 2; see also [Casey Report](#), p 38

31 Q275

32 Q289

33 Q290

34 Q197

effectively check the policies with practical examples that could demonstrate evidence that the policies were working.

14. Debbie Jones accepted that Ofsted did not “spot the scale” of child sexual exploitation.³⁵ She also explained that “in the [...] frameworks there was probably an over-reliance on [...] focus groups, where you would meet with a group of professionals who were used to talking to inspectors and were trained in talking to inspectors”³⁶ and that they were “not necessarily reaching those parts that needed to be reached”.³⁷

15. This approach had the effect of missing the “ground breaking” work carried out by Risky Business. As Louise Casey noted:

the strengths of Risky Business were actually considered weaknesses within [Rotherham Council]. The contribution that the youth workers made was not properly appreciated or valued. They were not accorded the professional respect given to social workers.

Too often, the information they gleaned was ignored and not acted upon. [...] Risky Business and those that established it, supported it and worked alongside it had, in the course of a decade, gone from a progressive and innovative project to one that was marginalised, reshaped and eventually closed down.³⁸

It was “very clear” to the Casey Inspection team that here was a professional jealousy of youth services by social care. In addition, the Report found this “lack of understanding of child sexual exploitation in Children’s Social Care meant they got the law wrong, and they got the practice wrong”³⁹ and that the

issue of professional boundaries was reinforced by a lack of understanding—deliberate or otherwise—about the type of information gathered and held about the girls and the perpetrators. The information that Risky Business had was deemed ‘not good enough’ by both social care and the police. Information they passed on was often discredited.⁴⁰

16. The second weakness in Ofsted's approach was that it relied on what the officers at Rotherham told it. These officers do not appear to have passed on the concerns Risky Business raised about child sexual exploitation and Ofsted does not appear to have probed beyond what it was told and it failed to penetrate the professional jealousy and incompetence that distorted the operation of Children’s Social Care in Rotherham.

35 Q291

36 Q317

37 Q303

38 [Casey Report](#), p 40

39 [Casey Report](#), p 43; see also Q457.

40 [Casey Report](#), p 44

17. Debbie Jones stressed that the “frameworks that we had at the time were developed according to the policies and the issues that were of concern at the time [and] they did not focus on child sexual exploitation”.⁴¹ John Goldup, formerly a senior official at Ofsted, explained that before 2012 the focus had been on “child sexual abuse, which is primarily a thing that happens within children’s homes”⁴² and “the effectiveness [...] of local authorities’ response to the abuse of children and neglect of children primarily within the home, which is [...] where the vast majority of child abuse takes place”.⁴³ He added:

We did not understand the scale and scope and prevalence of child sexual exploitation up until 2012 [...] I do not think we understood that it was something that almost certainly affects thousands of children all around the country, and it could be happening in any local authority [...] our understanding of child sexual exploitation up to 2012 was limited.⁴⁴

By the end of 2012, we were inspecting for child sexual exploitation in a very different way. We needed to improve; we needed to learn. We did not get it right at the time we inspected Rotherham.⁴⁵

18. The third reason is that the ‘frameworks’ used by Ofsted in inspections from 2007 to 2012 relied on an approach narrowly focussed on structured processes that did not include enquiry for, or into, organised child sexual exploitation.

19. Michael Hart, also a former senior official at Ofsted, stressed that he had no responsibilities in respect of child sexual exploitation.⁴⁶ He told us:

My title was Director, Children (not Director, Children’s Services). This involved responsibility for the inspection of Early Years, CAFCASS, and a range of Social Care remits (children’s homes, fostering services, adoption services, residential boarding schools etc). The inspection of local authorities’ overall provision, including safeguarding, was the responsibility of another division of Ofsted, though of course the teams for these inspections included input from one of the Social Care inspectors employed in my division.⁴⁷

When he gave evidence to us Mr Hart explained that he had responsibilities for inspecting the fostering service and the adoption service.⁴⁸

20. Commenting on the 2007 reorganisation of inspection, when inspection of children’s services came to Ofsted, Mr Hart said that it took

41 Q288

42 Q370

43 Q373

44 Qq373-74

45 Q374

46 Qq352-53, 362-63

47 Email sent on 3 February 2015 from Michael Hart to the Clerk of the Committee, not printed.

48 Q363

[at least most of 2007 and 2008] for a change of culture and ethos, from what was [...] predominantly an education-focused inspectorate to one that took on a much wider brief. It took most of the time while I was there, in a sense, to settle the social care inspectors into this larger organisation, and, indeed, the other way round as well—for the education part to recognise what was joining them—and to look for the potential joint working across the two.⁴⁹

Education inspectors were mainly concerned initially on areas of achievement. They began to recognise that areas such as safeguarding were equally important. There was lots of training that went on to make sure that they also took responsibility for that within their inspection regimes. Similarly, the social care inspectors needed to understand the importance that education could play”.⁵⁰

21. We accept Mr Hart’s description of his responsibilities and how Ofsted was operating from 2007. What it shows us is an organisation turned in on itself, while a major reorganisation bedded in, and an organisation operating in distinct silos. The result, it appears to us, was that evidence of child sexual exploitation in, say, an education service would have been neither detected nor passed to those inspecting social care.

22. Mr Hart's evidence leaves us with a picture of Ofsted as an organisation in 2007 and 2008, and probably later, that was culturally and operationally functioning in impenetrable silos. This regrettable situation is the fourth reason why the noticing or exposing of organised child sexual exploitation in Rotherham was hampered.

23. John Goldup told us that some of the inspections of Rotherham were short—for example, a two-day unannounced inspection of contact referral and assessment arrangements in 2009.⁵¹ We cannot see that such an inspection was going to uncover the nature or extent of child sexual exploitation.

24. The fifth reason why Ofsted failed to notice child sexual exploitation in Rotherham is that its inspections were too short and narrowly focused.

Changes from 2012

25. Changes gathered momentum in 2012. John Goldup explained that the report of the All-Party Parliamentary Group on Runaway and Missing Children and Adults in June 2012,⁵² the article in *The Times* by Andrew Norfolk in autumn 2012⁵³ and the report of the

49 Q401

50 Q426

51 Q376

52 The APPG for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers, [Report from the joint inquiry into children who go missing from care](#), June 2012

53 Such as [“Police files reveal child protection scandal”](#), *The Times*, 24 September 2012, [“Revelation of child-sex scandal prompts calls for public enquiry”](#), *The Times*, 25 September 2012

deputy children's commissioner in November 2012,⁵⁴ which estimated that 16,500 children were at risk of child sexual exploitation, "fundamentally transformed our understanding of the scope and the extent and the prevalence of child sexual exploitation".⁵⁵

26. Debbie Jones explained that the framework was altered in 2012 with "increased focus on the journey of the child" and that as well as data Ofsted looked at

soft intelligence and hard intelligence; we will, most importantly, look at front-line practice; we will track a significant number of cases; we will sample cases; and, in areas where we know that there are particular issues around child sexual exploitation, they will get more of a forensic look.⁵⁶

Ms Jones told us that "only under our current framework with the focus that it has got, are we likely to identify the scale and the extent," but she added a caveat that she could not give "any guarantees".⁵⁷

27. Ms Jones also explained that the changes went beyond alterations to the framework:

Now Ofsted works within a regional structure I, as regional director in London, have access not just to the information from social care, but I hear what happens in schools. That is really important, because some of the very good work that we saw was happening in the schools space, in the work that is being done to prevent and to raise awareness.⁵⁸

She added that inspectors "will speak directly to those on the front line, as well as to the young people, parents and foster carers"⁵⁹ and "we talk extensively to children".⁶⁰

28. The Local Government Association (LGA) told us that it had reservations about these revised arrangements:

The new Ofsted regime, which has been presented as an improved framework and much more likely to pick up signs of child sexual exploitation, largely ignored the role of elected members in challenging [within] the system and in community leadership. Councillors represent their communities and reflect different perspectives, making important contributions to the work of the Council.⁶¹

54 Office of the Children's Commissioner, *"I thought I was the only one. The only one in the world" The Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation In Gangs and Groups Interim report*, November 2012

55 Q389

56 Q277

57 Qq310-11; see also Q315.

58 Q315

59 Q317

60 Q316

61 Local Government Association ([JRR 002](#)) para 8

29. The recent changes which Ofsted has made to the inspection regime appear to be an improvement, though the Local Government Association has voiced concern that the role of councillors in challenging within the system has been ignored. We recognise Ofsted's assurance, albeit with a caveat, that the new arrangements, which are both broader and deeper than those before 2012, should not let child sexual exploitation such as that in Rotherham, Rochdale, Oxfordshire and other places slip by undetected. We have, however, a lingering concern that Ofsted is still a reactive organisation that will only detect known problems, and that it will not be the body that identifies the next, as yet undetected, class of serious failure.

The interpretation of Ofsted's assessments

30. In the period we examined down to 2013, Ofsted judged local authorities using the terms 'outstanding', 'good', 'adequate' or 'inadequate'.⁶² The term 'adequate' has caused confusion. John Goldup made the point to us that: "Ofsted did not say at any point that Rotherham was serving its children well".⁶³ After the improvement notice had been served in 2009, Ofsted inspected Rotherham in 2010 and Mr Goldup said "that sufficient improvement had been made to re-grade the authority as 'adequate', although significant weaknesses remained".⁶⁴ This meant that the "weaknesses were not sufficiently serious to keep the authority in intervention", though he stressed that he was not involved "in any way, shape or form" in the decision by the Department for Education to take Rotherham out of intervention in 2011.⁶⁵ Miriam Rosen took a broader perspective and was "very sorry that some of [Ofsted's] reports perhaps gave a false reassurance".⁶⁶

31. While concluding that all inspections, including Ofsted's, had "essentially failed the children of Rotherham in relation to child sexual exploitation", Louise Casey made the point to us that Ofsted "had repeatedly told [Rotherham] about weaknesses and failings that they did not listen to".⁶⁷ She drew attention to a chart in her report that listed concerns that she found in her inspection and also showed when and how frequently they had appeared in the past. We reproduce the table⁶⁸ below.

62 Q355 [John Goldup]; In more detail they meant:
 Outstanding: a service of exceptional quality that significantly exceeds minimum requirements
 Good: a service of high quality that exceeds minimum requirements
 Adequate: a service that only meets minimum requirements
 Inadequate: a service that does not meet minimum requirements.

63 Q355

64 Q382

65 Q383

66 Q493

67 Q474

68 [Casey Report](#), p 69

Area of criticism	Date(s) of inspection report
Lack of vision, leadership and effective management	2000, 2002, 2009, 2013, 2014
Personal development reviews and supervision	2002, 2009, 2010, 2011, 2012, 2014
Core assessments for children, procedures and timeliness	2005, 2007, 2009, 2010, 2011, 2012, 2014
Concerns re teenage pregnancies	2006, 2008, 2014
Weaknesses in social care management/safeguarding	2008, 2009, 2012, 2013, 2014
Plans, pace, not embedded	2009, 2011, 2012, 2013, 2014
Confused governance, too many groups, confusion and increased risk	2009, 2011, 2013, 2014
Access Team	2009 (x2), 2011, 2012, 2014
Social care capacity/resources/prioritisation	2009 (x2), 2012, 2014
Information/data/analysis	2009 (x2), 2011, 2014
Domestic violence	2011, 2012, 2014

Table 2

32. Notwithstanding this catalogue of concerns, Ofsted, as we have noted, rated Rotherham’s child protection services in August 2012 as ‘adequate’ and commended it on ‘significant improvements’. We consider it significant that, when Martin Kimber, then Chief Executive of Rotherham Council, gave evidence to us in September 2014, he described the 2012 assessment in the following terms:

In August of 2012, there was an Ofsted inspection of our services that indicated to me, amongst a whole range of things about our safeguarding activity, that our [child sexual exploitation] services in particular were regarded as being strong and appropriate for looking after children. In the context of the information available to me, I believe that I took the most relevant and appropriate steps.⁶⁹

33. Debbie Jones told us that “we have raised the bar and the ‘adequate’ grade would [now] read ‘requires improvement’”.⁷⁰

34. We conclude that Ofsted’s rating of ‘adequate’ was ambiguous and open to misinterpretation. To Ofsted, it meant that improvement was required and we welcome Ofsted’s redefinition and clarification of the meaning of an authority assessed as falling into this category. To a person unfamiliar with Ofsted’s methods of operations—and this could include councillors carrying out the vital work of scrutinising their officers and services—the term could be represented or interpreted as meaning satisfactory. Rotherham appears to have gone a step further and interpreted it as indicating a ‘strong’ performance.

69 Q7

70 Q309

35. The disparity between Rotherham's interpretation of Ofsted's reports and what Ofsted thought it was reporting was brought into even sharper relief by Debbie Jones's expectation of what should happen after an inspection:

I [...] know from my own personal experience the level of challenge and scrutiny that leaders and lead members give their senior officers. Certainly that is what I experienced in the authorities that I worked in, and I did not just work in 'good' authorities.⁷¹

I think it is important [...] that councillors and senior officers also have their own [follow-up] mechanisms in place.⁷²

36. In our view Debbie Jones's statement is entirely reasonable and a classic statement of the position of the inspector/auditor and the inspected/audited. The problem in Rotherham was that it was dysfunctional in respect of child sexual exploitation and in denial about its shortcomings. Louise Casey found there was a “culture of clinging onto anything positive within [Rotherham Council] and not facing up to the truth of the situation,”⁷³ and on inspections:

The Council does not use inspection to learn and improve. Members are overly reliant on officers and do not challenge tenaciously enough to ensure improvements. Meeting and action plans are numerous but unproductive, with a tendency towards inertia.⁷⁴

37. Nor was there any external pressure on Rotherham to tackle the deficiencies identified in inspection reports (as summarised at Table 2). Professor Jay pointed out to us that Ofsted's reports

continued again and again to refer to the same issues coming up: lack of monitoring; inadequate supervision; the absence of sound information systems, etc., but they did not seem to demand any direct and sustained improvement take place. They simply reported and then it went onto the next and the next, so there was no clear message that 'We are not going to tolerate that this has not improved'. I thought that was a weakness in their approach.⁷⁵

And as Louise Casey commented: “We have this culture now [...] that you are as good as the last inspection. If that is the culture, you are not going to look back.”⁷⁶

38. The Casey report provides an incisive summary of the result of Rotherham's failure to build on the lessons from past inspections:

71 Qq312, 314

72 Q314

73 [Casey Report](#), p 24

74 [Casey Report](#), p 11

75 Q200

76 Q477

Rotherham Council [...] failed to achieve and maintain an acceptable standard of performance over the past 14 years. Corporate governance, leadership and management have been mixed, improving at times but unable to sustain momentum. Social services' performance has declined from a high point in 2001 when it was among the top ten performers in the country. Children's Social Care maintained a good but declining performance to 2007 when it experienced a significant decline from which it never recovered.⁷⁷

39. In our view Ofsted's inspections of Rotherham were too episodic and disconnected to produce a clear picture of steady decline in Children's Social Care that would be noticed let alone acted upon by the Council. Nor did they link to the internal processes of scrutiny which, we consider, need to be strengthened.

40. Miriam Rosen said that Ofsted's 2006 report had "[discovered] that there was child sexual exploitation going on".⁷⁸ We asked Ofsted whether the inspectors who carried out the 2009 inspection would have reviewed the 2006 report. Ofsted told us that: "As in Ofsted's current inspection practice, inspectors in 2009 would have been expected to review previous inspection reports as part of their pre-inspection preparations".⁷⁹ If this was the case then Ofsted should have been able to discern the long-term trend and the failure to improve children's services in Rotherham.

41. We detected some recent shift in Ofsted's approach. Debbie Jones made it clear that Ofsted believed "in improvement through inspection" and that more follow-up on findings could become more of "Ofsted's job".⁸⁰ They were piloting improvement work in a small number of failing authorities. Ofsted were keen to be part of the solution to improving performance through the use of their skill set in inspecting. This work focused on helping identify what needed improving and then helping measure, outside of the inspection tests, how it had improved.⁸¹ In a subsequent memorandum Ofsted said that "early signs from those authorities that have been involved in the pilot exercise are that this work has been successful in supporting their improvement programmes" and it gave details of the support that it provided.⁸²

42. The LGA, however, held the view that the current inspection regime for the protection and care of children and young people was "flawed and is stifling improvement", and it was looking for "a better way of holding agencies to account and driving improvement that takes account of the views of children and young people and draws on the very best expertise we have available to us". The LGA working with Solace and the Association of

77 [Casey Report](#), p 68

78 Q499

79 Ofsted ([JRR 004](#))

80 Qq344-45

81 Q345; see also Ofsted ([JRR 001](#))

82 Ofsted ([JRR 001](#))

Directors of Children’s Services have agreed to “collaborate on a radical new approach to be published this month”.⁸³

43. We accept that it is neither Ofsted's job to run local authorities' children's services nor a good use of tight resources for it to follow up in detail what each authority has done to address every finding in an inspection. Rotherham shows, however, that it cannot stand back when the welfare and safety of children are at risk. In our view Ofsted needs to assess an authority's ability to operate the inspection process as it should function: that is to test the findings and see through improvements. A pattern of systemic failure and deterioration in children's services started to emerge in Rotherham from 2000 and it carried on. Where an authority is incapable of making improvements, Ofsted needs to take measures to assist it and, if necessary, ensure the improvements are systematically and comprehensively carried out. If this is not happening, then there needs to be a clear escalation policy. It cannot be left to chance.

44. Finally, in her evidence Louise Casey made the point that “inspection needs to be kept separate from improvement” and she explained that “if the same group of people that are responsible for inspecting are also then tied in with improvement, then it does not feel to the public, and certainly to me, that that is a clean enough scenario”.⁸⁴ We agree.

45. While we encourage Ofsted to assist those local authorities where serious deficiencies have occurred to improve. Ofsted has within its organisational structure and arrangements to keep the process of improvement separate from that of inspection, to ensure public confidence in the independence and integrity of the inspection process.

Linking with other inspectorates

46. Linking between inspectorates should be of some assistance in establishing whether an authority is capable of reviewing and implementing findings. In addition, organised child sexual exploitation by its nature will draw in other services such as the police and the health services. John Goldup told us that when he was at Ofsted the work he “did on multi-agency inspection had a very strong focus on child sexual exploitation” and he strongly believed that was “the only way you can effectively inspect for the effectiveness of the response to an issue like that”.⁸⁵ But in his time at Ofsted “we did not work sufficiently [...] closely enough” with other inspection regimes.⁸⁶ He added that in terms of sharing information and “working together on the ground, there was very limited joint working between the inspectorates”.⁸⁷ He explained that:

83 Local Government Association ([JRR 002](#)) para 4

84 Q477

85 Q373

86 Q418

87 Q419

The reason the 2012 framework was an interim framework was because by that time I had secured agreement with the other inspectorates to undertake a single multi-agency inspection of child protection. We were piloting that framework at the end of 2012, and that framework had a very strong focus on child sexual exploitation.⁸⁸

Mr Goldup understood that after he left Ofsted decided not to pursue the new framework following the pilots and that:

Ofsted has continued to inspect local authorities on a single-agency basis. They have consulted on proposals to introduce a different form of multi-agency inspection from next year, which [...] is not the proposal that I was taking forward, which was a single inspection bringing the inspectorates together in a single team, but is a proposal for the different inspectorates to be on site at the same time, each doing their own inspection of their own agency, and then bringing the results together.⁸⁹

47. Miriam Rosen explained that multi-inspectorate reviews had a longer history. Joint area review inspections had been developed over a two-year period from 2003 to 2005 and under these 10 inspectorates and commissions had worked together. The project had been led by Ofsted but with the expertise on social care provided by the Commission for Social Care Inspection. She considered, however, that “things [...] were not ideal” and that it was “a very broad framework”.⁹⁰ The joint area review programme did not highlight the area of child sexual exploitation.⁹¹ Although no longer in Ofsted, she understood that the new inspection system “is taking a much deeper, more investigative approach to child sexual exploitation”.⁹² We also asked Louise Casey about joined-up inspections. She had reservations:

what it means is that you just have a collection of people with their own structures that they want to look at, in their own timeframes, in their own language. [...] The person on the receiving end is now not just managing an Ofsted inspection every so often [...] but is on the receiving end of multiple different inspections, all of whom are looking at their own structures and their own systems.

One of the interesting learnings out of this is that if you want to get under the skin of something and you want to look at an issue in an area then sometimes what it might be useful to do is send in a group of people that are not straight-jacketed by their systems [...] and stand back and use the inspection powers to investigate and try to get under the skin of something [...] If that is

88 Q418

89 Q422

90 Q491; see also Ofsted ([JRR 003](#)) para 1

91 Q491 [Miriam Rosen]

92 Q491; see also Ofsted ([JRR 003](#)) para 1

what a multiple inspection turns into, that is fine, but I do worry that all you do is have five different bureaucracies looking at something bureaucratically.⁹³

48. We raised this matter with Debbie Jones, currently in post at Ofsted, who told us that Ofsted was “currently concluding a pilot of [its] integrated inspection model” and that it had “looked at two authorities and we will be reporting on that in February”.⁹⁴ She would not be drawn on the outcome but her view was that “we will need [...] to ensure that we do look at issues like child sexual exploitation in a joined-up way”.⁹⁵

49. Debbie Jones and John Goldup are clearly right that it is necessary to look at issues such as child sexual exploitation in a ‘joined-up way’ across inspection regimes, and to be effective the process needs to be able to dig deep into an authority. What concerns us is the length of time taken to achieve the join and the need to ensure that the process that emerges can focus on an issue and examine it in depth. Work started in 2012 but a pilot looking at two authorities was only due to report in February 2015. We must put on record our concern at the slow progress.

Other local authorities

50. We are concerned that organised child sexual exploitation may have been missed in local authorities other than Rotherham. Debbie Jones told us that what we needed to examine was what Ofsted looked at now.⁹⁶ She said that “only ‘good’ is good enough for our children and young people” and [...] something like 75% of local authorities at [...] present [...] do not hit that bar”.⁹⁷ She explained that under the current framework Ofsted had inspected 44 local authorities and it had not been necessary to take matters up with the Secretary of State—as had happened in the inspection in Rotherham in September 2014—but she assured us that “if we went in to an authority and found what we found in Rotherham, we would have absolutely no compunction about expressing our concerns, as we did, to the Secretary of State”.⁹⁸

51. On the day that we considered our report, Ofsted published its annual social care report 2013-14.⁹⁹ The report found that of 43 inspections, seven authorities were found to be inadequate, with a further 26 requiring improvement. Ten areas were judged to provide a good standard of care and protection for children and young people. The report said:

93 Q475

94 Q334

95 Qq334, 336

96 Q304

97 Q309 [Debbie Jones]

98 Qq329-31

99 Ofsted, [The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013–14 Social care](#), March 2015

The importance of effective oversight of local authorities has been demonstrated very clearly in the last 12 months in a number of investigations into the terrible abuse of children in Rotherham.

The first of these, Professor Alexis Jay's independent inquiry into child sexual exploitation, published in August 2014, was deeply shocking. It is clear that Ofsted's previous inspection arrangements did not look at this issue in sufficient depth. [...]

Inspectors reported that the strong leadership required in this crucial area of child protection work was frequently lacking. As Professor Jay made clear, faced with such shocking crimes, senior leaders must show political and moral courage. They must never allow misguided beliefs about the impact for certain ethnic and cultural groups to get in the way of confronting this horrific abuse wherever it occurs.¹⁰⁰

52. On Ofsted's own approach, Her Majesty's Chief Inspector of Education, Children's Services and Skills, Sir Michael Wilshaw, said that:

Ofsted currently inspects local authorities every three to four years and, given the length of time between inspections, it would be wrong to rely on inspection alone to uncover significant failings. Of course, we will inspect sooner where local authorities are judged inadequate, or where serious concerns are raised and we are commissioned to inspect by the relevant government department. But that will not always happen where there is what Louise Casey in her report on Rotherham council called 'a culture of covering up uncomfortable truths, silencing whistle-blowers and paying off staff rather than dealing with difficult issues.'

That said, I want to ensure that Ofsted does all in its power to help uncover such practice. Following the thematic inspection of child sexual exploitation, we have:

- further strengthened our focus on child sexual exploitation and children who go missing in all single inspections
- made it clear to inspectors that local authorities should be found inadequate if they are not doing all they can to identify and tackle these issues
- created a specialist team of Her Majesty's Inspectors with expertise in child sexual exploitation to support inspections where it appears that the local authority is not effectively addressing the risk of child sexual exploitation

100 Ofsted, [The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013–14 Social care](#), March 2015, p 6

—worked with other inspectorates, including those of the police and health services, to develop a new coordinated inspection approach where concerns are identified.

—moved the delivery of the single inspection framework programme into our now well established regional structure to make the most of our local intelligence (from April 2015).

Ofsted hoped that these changes would help ensure that local leaders and frontline practitioners focus on these issues and that, as a result, children at risk of being sexually exploited receive the support and protection they deserve.¹⁰¹

53. We note that Ofsted’s annual report on social care 2013-14 acknowledged that changes were needed in the way it carried out its responsibilities in respect of child sexual exploitation and that changes are underway, including the creation of a specialist team with expertise in child sexual exploitation and coordination with other inspectorates. We hope these changes will result in substantial improvements in Ofsted’s inspections of children’s services. We have serious concerns that the shortcomings in Ofsted’s inspection arrangements until 2013 may mean that organised child sexual exploitation in other local authorities in England was missed. We are clear that Ofsted missed child sexual exploitation in Rotherham and on the basis of the way it was operating from 2007 to 2012 we are also clear that it will have missed child sexual exploitation in many other local authorities. It should therefore inspect all local authorities in England.

2014 Inspection of Rotherham

54. We had questions about Ofsted’s inspection of Rotherham in September 2014. These fit a broader concern raised by the LGA that: “councils have voiced growing concern over Ofsted’s ability to undertake robust, transparent and credible inspections of local authority children’s services and schools, in the light of high profile cases such as Rotherham and Birmingham”. The LGA took the view that Ofsted’s re-inspection and downgrading of some schools from ‘outstanding’ or ‘good’ to ‘inadequate’ “following media coverage has reduced the confidence of councils and the public in the inspectorate” and it pointed out that five of the schools involved in the Trojan Horse incident in Birmingham were among a number which had been downgraded to ‘inadequate’, in some cases less than a year after they were judged to be ‘outstanding’.¹⁰²

55. As we have noted, in the case of Rotherham, Ofsted’s 2012 inspection had resulted in an ‘adequate’ assessment. Professor Jay produced her highly critical report in August 2014. Ofsted inspected Rotherham in September, and on 30 September 2014 Sir Michael Wilshaw, Her Majesty’s Chief Inspector, wrote to Rt Hon Nicky Morgan MP, Secretary of

101 Ofsted, [The report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2013–14 Social care](#), March 2015, p 8

102 Local Government Association ([JRR 002](#)) para 4

State for Education, to alert her to his “deep concerns about serious weaknesses” which included “the Council’s ability to help and protect children and young people”.¹⁰³ On 10 October the Secretary of State wrote to Rotherham Council citing the advice note from Ofsted and indicating that she was minded to appoint a Commissioner “to urgently investigate and address the failings identified by [Ofsted] and recommend immediate next steps”.¹⁰⁴

56. We put our concerns to Debbie Jones, who denied that Ofsted was trying to save face: “When Ofsted went in to Rotherham, Rotherham was due its inspection anyway. It had already been programmed in. It was brought forward at the request of the Secretary of State. When we went in we inspected according to our current framework”.¹⁰⁵

57. We accept that Ofsted's 2014 inspection of Rotherham was necessary and prudent in the light of the findings in the Jay Report. However, Professor Jay had done the job for Ofsted. It was as if having been told the answer to the question Ofsted was bound to come up with the correct answer when it took the examination. Eventually coming up with the correct answer does not wipe out Ofsted’s past record.

Accountability

58. Ofsted is a non-ministerial department. There are good reasons for such an arrangement: Ofsted needs to have organisational arrangements to allow it to operate independently and as Debbie Jones told us: “We value our independence [...] very robustly”.¹⁰⁶ Its status cannot, however, become a device to cloak failures. It is accountable to parliament.¹⁰⁷ When we asked Ms Jones who would assess Ofsted’s performance and challenge it when it failed, she replied

If we fail, if we do not perform as robustly as we should do, we are an organisation that has no problem with looking to ourselves and identifying when things go wrong. Indeed, when things go wrong I hope that our systems are robust enough and our quality assurance systems are transparent enough to say, when we get it wrong, we get it wrong.¹⁰⁸

59. We accept what Ms Jones says but this defence could be run by any responsible organisation in the public or private sector. We therefore pressed the matter by asking whether it sacked people when things went wrong. Ms Jones answered: “Ofsted has sacked people where it has been proven that inspectors have got it wrong and due process has been followed”.¹⁰⁹ We asked Michael Hart and John Goldup whether they had ever sacked

103 [Advice note from Her Majesty’s Chief Inspector Sir Michael Wilshaw to Nicky Morgan](#), 30 September 2014

104 [Letter from the Secretary of State for Education to Rotherham Council](#), 7 October 2014

105 Q329

106 Q328 and see also Q356 [John Goldup]

107 Q328 [Debbie Jones]

108 Q324

109 Q327

any inspectors. They said they had not.¹¹⁰ Ms Rosen did not remember anyone being sacked.¹¹¹ We wrote to Ofsted to ask how many inspectors had been removed from their posts because of failure to carry out adequate inspections. In reply Ofsted supplied the table below which gave the “Social Care Inspectors who have either left due to dismissal or have taken voluntary exits (VE) as a result of organisational change including changes to the role”. The figures cover the period 1 January 2007 to 31 January 2015; the VE scheme was in place 2012–2015.¹¹²

Grade	Number dismissed	Number of Voluntary Exits
B1 (SCRI) [Senior Inspector]	4	33
HMI [Inspector]	1	1
Managing Inspector (grade no longer exists)	0	2
Total	5	36

Table 3

60. This is not the report in which to make recommendations about the accountability of Ofsted. That would require a much bigger inquiry. But as a committee new to scrutinising non-ministerial departments we make two points. First, without calling former officials it would have been difficult getting as far as we did in this inquiry. Second, we must put on record a concern that the balance between independence and accountability in the face of the failure to detect organised child sexual exploitation at Rotherham and dysfunction of the local authority may need adjustment. The past officers were more open and prepared to admit past mistakes than the officer currently in post. On the basis of the evidence we took concerning Rotherham we are uneasy that Ofsted should be left to mark its own examinations and decide internally what lessons to draw and changes to make.

110 Qq405-06

111 Q510; see also Qq508-09

112 Ofsted ([JRR 003](#)) para 4; Key:

B1 Regulatory inspectors
 B2 Childcare inspectors.
 MI Managing Inspector
 HMI Her Majesty's Inspector
 SCRI Social Care Regulatory inspector
 SHMI Senior Her Majesty's Inspector (replaced MI)

3 The Casey Report

Introduction

61. We took evidence on 23 February from Louise Casey on her Report into Rotherham Council, which was published on 4 February. **Contrasting Louise Casey's approach with that of Ofsted we concluded that her Report not only got under the skin of the authority but had a directness which could not be misconstrued. For example, her handling of the question of race, a sensitive and complex issue, was both penetrating and instructive.**

Rotherham's state of denial

62. The starting point has to be that, even in the face of the evidence in the Jay Report, Rotherham Council was in a state of denial about child sexual exploitation. The Casey Report found that Rotherham:

denied that there had been a problem, or if there had been, that it was as big as was said. If there was a problem they certainly were not told—it was someone else's job. They were no worse than anyone else. They had won awards. The media were out to get them. [...]

When Inspectors commenced work in Rotherham we were struck by the overwhelming denial of what Professor Jay set out in her report. This attitude was so prevalent that we had to go back through many of the aspects of her work in order to satisfy ourselves that the Council had no grounds upon which further action could be delayed. [...]

When faced with the solid findings contained in the report it had itself commissioned by Professor Jay, [Rotherham] did not accept them. And without accepting what happened and its role in it, it will be unable to move on and change.¹¹³

63. On the day that the Casey report was published Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government, announced that he was considering exercising his powers of intervention to appoint commissioners to run the executive functions of Rotherham Council.¹¹⁴ Subsequently, on 26 February he appointed five commissioners.¹¹⁵

64. In our view, faced with the denial of the evidence in the Jay Report and the findings in the Casey Report we cannot see that there was any reasonable prospect of Rotherham itself putting its own house in order. We conclude that the Secretary of State was

113 [Casey Report](#), pp 5 and 19

114 HC Deb, 4 February 2015, [cols 293-95](#)

115 HC Deb, 26 February 2015, [cols 17-19WS](#)

justified in appointing commissioners to take over the executive functions of Rotherham Council.

The Improvement Board

65. The appointment of commissioners leaves in limbo the Improvement Board jointly established, following the publication of the Jay Report in September 2014, by Rotherham Council and the Local Government Association (LGA). The LGA explained that the Improvement Board was part of the “sector-led response to Rotherham’s improvement and recovery process”. It had been assembled rapidly and included a number of leading figures that had worked with both the Department for Communities and Local Government and the LGA on a range of Government interventions and improvement structures in other councils. The Board was “intended to offer immediate support and was commissioned on the understanding that the Secretary of State may in the future be minded to appoint commissioners”.¹¹⁶

66. The Board was advisory with executive authority in the hands of the council in Rotherham. When she gave evidence to us Louise Casey said the administration led by Cllr Lakin had made mistakes and that Rotherham was “a local authority at points that is simply inept, including during the era that Paul Lakin was responsible for as the leader”.¹¹⁷ She reiterated that Rotherham had “a culture where there was bullying and sexist behaviour that intimidated people and got in the way” and this had to be put “alongside the race issue”.¹¹⁸ She added that having a “group of people coming in once every few weeks and having a meeting and looking at things” was “not a match for the types of problems that are in Rotherham [but] an improvement board might be something that is helpful now, when there is a set of commissioners in place”.¹¹⁹

67. We conclude that, faced with an ineffective council administration and an ingrained culture of denial and bullying and sexist and intimidating behaviour, the Improvement Board operating in an advisory role would have had an uphill, if not impossible, struggle to facilitate any significant and timely improvement at Rotherham.

Return to democratic control

68. When we asked Louise Casey about the timetable for the return to local democratic control, she considered that it had to be “done properly but speedily”.¹²⁰ She was also sure that there were “some councillors in Rotherham—in the party that is in power currently—who can do a very good job.”¹²¹ The Secretary of State said that his intention was that Rotherham would move back to democratic control and that he wanted a “review every

116 Local Government Association ([JRR 002](#)) para 1

117 Q437

118 As above

119 Q450

120 Q438

121 Q454

three months and, at each month, I want to know what services can be handed back, what services are ready for handing back, which services have started to hand back”.¹²² He explained:

It will be the commissioners’ job to start that process of rolling back. I expect to see the major functions, particularly childcare, start the process in 2016, but I would anticipate some of the other functions [...] coming back much quicker, because I would be a lot happier to see full democratic control of services there. It will be part of the commissioners’ duty to offer confidence to the staff—it is about rebuilding morale, rebuilding a spirit within Rotherham—and also I am particularly keen that officials, alongside the Local Government Association, look in terms of building some sustainability within members of the council.¹²³

69. We consider that the Government's intervention in Rotherham must have a definite end point and strategy for returning the authority to democratic control. We welcome the Secretary of State’s assurance that the services which can be passed back to local council control will be reviewed regularly.

Return to democratic control: the role of the Improvement Board

70. The LGA pointed out that the Secretary of State’s letter of February 4 to Rotherham stated that he proposed to “direct the authority to maintain such improvement panel as the commissioners may agree [and] the role of the panel, with a membership accordingly”. The LGA said that the final decision on the nature, scope and membership of any Improvement Panel or Board was therefore a matter for the commissioners but that the “LGA and the Council would hope to ensure as much continuity as possible in the work that the Rotherham Improvement Board has already informed and supported”. It added:

More importantly, whether or not there is an Improvement Board, the LGA will be on hand offering support for Rotherham. We can provide unique support in the area of member development and, through our pool of experienced member peers, support to help the council rebuild the political leadership that is needed. The forthcoming elections are likely to lead to a significant turnover of councillors and, with the additional factor that councillors will no longer have any executive powers, it is likely to mean that the challenges around political engagement and leadership are going to require a great deal of support.¹²⁴

71. We consider that the Improvement Board, which has been in place and operating since September 2014, has built up knowledge and expertise which should be of benefit in ensuring a smooth and effective return to local democratic control in Rotherham.

122 Communities and Local Government Committee, Oral Evidence, [24 February 2015](#), HC 878, Q167

123 Communities and Local Government Committee, Oral Evidence, [24 February 2015](#), HC 878, Q166

124 Local Government Association ([JRR 002](#)) para 2

We recommend that the commissioners now in place in Rotherham consider using the Improvement Board to facilitate this process.

72. Ms Casey has made the offer to re-inspect Rotherham.¹²⁵ ***We recommend to the Government that as part of the process of returning Rotherham to full democratic control Louise Casey undertake a further inspection to establish that children’s services at Rotherham are operating satisfactorily.***

The conduct of former council officers

73. In our report on Rotherham in November 2014 we had concerns that there should be equitable arrangements in place to ensure the accountability of those senior staff with responsibility for the effective operation of a local authority, where, after their departure from the authority, serious concerns have arisen about their conduct.¹²⁶ We noted with unease that the Casey Report “concluded that whilst the Council has followed its own procedures, these have not always ensured that it has taken, and continues to take, appropriate action” and that “that no-one has been held to account for the serious failures Professor Jay identified”.¹²⁷ We asked Louise Casey to expand on the findings and she said:

We did look at their HR processes and [...] we found them failing or not fit for purpose [...] Where we did find evidence of senior culpability, we did name those senior councillors and we identified those staff in the report whether they work there now or not, and they are identifiable in the report. The [...] Local Government Association are very supportive, as I am, of the review of social workers in the area, which, in fairness, commenced before we arrived. The local authority did that. Secondly, the employers of all staff that used to work in Rotherham who are now working in other local authorities or public services around the country need to take a look at those individuals and satisfy themselves that they should be doing what they are doing, and I know a number of local authorities are doing that. In a way, our job was to establish whether this place was fit for purpose in terms of HR. The answer to that question is “no”. It becomes a matter for others, in some ways, to hold individuals they are still employing to account.¹²⁸

74. We welcome the action taken by Rotherham Council to start examination of the conduct of present and past employees, both those within a profession subject to a regulating body, such as the Health and Care Professions Council, and those who are not. The process now needs to be completed by the commissioners and, if necessary, by those local authorities for whom past senior employees from Rotherham now work.

125 Qq438-439

126 Communities and Local Government Committee, Third Report of Session 2014-15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648, para 28

127 [Casey Report](#), pp 130-31

128 Q455

75. As we have noted in chapter 1, the Government also announced proposals to extend the crime of “wilful neglect” to cover children’s social care and education. We have not seen the detailed proposals. **If Parliament does extend “wilful neglect” to cover children’s social care we conclude that if any officer or councillor is found guilty of such an offence that should be automatic grounds for dismissal or disqualification.**

Scrutiny within local government

76. In our earlier report we had concerns about the ineffectiveness of scrutiny at Rotherham. What we heard from Louise Casey heightened our worries:

the calibre and capability of councillors was very mixed and that when you have people in cabinet positions or key roles like chairs of scrutiny, they have to be very good at what they are doing and very skilled, particularly in an environment where you are standing up against a big majority that may not want to listen to you.¹²⁹

The Casey Report provided more details on the weaknesses at Rotherham:

Rotherham’s reaction to this scrutiny is defensive. [It] is unable to look at itself critically and can put the reputation of Rotherham above actual services.¹³⁰

Inspectors saw regular reports to the Cabinet and Scrutiny committees, but not the effective challenge we would expect from elected Members. The notion of challenge has been misunderstood and misinterpreted as bullish questioning.¹³¹

The fact that Members’ services are provided informally and are in the gift of each director leaves the Member position weak and further discourages effective day to day challenge. Clearly, if scrutiny is unwelcome and only funded at the behest of those being scrutinised, it is unlikely to be effective.¹³²

Senior officers described a difficult relationship with overview and scrutiny, a lack of detailed information to back benchers, and an in-built self-regulation of the process. Senior Members admitted that Cabinet has been unprepared to release information to scrutiny. At one point there was an instruction—lasting five months—that no information could be given to scrutiny without the agreement of the Lead Member.¹³³

129 Q470

130 [Casey Report](#), p 24

131 [Casey Report](#), p 65

132 [Casey Report](#), p 77

133 [Casey Report](#), p 76

Inspectors concluded that overview and scrutiny had been deliberately weakened and under-valued.¹³⁴

77. The Jay and Casey Reports reveal a deeply concerning failure to scrutinise children's services in Rotherham. We recommend that local democratic control cannot be restored in Rotherham without an effective system of scrutiny in place.

78. We conclude that the Jay and Casey Reports and the PwC report on Tower Hamlets,¹³⁵ have raised for us disturbing questions about the effectiveness, capacity and function of local government scrutiny, which our successor committee in the next parliament may wish to examine.

Whistle-blowers

79. In our earlier report we recommended that the effectiveness of Rotherham Council's policy on whistle-blowers needed to be tested.¹³⁶ Louise Casey did and the results were deplorable:

As I put in the report about whistle-blowers more generally, when they came forward to talk to us, many of them said, "I would never do that again. It was the worst experience of my life". People got very upset; they felt that they were punished very harshly for being whistle-blowers.¹³⁷

80. We conclude that the experience of whistle-blowers at Rotherham was the antithesis of what a good whistle-blowers policy should be.

South Yorkshire Police

81. During this inquiry the responsibility and role of the police has hung like shadow over our work on child sexual exploitation in Rotherham. We asked Louise Casey about the position of the police. She said that South Yorkshire Police needed to look at the failure to the victims in Rotherham. She added that:

The interesting thing about Rotherham Metropolitan Borough Council is they had no choice but to be inspected. They have to pay for their own inspection. Every member of staff that we asked to see had to see us or else we would infer something negative from that. We could look at any document that we wanted to look at. We left no stone unturned. [...] In my view, that same scrutiny has not happened to South Yorkshire Police.¹³⁸ [...]

134 [Casey Report](#), p 76

135 PwC, [Best Value Inspection of London Borough of Tower Hamlets Report](#), 16 October 2014

136 Communities and Local Government Committee, Third Report of Session 2014-15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648, para 24

137 Q472; see also [Casey Report](#), p 134 and ff.

138 Q458

The police have to step up and accept the same level of responsibility to those victims and those perpetrators as the local authority.¹³⁹

Ms Casey was clear that such a review should take place.¹⁴⁰ She was also clear that the perpetrators had to be apprehended and taken to court.¹⁴¹ We understand that South Yorkshire has been, and is, subject to a number of reviews,¹⁴² but we see the case for a best value inspection along the lines of that conducted by Ms Casey.

82. In our view South Yorkshire Police would benefit from an inspection into its handling of child sexual exploitation in Rotherham along the lines of that conducted by Louise Casey. It would ensure that the Police are fully held to account.

139 Q459

140 Q460

141 Q485

142 Her Majesty's Inspectorate of Constabulary (HMIC), [Inspectorate of Police South Yorkshire Police's Response to Child Sexual Exploitation, Findings of an inspection commissioned by the Police and Crime Commissioner](#), 2013; HMIC, [National Child Protection Inspections- South Yorkshire Police 12 – 22 May 2014](#), September 2014; Independent Police Complaints Commission (IPCC), ["IPCC announces investigation into South Yorkshire Police handling of Rotherham CSE matters"](#), 18 November 2014; National Crime Agency (NCA), ["NCA begins two-stage investigation into child sexual exploitation in Rotherham"](#) 18 December 2014; NCA, ["NCA to investigate matters arising from Rotherham Council inspection"](#), 4 February 2015

Conclusions and recommendations

Roger Stone, former Leader of Rotherham Metropolitan Borough Council

1. Having carefully listened to, and read, Mr Stone's evidence we are clear that in the light of the findings of Professor Jay and Louise Casey, which we fully accept, the authority which he led failed to protect the children of Rotherham from organised sexual exploitation. In these circumstances as Leader—and given that he was aware of the child sexual exploitation from 2004/05 and given the culture in the Council which prevented the follow through and tackling of child sexual exploitation on the scale it was occurring in Rotherham—Mr Stone's position was wholly untenable. Therefore he had no alternative other than to resign and to apologise. (Paragraph 4)

Why did Ofsted not detect and expose Rotherham's failure to address child sexual exploitation?

2. The first weakness in Ofsted's approach was that it relied on the appearance of, and paperwork describing, Rotherham's systems rather than the actuality. It did not effectively check the policies with practical examples that could demonstrate evidence that the policies were working. (Paragraph 13)
3. The second weakness in Ofsted's approach was that it relied on what the officers at Rotherham told it. These officers do not appear to have passed on the concerns Risky Business raised about child sexual exploitation and Ofsted does not appear to have probed beyond what it was told and it failed to penetrate the professional jealousy and incompetence that distorted the operation of Children's Social Care in Rotherham. (Paragraph 16)
4. The third reason is that the 'frameworks' used by Ofsted in inspections from 2007 to 2012 relied on an approach narrowly focussed on structured processes that did not include enquiry for, or into, organised child sexual exploitation. (Paragraph 18)
5. Mr Hart's evidence leaves us with a picture of Ofsted as an organisation in 2007 and 2008, and probably later, that was culturally and operationally functioning in impenetrable silos. This regrettable situation is the fourth reason why the noticing or exposing of organised child sexual exploitation in Rotherham was hampered. (Paragraph 22)
6. The fifth reason why Ofsted failed to notice child sexual exploitation in Rotherham is that its inspections were too short and narrowly focused. (Paragraph 24)

Changes from 2012

7. The recent changes which Ofsted has made to the inspection regime appear to be an improvement, though the Local Government Association has voiced concern that the role of councillors in challenging within the system has been ignored. We recognise Ofsted's assurance, albeit with a caveat, that the new arrangements, which are both broader and deeper than those before 2012, should not let child sexual

exploitation such as that in Rotherham, Rochdale, Oxfordshire and other places slip by undetected. We have, however, a lingering concern that Ofsted is still a reactive organisation that will only detect known problems, and that it will not be the body that identifies the next, as yet undetected, class of serious failure. (Paragraph 29)

The interpretation of Ofsted's assessments

8. We conclude that Ofsted's rating of 'adequate' was ambiguous and open to misinterpretation. To Ofsted, it meant that improvement was required and we welcome Ofsted's redefinition and clarification of the meaning of an authority assessed as falling into this category. To a person unfamiliar with Ofsted's methods of operations—and this could include councillors carrying out the vital work of scrutinising their officers and services—the term could be represented or interpreted as meaning satisfactory. Rotherham appears to have gone a step further and interpreted it as indicating a 'strong' performance. (Paragraph 34)

Adequacy of Ofsted's inspections

9. In our view Ofsted's inspections of Rotherham were too episodic and disconnected to produce a clear picture of steady decline in Children's Social Care that would be noticed let alone acted upon by the Council. Nor did they link to the internal processes of scrutiny which, we consider, need to be strengthened. (Paragraph 39)
10. We accept that it is neither Ofsted's job to run local authorities' children's services nor a good use of tight resources for it to follow up in detail what each authority has done to address every finding in an inspection. Rotherham shows, however, that it cannot stand back when the welfare and safety of children are at risk. In our view Ofsted needs to assess an authority's ability to operate the inspection process as it should function: that is to test the findings and see through improvements. A pattern of systemic failure and deterioration in children's services started to emerge in Rotherham from 2000 and it carried on. Where an authority is incapable of making improvements, Ofsted needs to take measures to assist it and, if necessary, ensure the improvements are systematically and comprehensively carried out. If this is not happening, then there needs to be a clear escalation policy. It cannot be left to chance. (Paragraph 43)
11. While we encourage Ofsted to assist those local authorities where serious deficiencies have occurred to improve. Ofsted has within its organisational structure and arrangements to keep the process of improvement separate from that of inspection, to ensure public confidence in the independence and integrity of the inspection process. (Paragraph 45)

Linking with other inspectorates

12. Debbie Jones and John Goldup are clearly right that it is necessary to look at issues such as child sexual exploitation in a 'joined-up way' across inspection regimes, and to be effective the process needs to be able to dig deep into an authority. What concerns us is the length of time taken to achieve the join and the need to ensure that

the process that emerges can focus on an issue and examine it in depth. Work started in 2012 but a pilot looking at two authorities was only due to report in February 2015. We must put on record our concern at the slow progress. (Paragraph 49)

Child sexual exploitation in other local authorities

13. We note that Ofsted's annual report on social care 2013-14 acknowledged that changes were needed in the way it carried out its responsibilities in respect of child sexual exploitation and that changes are underway, including the creation of a specialist team with expertise in child sexual exploitation and coordination with other inspectorates. We hope these changes will result in substantial improvements in Ofsted's inspections of children's services. We have serious concerns that the shortcomings in Ofsted's inspection arrangements until 2013 may mean that organised child sexual exploitation in other local authorities in England was missed. We are clear that Ofsted missed child sexual exploitation in Rotherham and on the basis of the way it was operating from 2007 to 2012 we are also clear that it will have missed child sexual exploitation in many other local authorities. It should therefore inspect all local authorities in England. (Paragraph 53)

2014 Inspection of Rotherham

14. We accept that Ofsted's 2014 inspection of Rotherham was necessary and prudent in the light of the findings in the Jay Report. However, Professor Jay had done the job for Ofsted. It was as if having been told the answer to the question Ofsted was bound to come up with the correct answer when it took the examination. Eventually coming up with the correct answer does not wipe out Ofsted's past record. (Paragraph 57)

Accountability

15. This is not the report in which to make recommendations about the accountability of Ofsted. That would require a much bigger inquiry. But as a committee new to scrutinising non-ministerial departments we make two points. First, without calling former officials it would have been difficult getting as far as we did in this inquiry. Second, we must put on record a concern that the balance between independence and accountability in the face of the failure to detect organised child sexual exploitation at Rotherham and dysfunction of the local authority may need adjustment. The past officers were more open and prepared to admit past mistakes than the officer currently in post. On the basis of the evidence we took concerning Rotherham we are uneasy that Ofsted should be left to mark its own examinations and decide internally what lessons to draw and changes to make. (Paragraph 60)

The approach of the Casey Report

16. Contrasting Louise Casey's approach with that of Ofsted we concluded that her Report not only got under the skin of the authority but had a directness which could not be misconstrued. For example, her handling of the question of race, a sensitive and complex issue, was both penetrating and instructive. (Paragraph 61)

Rotherham's state of denial

17. In our view, faced with the denial of the evidence in the Jay Report and the findings in the Casey Report we cannot see that there was any reasonable prospect of Rotherham itself putting its own house in order. We conclude that the Secretary of State was justified in appointing commissioners to take over the executive functions of Rotherham Council. (Paragraph 64)
18. We conclude that, faced with an ineffective council administration and an ingrained culture of denial and bullying and sexist and intimidating behaviour, the Improvement Board operating in an advisory role would have had an uphill, if not impossible, struggle to facilitate any significant and timely improvement at Rotherham. (Paragraph 67)

The Improvement Board and the return to democratic control

19. We consider that the Government's intervention in Rotherham must have a definite end point and strategy for returning the authority to democratic control. We welcome the Secretary of State's assurance that the services which can be passed back to local council control will be reviewed regularly. (Paragraph 69)
20. We consider that the Improvement Board, which has been in place and operating since September 2014, has built up knowledge and expertise which should be of benefit in ensuring a smooth and effective return to local democratic control in Rotherham. We recommend that the commissioners now in place in Rotherham consider using the Improvement Board to facilitate this process. (Paragraph 71)
21. We recommend to the Government that as part of the process of returning Rotherham to full democratic control Louise Casey undertake a further inspection to establish that children's services at Rotherham are operating satisfactorily. (Paragraph 72)

The conduct of former council officers

22. We welcome the action taken by Rotherham Council to start examination of the conduct of present and past employees, both those within a profession subject to a regulating body, such as the Health and Care Professions Council, and those who are not. The process now needs to be completed by the commissioners and, if necessary, by those local authorities for whom past senior employees from Rotherham now work. (Paragraph 74)

Consequences where "wilful neglect" established

23. If Parliament does extend "wilful neglect" to cover children's social care we conclude that if any officer or councillor is found guilty of such an offence that should be automatic grounds for dismissal or disqualification. (Paragraph 75)

Scrutiny within local government

24. The Jay and Casey Reports reveal a deeply concerning failure to scrutinise children's services in Rotherham. We recommend that local democratic control cannot be restored in Rotherham without an effective system of scrutiny in place. (Paragraph 77)
25. We conclude that the Jay and Casey Reports and the PwC report on Tower Hamlets, have raised for us disturbing questions about the effectiveness, capacity and function of local government scrutiny, which our successor committee in the next parliament may wish to examine. (Paragraph 78)
26. We conclude that the experience of whistle-blowers at Rotherham was the antithesis of what a good whistle-blowers policy should be. (Paragraph 80)

South Yorkshire Police

27. In our view South Yorkshire Police would benefit from an inspection into its handling of child sexual exploitation in Rotherham along the lines of that conducted by Louise Casey. It would ensure that the Police are fully held to account. (Paragraph 82)

Formal Minutes

Tuesday 10 March 2015

Members present:

Mr Clive Betts, in the Chair

Bob Blackman
Simon Danczuk

Mark Pawsey
Chris Williamson

Draft Report (*Child sexual exploitation in Rotherham: Ofsted and further government issues*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 82 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Ninth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

The following written evidence was ordered to be reported to the House for publication on the internet

JRR 04 Ofsted

JRR 05 Roger Stone.

[The Committee adjourned.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [Committee's inquiry page](#).

Tuesday 20 January 2015

Debbie Jones, Director, Social Care and Regional Director, London, Ofsted [Q273–351](#)

Tuesday 10 February 2015

Michael Hart, Former Director for Children, Ofsted, and **John Goldup**, Former Deputy Chief Inspector and National Director of Social Care, Ofsted [Q352–433](#)

Monday 23 February 2015

Louise Casey CB, Director General, Troubled Families, Department for Communities and Local Government. [Q434–487](#)

Miriam Rosen, Former Executive Director and Acting Chief Inspector, Ofsted [Q488–525](#)

Tuesday 10 March 2015

Roger Stone, Former Leader, Rotherham Borough Council Q526 onwards

Published written evidence

The following written evidence was received and can be viewed on the Committee's [inquiry web page](#). INQ numbers are generated by the evidence processing system and so may not be complete.

- 1 Ofsted ([JRR 001](#))
- 2 Local Government Association ([JRR 002](#))
- 3 Ofsted ([JRR 003](#))
- 4 Ofsted ([JRR 004](#))
- 5 Roger Stone, former Leader Rotherham Metropolitan Borough Council ([JRR 005](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the Committee's website at www.parliament.uk/clg.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2014–15

First Report	Devolution in England: the case for local government	HC 503 (CM 8998)
Second Report	Local government Chief Officers' remuneration	HC 191 (CM 8960)
Third Report	Child sexual exploitation in Rotherham: some issues for local government	HC 648
Fourth Report	Operation of the National Planning Policy Framework	HC 190 (CM 9016)
Fifth Report	Pre-appointment hearing with the Government's preferred candidate for the post of Housing Ombudsman	HC 877
Sixth Report	Community Rights	HC 262
Seventh Report	Litter and fly-tipping in England	HC 607
Eighth Report	Private Rented Sector: the evidence from banning letting agents' fees in Scotland	HC 964
First Special Report	Further review of the work of the Local Government Ombudsman: Responses to the Committee's Fifth Report of Session 2013–14	HC 192
Second Special Report	Local Government Procurement: Response of the Local Government Association to the Committee's Sixth Report of Session 2013–14	HC 193

Session 2013–14

First Report	The Private Rented Sector	HC 50 (CM 8730)
Second Report	The work of the Regulation Committee of the Homes and Communities Agency	HC 310 (HC 863)
Third Report	Community Budgets	HC 163 (CM 8794)
Fourth Report	Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly	HC 213 (CM 8761)
Fifth Report	Further review of the work of the Local Government Ombudsman	HC 866 (HC 192)
Sixth Report	Local Government Procurement	HC 712 (CM 8888)
Seventh Report	Building Regulations certification of domestic electrical work	HC 906 (CM 8853)
First Special Report	Committee's response to the Government's consultation on permitted development rights for homeowners: Government response to the Committee's Seventh Report of Session 2012–13	HC 173
Second Special Report	The work of the Regulation Committee of the Homes and Communities Agency: the Regulation Committee's Response	HC 836

	to the Committee's Second Report of Session 2013–14	
Third Special Report	The work of the Regulation Committee of the Homes and Communities Agency: the Government's Response to the Committee's Second Report of Session 2013–14	HC 973

Session 2012–13

First Report	Park Homes	HC 177-I (CM 8424)
Second Report	European Regional Development Fund	HC 81 (CM 8389)
Third Report	The work of the Local Government Ombudsman	HC 431 (HC 615 & HC 650)
Fourth Report	Pre-appointment hearing for the Chair of the Audit Commission	HC 553
Fifth Report	Mutual and co-operative approaches to delivering local services	HC 112 (CM 8547 & HC 1091)
Sixth Report	Councillors on the frontline	HC 432 (CM 8582)
Seventh Report	The Committee's response to the Government's consultation on permitted development rights for homeowners	HC 830
Eighth Report	The role of local authorities in health issues	HC 694 (CM 8638)
Ninth Report	Implementation of welfare reform by local authorities	HC 833 (CM 8635)
First Special Report	The work of the Local Government Ombudsman: Local Government Ombudsman Response to the Committee's to the Committee's Third Report of Session 2012–13	HC 615
Second Special Report	The work of the Local Government Ombudsman: Government Response to the Committee's Third Report of Session 2012–13	HC 650
Third Special Report	Mutual and co-operative approaches to delivering local services: Further Government Response to the Committee's Fifth Report of Session 2012–13	HC 1091

Session 2010–12

First Report	Proposed Code of recommended Practice on Local Authority Publicity	HC 666 (HC 834)
Second Report	Abolition of Regional Spatial Strategies: a planning vacuum?	HC 517 (CM 8103)
Third Report	Localism	HC 547 (CM 8183)
Fourth Report	Audit and inspection of local authorities	HC 763 (CM 8209)
Fifth Report	Localisation issues in welfare reform	HC 1406 (CM 8272)
Sixth Report	Regeneration	HC 1014 (CM 8264)
Seventh Report	Pre-appointment hearing for the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee	HC 1612
Eighth Report	The National Planning Policy Framework	HC 1526 (CM 8322)
Ninth Report	Taking forward Community Budgets	HC 1750
Tenth Report	Building regulations applying to electrical and gas	HC 1851 (CM 8369)

	installation and repairs in dwellings	
Eleventh Report	Financing of new housing supply	HC 1652 (CM 8401)
First Special Report	Beyond Decent Homes: Government response to the Committee's Fourth Report of Session 2009–10	HC 746
Second Special Report	Proposed Code of Recommended Practice on Local Authority Publicity: Government Response to the Committee's First Report of Session 2009-10	HC 834
Third Special Report	FiReControl: Government response to the Committee's Fifth Report of Session 2009–10	HC 835
Fourth Special Report	Preventing violent extremism: Government response to the Committee's Sixth Report of Session 2009–10	HC 1951