

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

14 SEPTEMBER 2016
ALL WARDS

IMPLICATIONS OF CASEY REPORT FOR LICENSING

1. Summary

- 1.1 In February 2015 the Government published the report of Louise Casey CB into child sexual exploitation (CSE) in Rotherham. The 154 page report considered whether Rotherham was fit for purpose as a Local Authority. Part of her report considered the role played by the Rotherham's Licensing Service in relation to the link between CSE and taxi and private hire licensing.
- 1.2 The Birmingham Licensing Service has used the Casey report as a benchmark to measure itself against in order to identify whether any of the bad practices that the report identified in Rotherham can be found in Birmingham.
- 1.3 In January 2016 officers presented an action plan to the Licensing and Public Protection Committee of steps that are being taken to improve our systems and to minimise the risk to children as a consequence. At the January meeting members asked for certain amendments to be made to the action plan. This report presents the updated action plan.

2. Recommendations

- 2.1 That outstanding minute 599(ii) be discharged
- 2.2 That the action plan be approved.

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3. Background

- 3.1 The report presented to your committee in January 2016 provided the background to the events that took place in Rotherham between 1997 and 2013 when it was alleged that at least 1,400 children were sexually abused in the town. Other towns and cities have also been associated with high levels of child sexual exploitation (CSE). In some cases licensed premises (notably hotels) have been linked to crimes where they have been used as venues for sexual activity to take place with minors. Taxi and private hire drivers have also been associated with allegations, either through being direct perpetrators of crimes or by being used to drive children between locations. Rotherham was worst affected.
- 3.2 Rotherham Metropolitan Borough Council (RMBC) commissioned an independent inquiry into how its Children's Services had dealt with cases of CSE between 1997 and 2013. The resulting report by Professor Alexis Jay was published on 26th August 2014. The report concluded that there had been a 'collective failure' by the Council and the police to stop the abuse.
- 3.3 On 10th September 2014 the Secretary of State appointed Louise Casey CB (Companion of the Order of Bath), to carry out an inspection of RMBC to determine its compliance with the requirements of Part 1 of the Local Government Act 1999 in respect of the council's functions on Governance, Children and Young People, and Taxi and Private Hire Licensing. Part 1 of the Act relates to a local authority's general duty of Best Value to 'make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.'
- 3.4 In undertaking the inspection, Louise Casey was directed to consider in exercising its functions on governance, children and young people, and taxi and private hire licensing, whether the Local Authority:
- allowed for adequate scrutiny by Councillors;
 - covered up information, and whether 'whistle-blowers' were silenced;
 - took and continued to take appropriate action against staff guilty of gross misconduct;
 - was and continued to be subject to institutionalised political correctness;
 - affecting its decision-making on sensitive issues;
 - undertook and continued to undertake sufficient liaisons with other agencies, particularly the police, local health partners, and the safeguarding board;
 - took and continued to take sufficient steps to ensure only 'fit and proper persons' are permitted to hold a taxi licence; and
 - was taking steps to address effectively past and current weaknesses or shortcomings in the exercise of its functions, and had the capacity to continue to do so.

- 3.5 Louise Casey concluded that RMBC was not fit for purpose and in particular, was failing in its duty to protect vulnerable children and young people from harm. Her 154 page report, entitled 'Report of Inspection of Rotherham Metropolitan Borough Council' is available in full at:

<https://www.gov.uk/government/publications/report-of-inspection-of-rotherham-metropolitan-borough-council>

Louise Casey's covering letter to the Secretary of State which accompanied her report is attached as Appendix 1.

4. Casey Report: Key Findings

- 4.1 The key findings, as set out in the Casey Report's Executive Summary, are summarised below:

- A council in denial about serious and on-going safeguarding failures.
- An archaic culture of sexism, bullying and discomfort around race.
- Failure to address past weaknesses, in particular in Children's Social Care.
- Weak and ineffective arrangements for taxi licensing which leave the public at risk.
- Ineffective leadership and management, including political leadership.
- No shared vision, a partial management team and ineffective liaisons with partners.
- A culture of covering up uncomfortable truths, silencing whistle-blowers and paying off staff rather than dealing with difficult issues.

5. Birmingham Action Plan

- 5.1 Officers in Birmingham have considered the findings of the Casey Report against our own policies, procedures and working practices to determine whether there are areas from which we can learn and/or improve. The resulting action plan (Appendix 2) looks at the main areas for concern that Casey identified in Rotherham's Licensing service, how we compare and what we need to do to improve.

- 5.2 Since the action plan was first presented to this committee in January 2016 developments have taken place around the requirement for Birmingham's private hire driver knowledge test. The Committee agreed in principle in June 2016 that the topographical knowledge element of the test could be replaced with an enhanced test of driver's knowledge of their conditions of licence and the law surrounding their trade. It was also agreed in principle that drivers would be required to undertake safeguarding training as a condition of their licence. Safeguarding training has now been incorporated into the action plan in Appendix 2.

6. Consultation

- 6.1 Specific elements of the action plan are subject to their own separate consultation processes with the trade and with the wider public, namely conditions of licence for private hire operators, drivers and vehicles. Trade representatives will be consulted on a points system for drivers when the scheme has been finalised before it is presented to the Committee. The requirement for safeguarding training has been discussed at the liaison meeting with the trade in June 2016 and officers will continue to update the trade with progress.

7. Implications for Resources

- 7.1 The proposals in the Action Plan at Appendix 2, will be met from the Licensing ring fenced budget. The cost of delivering safeguarding training will be paid for by drivers and operators through their licence fees.

8. Implications for Policy Priorities

- 8.1 The work identified in this report helps to deliver the Leader's priority of a Fair City and the outcome of ensuring the most vulnerable people are safe from crime, violence and abuse.

9. Implications for Equality and Diversity

- 9.1 The Casey Report identified a misplaced sense of political correctness which inhibited open discussion about problems linked to minority ethnic groups for fear of being labelled 'racist'. This resulted in action not being taken which permitted perpetrators to remain at large and victims not being protected.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil