

# The Pindown Experience and the Protection of Children

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**The Report of the Staffordshire Child Care Inquiry 1990**

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## **Members**

**ALLAN LEVY QC**

**BARBARA KAHAN**

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**Published by Staffordshire County Council  
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# **PART 1: Background and Procedure**

## **Chapter 1**

### **Background to the Inquiry**

**1.1** On 2 October 1989 John Spurr, a deputy director of Staffordshire County Council's social services department was telephoned by a Stoke-on-Trent solicitor Kevin Williams who was extremely concerned about a 15 year old girl for whom he was acting in care proceedings. The solicitor had previously spoken to the chairman of the social services committee about the girl who was in the interim care of the local authority. She had indicated that whilst in a residential home at 245 Hartshill Road, Stoke-on-Trent a few days earlier she had been put in a room with a bed, a chair and a table, made to wear pyjamas the whole time, only allowed out of the room to go to the toilet after knocking on the door, had not gone to school, had nothing to read and had to be in bed at 7 pm. She was also not allowed to communicate with other children. The following evening she had jumped out of the window of the room, a distance to the ground of about twenty feet, and had sprained her ankle. She had then gone in her pyjamas a considerable distance before she had been returned eventually by the police and had spent a further two days in the room. She described her experience as being in 'Pindown'.

**1.2** On the following day, after various consultations, the then Director of Social Services, Barry O'Neill, issued instructions for the 'Pindown' system at 245 Hartshill Road to cease.

**1.3** Subsequently, the 15 year old girl and a boy of the same age were made wards of court by Kevin Williams. On 13 October 1989 the High Court, exercising the wardship jurisdiction, granted injunctions prohibiting the use of Pindown by social services, and in relation to the boy's alleged experiences, restraining the employment of any child in care of school age during school hours other than in circumstances agreed in consultation with the Education Welfare Service. The actual terms of the injunction in respect of Pindown were: that no child or young person in the care of (the local authority) shall be subjected to the regime known as 'pin down' in any form whatsoever without the leave of the court save within the meaning of Regulation 10 of the Community Homes Regulations 1972.<sup>1</sup> By agreement the Official Solicitor was appointed to act on behalf of the children and he was given permission by the court, as was the local authority, to disclose the papers in the proceedings to the Department of Health.

**1.4** Over the next few months very considerable public concern was expressed and taken up by the media about the use of Pindown in Staffordshire residential homes. Pindown was variously alleged to be solitary confinement, a behaviour control method, and humiliating and degrading treatment. In addition there was further concern about the activities of a senior member of the social services department, Tony Latham, regarding the running of a number of private companies providing many services to the department under the general name of the Fundwell companies. He was also said to be the architect and leading exponent of Pindown. The origin of the word 'Pindown' was said to be the use by Tony Latham of the words, 'we must pin down the problem' whilst he gestured with his forefinger pointing towards the floor. The children began to speak of 'being in Pindown'.

### **The Inquiry**

**1.5** Members of Parliament, Councillors and child care specialists, amongst others, pressed for an independent Inquiry. Escalating interest in Pindown was reflected by a Granada Television 'World in Action' programme entitled 'Pindown' which was shown nationally on 25 June 1990.

**1.6** On 29 June 1990 we were appointed by Staffordshire County Council to conduct an independent Inquiry.

<sup>1</sup> For the 1972 Regulations, see appendix L, and for a discussion of regulation 10, see Chapter 12, paragraphs 12.48 to 12.52 and 12.56.

## **Terms of Reference**

**1.7** Our Terms of Reference are set out in full in appendix B. Our central tasks were as follows:

- To review the treatment and care of young persons at 245 Hartshill Road, Stoke-on-Trent, at 'The Birches', Newcastle-under-Lyme, and at any other location where the practice known as Pindown may have been used; (paragraph 1 of the Terms of Reference)
- To consider any participation by young persons in care in the activities of undertakings not owned by the County Council and known as 'Fundwell' and to consider the need for any further investigation of the general activities of such undertakings and their relationship with the County Council and to recommend or carry out such investigation as may be required; (paragraph 2)
- To draw out the strengths and weaknesses and legality of the practice and procedures in use in relation to the matters mentioned above; (paragraph 4)
- To reach conclusions and to make any recommendations necessary to allay public concern and maintain public confidence in the social services department and its protection of the interests of children and young persons and of the public; (paragraph 5)

### **1.8 Pindown**

- To consider in relation to the practice known as Pindown:
  - (a) The nature of the practice, the amount of staff contact and the nature of engagement, and the way the practice varied over the period it was used;
  - (b) The places and periods over which the practice was used;
  - (c) The nature and extent of any psychiatric, psychological or educational advice obtained before or after the practice was established;
  - (d) What written procedures were applicable;
  - (e) What children were subject to Pindown with information about age, sex, and length of time in Pindown;
  - (f) How far it is possible to assess any impact of Pindown on those children and the nature of that impact;
  - (g) The managerial and professional oversight of Pindown (paragraph 8)

### **1.9 Fundwell**

- To consider in relation to participation by young people in care in the activities of undertakings not owned by the County Council and known as Fundwell:
  - (a) The nature and extent of the organisations generally known or associated together as Fundwell and in which children and young persons participated;
  - (b) The nature and extent of the participation by young children and young persons in these organisations whether as employees, trainees on work experience placements, as tenants or licencees or otherwise;
  - (c) (Making) a list of all the children participating with information about age, sex and length of participation;
  - (d) The benefits or disadvantages resulting from the participation of children and young persons in these activities including any educational implications;
  - (e) The managerial and professional oversight of such participation and any conflicts of interest of staff which might have arisen in connection with such participation. (paragraph 9)

## **Further matters**

**1.10** – To consider any associated matters of concern to the Inquiry, including the adequacy or otherwise of the complaints procedures in use within the (social services) department; (paragraph 10)

**1.11** Paragraph 12 of the Terms of Reference directed us to consider whether at any point in the Inquiry we had 'established matters which should be reported to the County Council as requiring immediate disciplinary action'. No such matters requiring immediate disciplinary action were established.

## **1.12 Extension of the Terms of Reference**

On 5 October 1990 (Day 42 of the Inquiry) the Terms of Reference of the Inquiry were by agreement extended and we were directed in respect of a separate matter from Pindown and Fundwell:

- To consider whether children and young persons resident in Staffordshire child care establishments were appropriately protected, as may have been required, from any of the individuals who were subsequently convicted in the summer and autumn of 1989 of sexual offences against children and young persons; (paragraph 14)

- To make any appropriate recommendations. (paragraph 15).

## **Private or Public Inquiry**

**1.13** There was considerable debate prior to the commencement of the Inquiry as to whether it should be held in private or public. We took into account that our Terms of Reference (paragraph 6) directed us to consider 'the establishment of methods of working which take full account of the need to obtain full and accurate information on all matters under review, whilst at the same time ensuring necessary consideration and protection of the interest of children in care, complainants and staff'. As it quickly became clear that our Inquiry would have to cover a period of almost six years, November 1983 to October 1989, and as a consequence look into the cases of hundreds of children in care, we concluded that it was necessary in the particular circumstances to proceed in private. We considered it of overriding importance that the children<sup>2</sup> should be protected from any possibility of identification and publicity. We thought that if anyone wanted to identify themselves to the media, as a few did who were in the main adults who as children had been in Pindown, they ought to be able to take the decision themselves. There were, in our view, formidable practical problems in the way of the full panoply of a public Inquiry held under the scrutiny of the media. We were also of the view that we were most likely, in the absence of any powers to compel witnesses to attend and to order the production of documents, to obtain the fullest co-operation with the Inquiry if we proceeded in private.

**1.14** Paragraph 11 of the Terms of Reference permitted us to inform the local authority if 'at any point in the Inquiry (we considered) that the method of working adopted (was) inadequate for the issues at stake and should be substituted by a Public Inquiry or any other method of procedure'. We did not consider it necessary at any time to make any such recommendation.

## **Publication**

**1.15** We regarded publication of the Report in full as essential. The local authority agreed to this course from the outset.

## **Procedure**

**1.16** The following information relating to the Inquiry Procedure was widely circulated both prior to the commencement of the Inquiry on 23 July 1990, and during the following months:

1. We are interviewing in private anyone who can assist the Inquiry;
2. A witness may come along on his or her own or may prefer to be accompanied by a legal or union representative;
3. It would be helpful to receive a written or typed statement from the witness in advance, but this is not essential;
4. It may be necessary to re-call a witness at a later date but we would hope in the normal way to avoid doing so;
5. Contact in the first instance may be made with the solicitor to the Inquiry (his name, address, telephone and fax numbers were set out).

2 We have used 'children' in the Report as meaning anyone under the age of eighteen.

**1.17** As indicated above it was decided to conduct the Inquiry in private but publish the Report in full. A few people chose to be legally represented or bring their union representative with them. We allowed others to bring friends or colleagues with them or in the case of children, their parents. We saw each witness separately and questioned them. If they were represented we permitted their lawyers to put questions to them and make submissions if they wished. Our aim was to conduct the Inquiry as informally as possible but with fairness and thoroughness. We asked some witnesses to return so that we could ensure that they had the opportunity to deal with all relevant matters. We indicated to witnesses as fully as possible, where necessary in writing, the areas in which we wanted assistance. We made sure that they understood any matters that might lead to concern or criticism. We urged witnesses to deal constructively with the issues arising and the improvement of practice.

### **1.18 Facts and Figures**

The Inquiry sat for 75 days between 23 July and 29 November 1990. Evidence was mainly heard in Stafford and Stoke-on-Trent but was also received at a further 30 locations. 153 witnesses gave oral evidence and approximately 150,000 pages of documents including over 400 log books were considered by the Inquiry. We visited the following Stoke-on-Trent residential homes: 245 Hartshill Road, 100 Chell Heath Road and Heron Cross House. In addition we visited The Birches, Newcastle-under-Lyme and The Alders, Tamworth. We also went to see Duke's Lodge at the invitation of Tony Latham.

### **1.19 Co-operation and Confidentiality**

Only one witness who was asked to attend failed to turn up. We cannot, of course, rule out the fact that for one reason or another people who could have assisted the Inquiry failed to do so. Bearing in mind, however, the number of witnesses who did attend and the vast volume of documentation produced to us, we are reasonably confident that we received a very comprehensive picture indeed of the relevant events. We were assisted enormously by the availability of almost every residential home log book and measures of control book concerning the practice of Pindown. A few were listed as 'missing'. Co-operation with the Inquiry was forthcoming in a number of cases on the promise of confidentiality. Some witnesses at their express wish have not therefore been named in the list of witnesses in appendix D. We have carefully taken into account when weighing the evidence, whether the fact of non-identification of a person could have in any way prejudiced anyone else. We were grateful to the local authority for urging its employees to co-operate with the Inquiry. We were extremely concerned to hear from a few witnesses that they had received telephone calls designed to deter them from giving evidence. There was no indication as to the identity of those responsible.

### **1.20 The District Auditor**

On 30 August 1990, day 24 of the Inquiry, we wrote to the chief executive of the local authority concerning paragraph 2 of the Terms of Reference (see appendix B) relating to the possible need for any further investigation of the general activities of Fundwell and its relationship with the County Council. We wrote that: 'in the light of the oral and documentary evidence already presented to us, we have concluded that the purely financial matters concerning Fundwell should receive, as soon as possible, expert appraisal. We therefore recommend in the circumstances that the District Auditor, who has the necessary financial expertise and who is like our Inquiry independent of the local authority, should carry out a full investigation'. Our recommendation was immediately accepted and the District Auditor commenced an investigation.

### **Acknowledgments**

**1.21** We would like to offer our thanks to Hugh Howard, solicitor to the Inquiry and Dennis Spencer who assisted most energetically with various facets of the Inquiry.

**1.22** We are most grateful also for the considerable assistance given to us by the legal and union representatives who appeared before the Inquiry. We would particularly like to thank firstly John



Trotter, partner in the firm of Bates Wells and Braithwaite who spent seven days at the Inquiry on behalf of his clients, for his always lucid and helpful advocacy; and secondly Michael Nicholls, solicitor in the Official Solicitor's department for his interesting and illuminating legal submissions..

**1.23** We owe an enormous debt of gratitude to Elaine McIntyre who for six months tirelessly ran the administrative machinery of the Inquiry with style and great efficiency. We are also very grateful to those who over the months assisted her.

**1.24** We would like to express our thanks to the employees of Staffordshire County Council for cheerfully accepting our presence and the take-over of a number of their offices for the purposes of the Inquiry. To Bernard Price, County Clerk and Chief Executive and Roy Hudson, Deputy Clerk, we are particularly grateful for their administrative assistance and their continuing commitment to ensuring the total independence of the Inquiry.

**1.25** We were most fortunate in having the manuscript 'word-processed' by Liz Pickard who did it with speed, accuracy, and a sharp eye for errors.



## **Chapter 2**

### **Introduction to the Report**

**2.1** It is essential in order to understand and assess Pindown to consider comprehensively the background to its creation and the context in which it developed. Additionally, of course, one has to trace in some considerable detail the actual practice of Pindown during its active periods between November 1983 and October 1989 when its use was banned. The same considerations relating to background, context, and practice also apply to the aspects of Fundwell that we have to consider.

**2.2** It quickly became apparent to us that it would be necessary to trace the following factors in respect of the background and context: national events, local characteristics of Staffordshire social services, county council financial policies, social services re-organisation and the career of Tony Latham who was the central figure regarding Pindown and Fundwell.

**2.3** Accordingly, in the next chapter we describe and consider each factor in the period up to 1 April 1983 when a significant re-organisation in Staffordshire social services took place, some seven months before the birth of Pindown at 245 Hartshill Road, Stoke-on-Trent.

**2.4** Chapter 4 deals under the same major headings with the period between 1 April and 31 December 1983.

**2.5** Chapters 5 to 10 inclusive follow the same course, each dealing with the events of one year from 1984 to 1989. Chapter 10, therefore, documents amongst other things the demise of Pindown at the end of 1989. At the end of each chapter some facts and figures are set out concerning the use of Pindown in the particular year under consideration.

**2.6** In Chapter 11 individual profiles are provided of 'the Pindown Experience' of seven children.

**2.7** Chapters 12 and 13 contain comprehensive analyses of Pindown and Fundwell respectively.

**2.8** Chapters 14, 15 and 16 deal with the quite separate matters relating to sex offenders and the protection of children which we were asked to consider when our Terms of Reference were extended on 5 October 1990 (see Chapter 1 paragraph 1.12).

**2.9** In Chapters 17 to 21 inclusive we consider and comment upon a number of important professional issues.

**2.10** Our conclusions and a summary of our recommendations are set out in chapters 22 and 23 respectively. Extensive appendices follow.



## **PART 2: The History**

### **Chapter 3**

#### **Pre-April 1983**

**3.1** Pindown began on 3 November 1983 in a residential home at 245 Hartshill Road, Stoke-on-Trent. By this date the projects and activities later known collectively as Fundwell were already in existence. They had started in 1972, initially as a form of youth work and Intermediate Treatment,<sup>3</sup> and subsequently ran concurrently with schemes organised under the auspices of the Manpower Services Commission. Both Pindown and Fundwell owed their origins to a social worker, Tony Latham. Between 1972 and 1989, the year Pindown ceased, Tony Latham held a number of posts in Staffordshire Social Services. He first became a social worker in Tunstall in 1972. Between 1975 and 1977 he was seconded to Ruskin College, Oxford where he obtained a Certificate of Qualification in Social Work. In 1979 he was promoted to senior social worker in Longton; in 1983 to area officer for the Newcastle-under-Lyme family centre and in 1985 to area officer (children and families) in Newcastle. In 1987 he moved to headquarters in Stafford as senior assistant, voluntary bodies co-ordinator. The following year he became senior assistant (children and families.).

**3.2** Our Inquiry into Pindown and Fundwell led us to examine a number of factors in the years leading up to 1983 which, in our view, contributed substantially to their development. As indicated in the last chapter they were:

- (a) national events;
- (b) local characteristics of Staffordshire and its social services department;
- (c) county council financial policies;
- (d) social services re-organisation;
- (e) the career of Tony Latham.

**Aspects of each factor at times overlapped and blended together.**

#### **(a) National Events**

**3.3** Childcare services administered by children's departments in every county and county borough in England and Wales were first established under part VI of the Children Act 1948. Their aim was to ensure that 'children deprived of a normal home life' received adequate and sensitive substitute care.<sup>4</sup> Large scale specialised training was also developed nationally to assist the children's departments to develop the service to an appropriate professional standard. Between 1948 and 1970 when children's departments became part of unified social services departments, a large body of legislation added to the responsibilities and powers of the child care service culminating in the Children and Young Persons Act 1969.

**3.4** In the course of carrying out their responsibilities to deprived children, young offenders and children neglected or ill-treated at home, children's officers and their colleagues became convinced that major changes in the law relating to young offenders and 'children in trouble'<sup>5</sup> were needed. The Children and Young Persons Act 1969 embodied some of these changes. A major objective of the Act was to remove what were seen to be artificial distinctions between deprived and delinquent children and young people and to treat them all as equally in need of assistance, protection or care. The origins of their individual

3 A service for children and young people at risk 'intermediate' between being away from home in the care of a local authority and living at home with no provision for help.

4 See Para.1 of the Report of the Care of Children Committee, September 1946, HMSO Cmd.6922 (The Curtis Committee).

5 See the White Paper 'Children in Trouble' (April 1968), HMSO, Cmnd 3601.



problems were acknowledged as having many similarities though they might be expressed in differing kinds of behaviour. Some of the changes brought about by the legislation were that:

- (a) approved schools became community homes with education on the premises;
- (b) care orders took the place of approved school and fit person orders;
- (c) remand homes became observation and assessment centres;
- (d) intermediate treatment was introduced;
- (e) regional planning committees were set up to co-ordinate regional and local residential establishments such as community homes with education and observation and assessment centres, and to encourage use of regional and local resources in intermediate treatment.

3.5 As a result of the development of child care services which were required to carry out wide responsibilities to many children, both at home and in care, those involved had also identified the need for a wider and better co-ordinated system of personal social services which could meet need more effectively and more flexibly. Consequently, when the Seebohm Committee was set up in 1965 the child care service played a major role in proposals for the establishment of unified personal social services departments. These proposals were embodied in the Committee's report in 1968.<sup>6</sup>

3.6 The report was implemented by the Local Authority Social Services Act 1970. This brought together within each county and county borough in England and Wales the former children's departments, welfare departments and certain functions of the former local authority public health departments. The new directors of social services inherited staff from the three departments in which levels of training and approaches to service provision had differed greatly. In these circumstances some of the concentrated attention and planning for improved practice which the Children and Young Persons Act 1969 was intended to achieve was lost. Child care work also had to take its chance with the new style of generic social work and caseloads adopted by local authorities in 1970-71. Additionally training for social work was re-organised into a generic pattern and all specialist child care training courses, including those designed for residential staff were closed. Inevitably specialist experience and professional standards painstakingly developed by children's departments between 1948 and 1970 began to be dissipated.

3.7 From the evidence presented to them the Seebohm Committee<sup>7</sup> had seen 'a strong case for re-organisation so that the services may attract more resources; . . . meet needs . . . being neglected . . . and be more accessible and comprehensible to those who need to use them.' [Para.III] The new social services departments attracted both increased resources and greatly increased demand. They had had little time, however, to develop or consolidate their experience between 1970 and 1973 when they were overtaken by the re-organisation of local government as a whole in 1974.

3.8 In the process of re-organisation many local authorities were extinguished by the creation of a smaller number of larger units. Because of this there were many changes of personnel, directors of social services, senior and middle managers and other senior staff. Attempts to reconcile conflicting departmental loyalties and to deal fairly with those whose career prospects were affected, led to yet more changes. In addition staff often experienced major differences of management styles within a short space of time. When organisational turbulence began to subside trends in the national economy were already moving against local government expansion. Social services departments, which had been established to improve services for those in need, had to slow down their development and find ways of reducing expenditure.

3.9 Following the Children and Young Persons Act 1969 and the establishment of social services departments, central government and external professional initiatives were taken to assist local authorities and others to address their child care responsibilities. The Home Office Children's

<sup>6</sup> Report of the Committee on Local Authority and Allied Personal Social Services, July 1968, HMSO, Cmnd 3703, which had been set up jointly by four government departments.

<sup>7</sup> See footnote 6 ante

Department set up a Development Group in 1969, which was transferred with the Children's Inspectorate to the DHSS in 1971. The objectives of this group were to assist implementation of the 1969 Act by developing standards of good practice in residential child care, intermediate treatment, collaboration between field and residential social work, management of violent behaviour and a range of other areas of practice. The group produced many publications between 1970 and the mid 1980s, all of which were sent free of charge to social services departments. They included a design guide for the building, equipping and use of community homes and a statement of residential child care principles entitled 'Care and Treatment in a Planned Environment.' [HMSO 1970, reprinted 1972] A parallel initiative in 1968 by three professional child care organisations<sup>8</sup> resulted in a publication entitled 'Residential Task in Child Care – The Castle Priory Report'. [First Edition – 1969, Second Edition – 1972] This report related standards of good practice to detailed assessment of staffing needed to achieve it. The conclusions of the report were adopted in 1970 by The Home Office Children's Department as guidelines for local authorities and voluntary organisations. During the late 1970s and early 1980s work was carried out which resulted in the publication of 'Observations and Assessment – report of a working party' (DHSS January 1981) and 'Control and Discipline in Community Homes – report of a working party (DHSS January 1981). These were also circulated to local authorities to assist them in their thinking and planning of child care services. Like the work of the DHSS Development Group, a wide spectrum of practitioners and managers in social services and representatives from health and education services had been involved with the intention of ensuring that the advice and guidance disseminated to service providers were related to the realities of everyday experience.

**3.10** The central government publications referred to above were sent to all local authorities, including Staffordshire. The Castle Priory Report was also available in Staffordshire. Some publications were particularly relevant to planning and decisions made in the child care service for example, 'Control and Discipline in Community Homes' and a number of the Development Group reports.

**3.11** A further major national influence which impinged briefly on Staffordshire's social services department was the work of the House of Commons Social Services Committee which carried out an investigation into 'Children in Care' between 1982 and 1984.<sup>9</sup> Staffordshire in 1982 was one of four English local authorities visited by the committee. Amongst the examples of services they saw was 'a modern residential observation and assessment centre' which was to be used later as a family centre.

#### **(b) Staffordshire and its Social Services**

**3.12** In 1974 the county boroughs of Stoke-on-Trent and Burton-on-Trent were absorbed into the county of Staffordshire as part of local government re-organisation. They had both had twenty-six years' experience of providing firstly child care services and then social services through their own independent departments. Instead Stafford, sixteen miles south of Stoke, became their administrative centre. A witness told us that 'members of (Stoke) social services department were not keen on being taken over by Stafford . . . There was a feeling it was too big and Staffordshire did not have the interests of Stoke at heart.' Nevertheless there was 'still a lot of power within Stoke . . . we got the feeling . . . that if we could sort things out Stafford would be OK . . . unless it got really bad we would not bother the boys in Foregate Street.'

**3.13** Although Stoke had little enthusiasm for being part of Staffordshire, we received considerable evidence suggesting that both local authorities were insular and inward-looking communities, reluctant to seek new ideas or new people outside their boundaries. Mark Fisher, a Stoke M.P., told us that 'it is only very recently that we have begun to appoint people from outside the county . . . that makes for an incredibly narrow and limited perspective . . . there have been no new ideas coming in as a result.' Other witnesses referred to Staffordshire being in a time warp and believed this acted as a barrier to development of new concepts and methods. Barry O'Neill, the former director of social services, in his

8 The Association of Children's Officers, The Association of Child Care Officers and The Residential Child Care Association.

9 Second Report of the Social Services Committee, Session 1983-84, Children in Care, Vol.1. Para 35.

written submission to the Inquiry, listed an 'inward looking culture' amongst the problems faced by his department when he was appointed in 1985. He added that 'Staffordshire had not traditionally participated in regional and national events and initiatives under the regime of my predecessor. This contributed . . . both to morale issues and to problems in the recruitment and retention of qualified staff.' A social worker coming from another local authority to work in Staffordshire told us she had a 'very strong impression . . . of a social services department which seemed to be very parochial . . . very inward looking . . . consequently . . . resistant to change.'

**3.14** Practice in Staffordshire was commented on by many witnesses. Eileen Robinson, who retired as an Assistant Director of Social Services in 1987, described how during the mid-1970s 'there was no casework responsibility in the residential services (section). It was purely management, staffing, fulfilling the needs of the areas in the provision of places.' In the later 1970s little had changed. There was still a 'clear distinction between care and the . . . practical running of homes. The residential section was . . . the bricks and mortar and furnishings and fire officer and architect.' Communication was by circulars and 'there are literally hundreds of them covering everything from having a chimney swept to the care of children.' It was not till about 1980 that a document entitled 'Casework with Children' was written and sent out to the residential homes. Looking ahead, it is interesting to note that Councillor Beech, a County Councillor, commenting on the Social Services Inspectorate's report on visits to children's homes in 1990 identified communication as still a major problem: 'all sorts of policies, so called, which had been emanating from on high but had not been disseminated. People didn't know about them.'

**3.15** Looking back to the days of children's departments, before 1970, Councillor Austin, the leader of the Council since 1981, said that in his experience 'in the 1960s we had a different type of child. There wasn't a drug problem and there wasn't the aggressiveness we have now . . . We did not take kids into care as a punishment. It was to protect them basically from the outside world . . . If I were a top politician in Westminster I would do away with Seeborn and go back to the old system.'

**3.16** Having only a small proportion of professionally qualified staff has characterised Staffordshire social services department for a long period. In 1979 the number of qualified field social workers was said to have fallen below 25%. In residential child care there was an almost total lack of qualified staff. Barry O'Neill told the Inquiry that by 1985 'training, other than the secondment of 13 staff a year on CQSW (Certificate of Qualification in Social Work) courses had been given a very low profile. In-service training was virtually non-existent. The training function for . . . 6,000 employees was dealt with by one member of staff who also had responsibilities for the traditional records and information gathering role.' Not surprisingly supervision in the department was also inadequately provided or, as in residential work, non-existent.

**3.17** Courts and police attitudes in Staffordshire were said to be relatively punitive. In their written evidence to us NACRO (National Association for the Care and Rehabilitation of Offenders) said that in their view the Pindown regime, which began in 1983, appeared 'to have been developed in the context of a policy vacuum in juvenile justice.' Even in 1990 they were of the opinion that 'there is significant scope in Staffordshire for the development of a policy with regard to juvenile offenders.' Attitudes of some Staffordshire social services staff to children in care and young offenders seemed to a number of social work witnesses to have been lacking in concern and more than one questioned whether politicians really cared what happened to the children and young people for whom social services were responsible.

**3.18** The issue of secure accommodation was important in Staffordshire both before 1983 and subsequently. Until the re-organisation of residential child care facilities which took place in 1983 there had been three observation and assessment centres, one of which, Chadswell in Lichfield, had formerly been a remand home; two community homes with education (former approved schools), Rowley Hall for senior girls and Riverside for intermediate and senior boys; four working boys and girls hostels; and twenty-two children's homes. Chadswell and Rowley Hall had both provided secure rooms. A witness, who was between thirteen and a half and fifteen years old when she had been in Rowley Hall, described her experiences: 'the first time you run away they lock you up for so long, the second time it is seven days . . . and then it is up to twelve or thirteen days . . . I can always remember they could never lock you up

for longer than fourteen days . . . they had to get a special something or other to give . . . permission to keep you in that room.' She remembered she wore nightclothes with no underclothes and no shoes. The room had been very small with just a bed and a bucket for a toilet. She had no exercise and her meals were brought to the room by staff. 'You wouldn't have a book to read, sometimes they would bring a magazine . . . to pass the time . . . Looking back at it, I mean, I watch Prisoner Cell Block H and that is luxury compared.'

**3.19** Two secure units with two beds each had been provided in Riverside in 1981. They were established in consultation with the DHSS for young people needing security or separation. They were never, however, brought into use because the physical design did not meet the requirements for approval by the Secretary of State following new standards under the Criminal Justice Act 1982. Staffordshire sought grant aid from the DHSS to meet the cost of work needed to obtain approval, but their application was unsuccessful. After protracted discussions the then director of social services in February 1985 recommended that the social services committee should 'abandon the provision of secure accommodation.'

**3.20** The Community Homes Regulations 1972<sup>10</sup> required that from time to time the social services committee should review measures of control in use under the regulations. In a report to the committee on 28 February 1982, the director had reminded them that 'The control of a community home shall be maintained on the basis of good personal and professional relationships between the staff and the children . . . primarily by the influence achieved through gaining confidence and respect.' Some sanctions or other means of control had to be used on occasion but 'rewards are equally important in encouraging good behaviour.'

**3.21** Barry O'Neill, who was appointed director in 1985, had been deputy to Paul Hudson the previous director and had worked in the social services department since the mid 1970s. In his written submission to the Inquiry he analysed the weaknesses of the department at the time he became director and it was clear that they were longstanding. In addition to the 'inward looking culture' and neglect of training he listed the following characteristics of the department:

- (a) social services expenditure was the second lowest per head of counties in England and Wales;
- (b) a proportion of middle management was still influenced by previous roles prior to local government re-organisation in 1974, and particularly by the different service models and culture inherited from the former county council and from Stoke-on-Trent and Burton-on-Trent;
- (c) major cuts in services had been implemented in a hasty way which had left an unbalanced organisation;
- (d) spending on management and support staff was the lowest percentage of expenditure compared with other local authorities;
- (e) there was no formal participative management, decisions on priorities had been taken centrally and there was minimal joint planning with health authorities;
- (f) from 1974 to 1984 Staffordshire had had three administrations: Labour from 1974; the Conservatives from 1977 and Labour again from 1981. This had resulted in a 'stop-go' culture in which longer term developments had been sacrificed for a more pragmatic approach based on opportunities as they arose;
- (g) management structure had been shaped largely as a response to requirements for cuts in services in the late 1970s and early 1980s, supplemented by various 'sticking plaster' additions as opportunities permitted in the early 1980s;
- (h) traditionally there had been over reliance on residential provision into which users had to fit rather than a range of services offering them choice. Staffing ratios in residential homes were much too low resulting in containment rather than care;
- (i) written policies, procedures and joint strategies were noticeable by their absence or by being out of date;
- (j) low service provision in Staffordshire social services had become accepted, with little prospect of any change in established patterns of expenditure.

Our investigation supports this analysis.

10 See appendix L.

### **(c) County Council Financial Policies**

**3.22** It was clear from the evidence we received that resources were a key issue in the history of Staffordshire social services from 1974 to 1989. Barry O'Neill, the former director, as noted above blamed political changes in the administration for a 'stop-go' policy which sacrificed long term planning to pragmatic opportunism. Statistics provided by his predecessor, Paul Hudson, for the House of Commons Social Services Committee's visit in 1982<sup>11</sup> demonstrated that child care spending in Staffordshire had fallen steadily from a low baseline in 1975/76 to being the lowest of any other county in England and Wales in some aspects of the service.

**3.23** We examined budgetary information from 1977 onwards. During the period between 1977 and 1983 the County Council required the social services committee to make significant cuts in their annual estimates of necessary expenditure.

**3.24** National guidelines issued to local authorities in 1978 proposed that increases of expenditure overall should not exceed 1 per cent. In addition the government white paper on public expenditure envisaged very limited growth for some years ahead.

**3.25** In the 1978/79 social services budget an increase of 2.69 per cent was proposed. This was reduced to 1 per cent. The following year the county council budget panel decided that 3 per cent must be cut. This figure was subsequently increased to 5 per cent with a requirement that a substantial proportion must be achieved by savings in manpower. In the following year further cuts of 5 per cent had to be made. Examples of cuts were closures of residential homes, freezing social work posts and reducing clerical and administrative support staff. In a report to the social services committee on 2 September 1980 the then director, Paul Hudson said, 'the social services department has been required by the county council to make savings . . . of approximately £1,400,000 . . . The reductions have made a real drop in standards of service to the public. This reduction should be seen against the background of a continued rise in demand for the services we provide of about 8 per cent per annum . . . In a two year period the gap between resources and demand is about 24 per cent'.

**3.26** Whilst hearing the evidence we were often struck by a lack of adequate social services records, even when these were statutorily required, and the absence of recorded material generally. It became clear that this was related in part to major cuts in administrative and clerical support. Although the social services department's administrative costs had been proportionately lower than any other local authorities, budgetary reductions required by the county council in 1981/82 could not be achieved without reducing 'the clerical and administrative staff in area offices drastically, leaving only a minimal support service for the social workers.' [Report to the General Sub-Committee, 2 September 1980] We were told by Barry O'Neill that the 1981/82 reductions in administrative staff, coming on top of large cuts in previous years were 'a major blow to the delivery of services . . . It affected morale throughout the organisation and its impact was such that even a decade later various parts of the organisation have still not recovered from the changes imposed.'

**3.27** 1983/84 was another year in which substantial savings were made in the child care service. The plans for these were laid in 1982/83 and involved a total re-organisation of residential child care provision. In a report to the social services committee on 27 July 1982 the director recommended that 'all existing 24 community homes, children's hostels and the observation and assessment centre at Heron Cross . . . be discontinued in their present form.' The detail of the plan to replace them, in the main, with family centres will be described in the next section. In budgetary terms the reduction of residential accommodation by 164 beds and the re-shaping of associated social work was anticipated to result in annual savings from 1 April 1983 of £350,000.

**3.28** During the mid and late 1980s the county council no longer required the draconian cuts of the earlier years, but the state of the child care service as a result of those years presented a grave problem.

<sup>11</sup> See Para 3.11 ante



Some witnesses saw the financial policies as not just a problem for social services. Mark Fisher M.P. said that 'historically we have been negligent both in expenditure and in policy . . . not just in social services. It is traditional . . . I think they are probably right in saying that the money is not there because they have always set very low budgets.' A county councillor supported the view that long-standing political attitudes were at least partly responsible for the problems. He complained that legitimate criticisms of poor service met with the response, 'there's no money to do anything about it . . . That's the answer to everything you know.'

**3.29** Examples of financial short-sightedness which we were given included lack of waking night staff in residential homes and foster parent allowances which were so much lower than those in neighbouring authorities that Staffordshire residents were fostering children in care in Cheshire, Warwickshire and Coventry. In relation to staff we were told by NALGO how difficult it was to retain occasional recruits from other local authorities once they discovered some of Staffordshire's difficulties. One example was disbelief that the social services department had no library. Expenditure on food in residential homes was low by comparison with other local authorities and pocket money for teenagers was thought to be unrealistic by the standards of ordinary families.

**3.30** Councillor Austin, the present leader of the Council, saw a connection between staff cuts and the development of Pindown: 'I think Pindown was administratively so easy. Give them a pair of pyjamas and put them in a room and that is it . . . I think it became a method after a while.'

**3.31** More than one witness considered Tony Latham had been left to get on with his initiatives because of the general shortage of resources. Brendan Sullivan, who has worked for the local authority for twenty years and who is at present Assistant Director (Finance), for example, said 'if Mr Latham was prepared to take this activity . . . they would let him get on with it . . . the period in late 1970s, early 1980s, was one of a lot of cutbacks, and a lot of change and just getting through one day was success, never mind taking on additional work which perhaps you did not have to.' Barry O'Neill, the former director, told us, 'there was a clear policy decision to let (Tony Latham) get on with it and not to interfere as long as he 'produced the goods'.'

**3.32** Councillor Austin agreed with Councillor Poulter, the present chairman of the social services committee, that the department was understaffed, but although efforts had been made to improve the position they were 'starting from a very bad base in 1981'. Councillor Poulter, commenting on the re-organisation of residential child care in 1983 said 'the problems facing the county council at that time were severely financial and the family centres decision was a way of having a good idea to resolve that financial problem.'

**3.33** The effects of cuts and shortages of resources on practice were significant. One social work witness was very critical of particular cuts: 'all the waking staff were cut out in residential homes . . . That was of great concern to me . . . the commonsense of fifteen beds with up to twenty odd people in, this really did concern me.' The same witness regretted that 'after years of cutbacks' the family centres 'had to come in as part of a cost cutting exercise which was a great pity . . . (they) started on the given dates coupled with cutbacks of staff, and that was a bad base to start from.'

**3.34** In the period before November 1983 County Council financial policies relating to social services led, in our view, to serious shortages of resources and manpower over a long period. In this situation developments such as Fundwell and Pindown were more likely to be tolerated, even encouraged, than might have been the case if more realistic and generous responses had been made by the county council to the heavy and growing tasks of the social services department.

#### **(d) Social Services Re-Organisation**

**3.35** Barry O'Neill, the former director of social services, pointed out that the department's 'management structure had been shaped largely as a response to requirements for cuts in services in the

late 1970s and early 1980s.' We were given structure charts which demonstrated four major re-organisations between 1982 and 1989. The first took place in 1982, the second in 1983.

**3.36** As noted above, substantial budgetary savings were required between 1980/81 and 1982/83. These were partly achieved by drastically reducing support staff in social work offices. Reductions in staff at headquarters also had to be made, thus diminishing support to the field services even more.

**3.37** Until 1982 there had been a director, a deputy and five assistant directors at headquarters. Three of the five assistant directors were responsible for the provision of services. Only field social work was delegated to area officers outside of headquarters. Principal and senior assistants were responsible to each assistant director. The chain of management responsibility was long; for example, six vertical layers of management separated heads of residential establishments from the director.

**3.38** In the 1982 re-organisation a new post of senior assistant director was created and the remaining assistant directors reduced to three. One of these combined responsibility for the whole of service provision. Services were also regrouped into those for children and those for elderly and disabled people, each with a principal assistant and senior assistant attached. In a centralised department in one of the largest local authorities in England this structure represented minimal resources for the task.

**3.39** When the next re-organisation took place on 1 April 1983, it was in the context of what Barry O'Neill described to the Inquiry as a 'major blow to the delivery of services . . . and morale.' A witness who had come to work in Staffordshire in 1982 said, 'when I came to social services I found . . . files were everywhere. Confidentiality was nowhere near the standard I was accustomed to and the filing system was in total disarray. It was a pile of documents . . . on top of a filing cabinet.'

**3.40** Paul Hudson, the then director of social services, had outlined his proposals for re-organising child care services in a report to the general sub-committee on 27 July 1982. The plan was radical in its approach:

- (a) all existing community homes to be discontinued in their current form;
- (b) 387 beds in establishments to be reduced by 164 by 1 April 1983;
- (c) 164 children and young persons in the homes to be boarded out or returned home by 1 April 1983;
- (d) a family centre to be provided in each of the county's nine areas<sup>12</sup> with a range of new responsibilities in addition to providing residential care for 10-15 children and young people;
- (e) observation and assessment to be carried out by family centre staff in co-operation with area social workers instead of by residential observation and assessment centres;
- (f) residential care officers to become social workers on social work salaries and no longer eligible for overtime. Roles no longer to be divided between residential care officers and field social workers;
- (g) each family centre to be staffed by an area officer responsible to the principal area officer both for the centre and for re-organisation of children's resources in the area;
- (h) family centre staff to work closely with area social work teams who would retain existing child care responsibilities;
- (i) five small community homes to be retained for children without families or who were difficult to foster;
- (j) forty places to be retained in independence units based in former staff accommodation.

**3.41** In his report to the social services committee on 27 July 1982, Paul Hudson described the objectives of the re-organisation as 'to provide a vigorous community based service for children and families with the aim of preventing admission to residential care.' Family centres would participate in

- (a) developing fostering and intermediate treatment;
- (b) developing links with day nurseries, play groups and child minders.

Additionally they would provide day care, overnight or weekend stay and full residential care for children and young people as required and for families for short periods if this would be of value.

<sup>12</sup> Stoke-on-Trent eventually had three family centres.

**3.42** All the proposals put forward by the director to the Social Services General Sub-Committee on 27 July 1982 were agreed by the Committee and the implementation date set for 1 April 1983.

**3.43** The staffing to be provided to carry out family centre roles and responsibilities was described in the director's committee paper. In principle it was to be 'a team of social workers, sufficient in number to man the residential and day care element of the family centre as well as to develop boarding out and family support in the community.' In reality apart from the area officer who had considerable responsibilities outside of the family centre, in a fifteen bed centre there were to be a team leader and nine other (full time equivalent) posts. Of these four and half were to be only social work assistants on salary scales too low to attract experienced or qualified staff. In addition, as one witness pointed out, the fact that posts were allocated did not guarantee that they were filled, 'the number of beds . . . were reduced by X . . . overnight. Staffing levels were increased on paper . . . A twenty-five . . . or thirty bedded home . . . (with) twenty children in anyway . . . was changed to a fifteen bedded home which didn't mean a lot because the children were still there . . . The staffing (was) . . . increased . . . but it's all very well getting staffing approval, you've got to fill the posts.' The Birches had twenty-eight children, not fifteen as was planned but no adjustments were made to the staffing allocation.

**3.44** It was not in dispute on the evidence that the residential child care re-organisation became a fait accompli with very little consultation having taken place in advance. Barry O'Neill claimed to have sown the seed of the family centre concept. John Spurr, then senior assistant director, was asked, at short notice, to prepare a scheme and the cost cutting element was widely recognised. Once it had received committee approval it was then policy to be implemented. Depleted and demoralised headquarters and area staffs had to prepare between August 1982 and March 1983 for a major upheaval involving many children and residential staff.

**3.45** Within the limitations of headquarters and area staff groups, attempts were made to plan and prepare for the changes ahead. Meetings took place between area officers, senior social workers and individual children's social workers. Consideration was given to redeployment of residential staff in relation to children whom they knew well. Some pre-admission visits were arranged, particularly for young people going to independence units. Peter Crockett, who was responsible for the overall operation, held meetings of principal area officers and other senior staff to try to anticipate some of the problems. He also went to meet all the staff who were to be involved to provide an opportunity to talk about changes ahead. One of the objectives of the re-organisation was to return children to their own communities to facilitate contacts with families and rehabilitation at home. Peter Crockett commented on what had taken place before: 'prior to the family centre set up what happened was that if social workers needed a vacancy for a child they rang up and it was a matter of where vacancies were throughout the county. I got different coloured pins for the nine principal areas and put them in and the colour pattern was horrendous, how the kids had been moved around.'

**3.46** In spite of the preparatory work outlined above, when the movements took place some children still did not know where they were going on the day they were to leave. Fred Hill, then a senior assistant, described what happened, 'it was a very busy time because all the establishments changed use . . . (I) was running round and clearing things with the fire officer and moving furniture around . . . we virtually changed overnight, possibly too quickly and the same people were running things the next day but it was called something else.'

#### **(e) The Career of Tony Latham**

**3.47** In 1972, two years after the Seeböhm re-organisation, Tony Latham began to work for Staffordshire social services department as an unqualified social worker in Tunstall, near Stoke-on-Trent. He had done voluntary work in the area as a schoolboy and continued to do so after he left school. Before he became a social worker he had worked in offices, been a benefits officer in the Department of Employment, and a youth employment officer and later an education welfare officer in Staffordshire's education department. He was twenty-four years old when he joined the social services department.

**3.48** His social work caseload contained, as well as adults, a large number of young people on care and supervision orders. He soon found himself responsible for between sixty and seventy young people and decided to draw on the concept of intermediate treatment [See para. 3.1] for ideas in working with them as a group since the numbers were unmanageable individually. The group he formed was initially called the Voluntary Youth Project, and later the North Staffordshire Intermediate Treatment Unit. Money was raised using volunteers and other social workers and this enabled activities to be provided. The group catered for boys and girls from eight to sixteen years old, most of whom were connected in some way with social services. The activities available to them included artwork, gardening, woodwork, hair dressing, cooking, camping and fishing. An account of the project was included in 1977 in a DHSS Development Group publication 'Intermediate Treatment – 28 Choices.'

**3.49** By 1974 Tony Latham was also involved part-time with his then wife in residential work for physically handicapped children and later in a children's home where she was the officer in charge. Intermediate treatment began to take up even more of his spare time and Peter Crockett, at that time principal area officer for Stoke-on-Trent and Cannock, decided that part of Tony Latham's social work post should be devoted to extending intermediate treatment to the whole of the Stoke area. This led to his involvement in referral meetings, case planning, writing reports for courts and working in contact with families as well as social workers. The chairman of the local magistrates' bench was on the project committee.

**3.50** When Tony Latham was seconded to Ruskin College, Oxford in 1975 to train in social work, he continued to be involved in Stoke's intermediate treatment programme and related activities at the weekends. In 1976 the social services committee agreed both to assist financially and to provide cheap premises for further developments. Students from youth and community courses began to be placed for periods of time of up to three months. By the time Tony Latham returned from Ruskin College in 1977, having gained his Certificate of Qualification in Social Work, between 120 and 150 young people were involved in the project. Residential intermediate treatment had also begun and John Aston, initially a volunteer, was appointed as voluntary warden. Community service volunteers, both local and from overseas, were also being referred to the project.

**3.51** During the same period the Manpower Services Commission ('MSC') was seeking sponsors for job creation schemes for long term unemployed people. The Voluntary Youth Project sponsored three schemes: the Penkhull youth project, the Community Warehouse and the Halfway House project. The resources and personnel involved in these schemes began also to be used to support intermediate treatment activities, and the network of inextricably related initiatives known as 'Latham's enterprises' and later, more formally, as Fundwell began to develop.

**3.52** In 1979 a full-time intermediate treatment officer was appointed by the social services department and seconded to run the Voluntary Youth Project. Intermediate treatment had by this time become sufficiently well established in Stoke that nine intermediate treatment officer posts were created to work in other parts of Staffordshire as well. It was also in 1979 that Tony Latham became a senior social worker and was encouraged by his area officer, Audrey Williams, to set up further MSC schemes (Youth Opportunity Schemes known as YOPs) as a way of continuing to make use of MSC funding in the community. Through these initiatives schemes to help elderly people in day centres, and with cleaning, shopping and transport developed.

**3.53** In August 1979 the Community and Social Services Project Youth Training Scheme was set up to provide employees to work for the intermediate treatment centre. In 1980 a Community Funding Project was set up to raise funds for all the other projects. In February 1981 the manager of the intermediate treatment scheme left and the scheme's administrative officer, Glynis Mellors (formerly Bonnici), was appointed in his place. Glynis Mellors, like John Aston, was later involved with Tony Latham in Pindown.

**3.54** By August 1981 schemes of various kinds had been established, catering for about 120 young people. The YOP schemes included day centres for elderly people; building, gardening, painting and

decorating task groups; a clerical group; a playbus; the community warehouse; a remedial group; and mechanics and joinery groups. The groups linked closely with each other. The mechanics group, for example, serviced vehicles used in a number of other projects.

**3.55** Towards the end of 1982 the government was considering further developments in the Community Programme. Tony Latham had hoped to enable his projects to benefit from these. They were delayed, however, until September 1983 and he had meanwhile been appointed area officer in Newcastle-under-Lyme in the re-organisation of residential child care which took place on 1 April 1983. His appointment meant that from that date he was based at The Birches, a former children's home which had become a family centre. His responsibilities were to develop child care services in the area, and to manage The Birches in Newcastle, a long stay children's home at Kidsgrove and a unit at 245 Hartshill Road, Stoke-on-Trent. This unit was for young people who had left school and were learning to be independent. It was 'semi-staffed' i.e. staff were only available for a limited number of hours a week, mainly in evenings and at weekends.

**3.56** The Community Project which Tony Latham had founded under the Community Programme of the MSC was initially called the Longton Resource Centre Community Programme. When he changed jobs he changed the focus of the programme and took it into the Newcastle-under-Lyme area where it was renamed the North Staffs Resource CP Ltd. By this time Tony Latham had also moved his own home to Duke's Lodge, where a number of projects and intermediate treatment activities were already centred. Following his appointment as area officer in Newcastle he moved all the remaining projects for which he was responsible to Duke's Lodge or to the premises at 245 Hartshill Road, Stoke-on-Trent, and began to combine these initiatives with his work as an area officer responsible particularly for one of the new family centres. He was amongst those who felt enthusiasm for the opportunities offered by re-organisation.

**3.57** The team leader at the family centre was Philip Price who had been officer in charge when it was a children's home. He had not welcomed the changes initially but found himself fired by Tony Latham's enthusiasm and began to work closely in partnership with him. Tony Latham's appointment as area officer brought together the activities he had already developed and his new responsibilities for residential facilities in which Pindown was to develop subsequently. His career was a significant factor which, together with the interaction of national and local events and the pre-April 1983 influences, contributed to the matters we were asked to investigate.



## **Chapter 4: 1 April 1983 – 31 December 1983**

### **(a) National Events**

**4.1** The Secure Accommodation (No 2) Regulations 1983 were made on 7 December 1983, and came into operation on 1 January 1984. Local Authority Circular LAC (83) 18, dated 9 December 1983, ('Restriction of Children in Care'), reminded local authorities that from 31 December 1983 the Secretary of State would no longer approve the use of single secure rooms in community homes. With effect from 31 March 1984, current approvals for their use would no longer apply. If local authorities wished to continue to use them they would have to re-apply for approval and were advised that the Secretary of State intended to impose new strict conditions to govern their use.

**4.2** Annex B to the circular LAC (83) 18, (see appendix M) provided guidance to local authorities on how the Secretary of State would define restriction of liberty for this purpose. Amongst the definitions, paragraph 4 provided the following: 'control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty, though control should always be implied in a manner consistent with good child care practice.'

### **(b) Staffordshire and its Social Services**

**4.3** The date set for change in the residential child care service in Staffordshire was 1 April 1983. Family centres were the key to the re-organisation both in the use of resources and in the approach to problems for which the child care service was provided.

**4.4** The concept of family centres was fashionable in the early 1980s. There was, however, a lack of clarity about their objectives. They were too 'often re-cycled children's homes converted into centres for a range of work with families and children.' They could be 'an unhappy mish-mash of family centre, playschool, crisis intervention centre and residential home.' [Para.35 Second Report from the House of Commons Social Services Committee – Children in Care HMSO 1984] Some of those who gave evidence to the Inquiry thought that the re-organisation of residential child care and the family centres in Staffordshire were positive measures which enabled problems to be dealt with at local level with greater flexibility than formerly. There were others who rejected the changes as ill-planned and primarily concerned with cutting costs.

**4.5** There had been little attempt to consult beforehand with experienced staff who were working with the children and young people concerned and who might have commented on the potential use of the buildings earmarked for family centres. Few adaptations were made to accommodate the new uses for these buildings. The emphasis on budget reductions required in 1983 led to staffing establishments which were unrealistic in relation to over ambitious objectives for the centres. In addition the speed with which re-organisation was implemented had not allowed time for a realistic approach to the reduction of the number of children needing residential care facilities in order to match the theoretical reduction in the number of beds at the centres.

**4.6** The regrading of residential care staff to social workers on social work salaries had diminished the distinctions which previously existed between residential and field workers. The withdrawal thereby of the right to be paid overtime, however, did not help staff working many extra hours because there were too few people available. The whole scheme also ignored the reality that a complex list of tasks many of which required considerable skill, knowledge and experience, would in the main inevitably be carried out by inexperienced, untrained and unqualified staff.

**4.7** The domestic work hours provided for family centres were so limited that child care staff had to carry out a range of housekeeping and physical care tasks which detracted from the time and energy available for individual children and important professional tasks and responsibilities.

**4.8** On 6 May 1983, only five weeks after family centres had been established. Audrey Williams, then principal area social services officer for Stoke-on-Trent, wrote to Paul Hudson, director of social services, with a copy to Richard Thompson, assistant director (administration) and Peter Crockett, assistant director (service delivery). Heading her letter 'Family Centres and Long Stay Units' she wrote, 'following a meeting with team leaders today, I need to draw your attention to a problem experienced in all the above units . . . the problem . . . of laundry and members of staff who I feel should primarily be caring for the children are being overly involved in the task of laundry. It is not merely the day to day washing for children but the added problem of bed wetters . . . in one such unit there are eight . . . whose sheets need washing every day.' She asked for the problem to be looked at with 'some urgency'.

**4.9** On 29 July 1983 Fred Hill, senior assistant, child care, wrote to Peter Crockett. In a memorandum on a number of proposals for child care buildings, he wrote 'the over-riding need at The Birches is for extra space to extend the work of the family centre. Even when the number of children accommodated falls to the establishment figure of 15, facilities for interviewing, day care and general activities will be restricted.' He reported that he was impressed with the flexible, imaginative way in which The Birches' staff were developing resources but thought there was 'a danger of trying to do too much too soon'.

**4.10** The Birches, a former children's home in Newcastle-under-Lyme, like a number of others became a family centre on 1 April 1983. How they carried out their new role and tasks was left largely to their own initiative and no guidelines were issued from social services headquarters to assist them. Tony Latham told us in evidence 'one of the concepts of '83 was to make family centres an acceptable, easy, accessible resource . . . we were encouraged at that time to . . . be innovative about how we would make these resources available . . . Phil (Price), Glynis (Mellors) and myself were the three people (in Newcastle) that were directly involved with providing the resources, either through residential, through intermediate treatment or through whatever else . . . It was necessary for them to come to one of us . . . to get a response.'

**4.11** Former children's homes or hostels which neither retained their traditional role nor were transformed into family centres, became 'semi-staffed' independence units. One of these was 245 Hartshill Road, Stoke-on-Trent, situated about two miles from The Birches. In the new organisational structure these two units and a small long-stay children's home at Westmorland Avenue were under Tony Latham's management. He was accountable to Elizabeth Brennan, principal area officer, Newcastle-under-Lyme. Philip Price who had previously been the officer in charge at The Birches became team manager of the family centre.

**4.12** At this time Peter Crockett, assistant director, (service delivery) held a number of meetings with other assistant directors, principal assistants at headquarters and principal area officers. These meetings had commenced in March 1981 and continued until April 1985, when after a few meetings under the chairmanship of John Spurr, (senior assistant director after Peter Crockett became deputy director) they ceased. During 1983 there were many problems for them to discuss arising out of the child care re-organisation.

**4.13** Shortly after family centres were established, there was also a meeting between the area officers responsible for them. Peter Crockett's group was told on 23 May 1983 of this meeting and asked to make sure that they knew what the content and purpose of any such further area officers' meetings were. We do not know whether this discussion influenced events. No further meetings of area officers, however, took place and there was therefore no formal interchange between them since they did not attend the senior staff meetings chaired by Peter Crockett. Tony Latham told us in evidence that, 'where a group of people have come together to organise their own meetings and structures that has usually been discouraged because it's seen as a sort of threat against the management structure.'

**4.14** Regarding the provision of information by the residential home, Regulation 16 of the Community Homes Regulations 1972, on information and records, requires that: 'the person in charge of a community home shall give to a person authorised under Section 58 of the (Children and Young Persons) Act (1969) to inspect the home, such information as he may require and as may be relevant to his



inspection of the home, its state and management, and of the children and their treatment, and shall further give to such authorised person access to records concerning the home kept therein, and the responsible body shall give to the person access to any records they may keep elsewhere in relation to the home'.

**4.15** Internally it was the practice at The Birches and 245 Hartshill Road to keep a running record each day, with occasional exceptions, of what was happening in the home from getting up in the morning till late at night, and when necessary during the night: a sort of 'slice of life' described by a member of staff on each shift. These records were in log books, frequently but not invariably, stiff backed A4 notebooks.

**4.16** The Birches' log book which contained 1 April 1983 began on 9 February 1983 with a relatively short entry:

'L. B. came on a pre-placement visit . . . The C's social worker visited . . . D. C. in his pyjamas early . . . C. out to friends for a couple of hours. D. & M. doing homework. It's been a very quite night again. C. has been very quiet tonight – he doesn't look very well. GOODNIGHT.'

There was no explanation of why D. C. was in his pyjamas early, but it seems likely that it was a measure of control. Towards the end of April 1983 another entry records that a sixteen year old boy from a foster home was brought by his social worker to see Philip Price: 'he is not doing too well in the foster home, so he has been shown around the semi (staffed) unit (245 Hartshill Road) and here (The Birches), and has been told how things are run in both places. The idea being to show him the alternative if he doesn't try to make his foster placement work.'

**4.17** The actual admissions of children from other parts of the county so as to be nearer to their own homes, part of the re-organisation plan, were difficult to detect in the log book in April 1983, but by May the number of children in The Birches was very high. In May, on a Saturday afternoon, 30 children from The Birches and 20 from 245 Hartshill Road were recorded as playing 'five a side' football games. The numbers for which the establishments were intended were exactly half in each case, 15 at The Birches and 10 at 245 Hartshill Road. By early June a boy who ran away from The Birches found there was no bed for him when he returned. He had to sleep on the floor. On 9 June 1983 there were still 23 children in The Birches and an entry in the log book on 11 June clearly indicated that difficulties were being experienced in managing too large a group: 'we had a talk (which Jaime (Rodriguez) conducted) explaining to the children the do's and don'ts of The Birches, we need to discuss this at the staff meeting. Children rather high and slow to settle.'

**4.18** At the same period there were entries which indicated that working procedures and boundaries between field staff in the area office and residential social workers in the family centre which had been changed by re-organisation, needed to be clarified and sorted out.

**4.19** On 6 June 1983 Peter Crockett was holding one of his meetings with senior staff. He discussed with them 'the enormous pressure under which the family centres (were) operating . . . numbers, staff shortages etc. and the necessity to face reality in agreeing programmes of care.' Inappropriate and disruptive short term admissions were said to be taking place at Riverside (a community home with education) and it was clear to the meeting that there were major problems as a result of re-organisation. It was noted that urban aid which provided for four intermediate treatment centres was coming to an end.

**4.20** A few days after 6 June 1983 a fourteen year old boy was picked up by the police and brought to The Birches. He was a known glue-sniffer and had previously been in Heron Cross House (when it was an observation and assessment centre), Rotherwood (a similar establishment) and Riverside (a community home with education). Several older boys in The Birches were already glue-sniffing and the term 'off privileges' describing a range of sanctions was appearing in log book entries. An older boy brought to The Birches from a juvenile court on an interim care order for non-school attendance, had his tea and then ran away. Staff were warned about a suspicious character in a car outside the building who had been talking to some of the boys. Concern was being expressed about boys and girls in each others' bedrooms at night;

two boys were recorded as 'under seven day house arrest' and the boy who had run off after his tea, had been recovered and was to be seen by Philip Price 'for punishment'.

**4.21** On 27 June Brendan Sullivan, assistant director (finance), one of a group of senior staff selected to do so, visited The Birches to carry out a 'statutory visit'. Regulation 3(2) of the Community Homes Regulations 1972 requires that a local authority providing a residential home for children must 'arrange for the home to be visited at least once a month and a report made to them in writing upon the home by such persons as they consider appropriate'.

**4.22** Staffordshire social services committee had decided that a rota of senior staff and managers in the department should undertake these visits. The rota included administrative staff and staff concerned with other client groups, for example, elderly people, as well as senior staff responsible for child care services. The rationale for this was that no-one would visit too frequently (there were between 15 to 20 people on the rota) and that the fact that they were not all concerned with child care would not prevent them from carrying out an inspection task.

**4.23** A copy of the report form (SW197) which was used for this purpose appears in appendix K. Although there was opportunity for a fairly detailed set of comments if the statutory visitor wished to make them, the forms often contained little significant comment other than routine remarks. Some visitors were conscientious in checking fire drill dates and inspections. The heading 'control' also usually had some comment, though often brief. This heading covered the number of absconders and additional measures of control recorded since the previous visit. When the report was completed it had to be sent to the director's secretary. It appears that in the main the reports were looked at by an assistant director and John Spurr carried out this task for some years. The reports were then in most cases shortened and forwarded on another form (SW199; see appendix K) to the District Advisory Sub-Committee.

**4.24** Brendan Sullivan, the statutory visitor on 27 June 1983, drew attention to the absence of fire drills and testing of fire equipment during the preceding weeks of May and June. He also noted that there were no entries in the measures of control book and assumed it was 'obviously only used for the more serious occurrences'. His general comment was that 'despite the obvious enthusiasm and effort put in by the staff, my overall impression of the home was a little depressing compared to other more modern and better furnished homes'. When this report went to the District Advisory Sub-Committee they were told that 'the home, although clean, was in very poor decorative condition. The standard of furnishing in particular is very poor'. The general comment was that 'the effort and enthusiasm of the staff in coping with the high numbers is commendable'.

**4.25** On 2 July 1983 problems were experienced at The Birches with a 'group of Riverside lads on home leave . . . causing a nuisance . . . (and) not prepared to leave without confrontation'. In addition the log book was receiving entries on children who were bed wetters and some who soiled themselves as well; and entries expressing dissatisfaction about shortages of essential equipment and lack of adequate domestic work to support the child care work were in strong terms. Tempers were beginning to fray and on Saturday 9 July 1983 Jaime Rodriguez, who before 1983 had been deputy in charge at The Birches, but on 1 April had reverted to a social work post, recorded the following entry: 'I had another encounter with A. this morning in reference to his attitude to my directives from staff. After telling him several times to turn down the record player I ended up taking the record off and breaking it in half. He was extremely annoyed by this and I had to escort him upstairs until he calmed down and we were able to discuss the matter.'

**4.26** During this period there was a great deal of moving of beds and children around and one boy under medication for epilepsy had a fit after an escapade which resulted in him being moved into a six bedded room. The lack of adaptation of buildings in preparation for the wide age range of children and wide range of problems in family centres was being demonstrated by insufficient and inadequately flexible sleeping accommodation. This made the provision of privacy or, when required, the protection of one child from another, extremely difficult. Bicycle stealing, fighting, defiance, shouting, crying and non-school attendance, which were problems made worse by overcrowding and understaffing, were affecting staff and children alike. One member of staff recorded, 'I had a long talk with A. in the office, but I don't think

I got anywhere – where is all this fighting going to end?’ One regular runaway had his clothes removed on return, but glue sniffing and frequent abscondings continued. The occasional day at Duke’s Lodge, Tony Latham’s home and the base for a number of his projects, on work tasks was used to try to deal with some young people. One boy was punished by preventing him from going out with his parents.

**4.27** Fred Hill had written to Peter Crockett about the need for ‘extra space’ at The Birches and Tony Latham was pressing for agreement to use empty staff accommodation both at The Birches (a separate staff house in the grounds) and at 245 Hartshill Road (a staff maisonette and a staff flat). He wanted to use the staff house at The Birches for rehabilitation work with families, and accommodation at 245 Hartshill Road as a base for the intermediate treatment programme. He was also proposing to convert a garage at 245 Hartshill Road into a workshop and to construct a greenhouse in the grounds there as part of a gardening project. He had already made 245 Hartshill Road the administrative centre for the Community Programme which he had deflected from Stoke-on-Trent to the Newcastle area. This programme was based on the first floor of the building at 245 Hartshill Road.

**4.28** On Tuesday 16 August 1983 an adolescent girl returning late in the evening having been to an off license without permission, was confronted by Jaime Rodriguez. He recorded in the log book what happened next. He told her that she was to move for the night into a single room. She refused to do so. He then physically removed her from the bigger bedroom to which she had gone. He wrote that ‘she became physically and verbally abusive’ throwing bedding and furniture about. ‘I had to restrain her (by the back of her hair) for some 10 to 15 minutes.’ The girl threatened to make a complaint of assault; Jaime Rodriguez called the police. When the police arrived the girl was still angry and throwing things about. She was removed by the police and spent the night in the police station.

**4.29** At meetings of the senior staff chaired by Peter Crockett in July and August 1983 staffing problems at the family centres were discussed. Principal area officers were asked to contact Fred Hill, a senior assistant, for help with temporary staff, and because it was recognised that vacancies could not remain unfilled, it was agreed that special arrangements would have to be made for short contract workers to cover these posts.

**4.30** The September meeting of the senior staff group had to address a new problem, referred to in the notes of that meeting as ‘the developing situation’ of industrial action by residential staff. It was agreed that principal area officers would be personally consulted about requests for admissions to care and would monitor them closely. They would also approach residential establishments themselves for beds if necessary and would be held responsible for sufficient ‘cover’ in view of staff ‘refusal to be flexible in respect of roles’. Staff were being advised by NALGO to refuse to work split shifts. The meeting was told that the county council had agreed to some additional community support resources.

**4.31** During July, August and September 1983 some of the pressure at The Birches had been relieved by small parties of children being away on camping holidays in North Wales and elsewhere, but by the end of the school holidays this relief was no longer available.

**4.32** By 21 September five boys who had absconded were required to wear shorts or pyjamas except when they were at school. Nevertheless abscondings continued and by the beginning of October 1983 the police were making it clear that they were not happy about the amount of time they had to spend on runaways. Log book entries reveal considerable stress in the whole group and one boy was described one evening as ‘high as a kite’ at bedtime and talking to himself. A member of staff asked in the log book whether he should have psychiatric help. ‘Yes, definatly (sic)!’ responded another. There was no evidence that such help was sought or obtained.

**4.33** On 13 October 1983 the log book recorded that NALGO was requesting all residential staff to walk out from work on Monday 17 October from 7 am – 10.30 pm. A meeting of the staff was to be held to consider this and Elizabeth Brennan, principal area officer, was to be present.

**4.34** Industrial action was discussed at the next three meetings of Peter Crockett’s senior staff group in

September, October and November 1983. Riverside (a community home with education) would be accepting back young people on certificates of unruliness. Consideration was given to the problems of children admitted to care who would not be able to go into residential accommodation. Staff also discussed the problems which would arise at half term, and for much longer in the Christmas holidays, when children in care who were at residential boarding schools would be expecting to come back home to the family centres.

**4.35** On 16 October 1983 Jaime Rodriguez recorded in the log book an incident with an older boy. He had been spending some time discussing the ways in which the boy could achieve a 'new improved self' and had been putting 'together a contract'. He recorded that 'half an hour later I caught him glue sniffing again. . . . He refused to surrender the glue and had to be physically removed to his room. In the scuffle a necklace belonging to him snapped. He stated that he wanted to complain to his social worker, to which I answered that I would arrange for him to visit P. (the boy). I found two bags of glue after a further search in the room. I put him in pyjamas and restricted to play room until bedtime at 21.00 hours.'

**4.36** On the following day, 17 October, the log book recorded: 'Liz Brennan (principal area officer) and Fred Hill (senior assistant) visited to see if all was satisfactory on this DAY of ACTION.' Yet interspersed with the increasing tension and angry incidents, the log book reminded staff to feed The Birches' cat, send milk for the cats at 245 Hartshill Road, and recorded events in the life of a pet rabbit. Temporary improvements in the behaviour of certain key adolescents also gave rise to hopeful comments.

**4.37** The log book recorded that industrial action ballot papers from NALGO arrived on 24 October, to be returned on 31 October. During the next few days two enjoyable trips to Blackpool took place, the rabbit sustained a broken leg when a child tripped over it in the grass; Halloween came and went. One staff member was sufficiently disorientated to record that two absconders had been put on 'total lack of restrictions for 7 days. P.'s mouth to be watched if he gives lip to anyone its to be noted down.'

**4.38** The result of the NALGO ballot was announced in the log book on 1 November. It was a call for industrial action by residential staff with a ban on split shifts, clerical duties and answering the telephone.

**4.39** On 2 November 1983 three boys who had been absconding were back in The Birches and they set off for school. They did not arrive. The same day the staff were informed that 'escalated industrial action' was to take place on 3 November. The log book explained that 'the Union Escalation action is as follows – no residential NALGO member is to answer the phone from 8.0 a.m. till 6.0 p.m. Monday to Friday . . . if by refusing to answer the call you are financially or otherwise inconveniencing management then you are instructed by Your Union to do so, if the residents (or staff) would suffer by refusing to answer the phone, then that is not part of the action . . . if you have files to fill in please do so, but don't pass them on to Stafford – if they want something they must come and fetch it. There is a Union *instruction* to refuse to work split shifts.'

**4.40** The Birches runaways were picked up by the police on 3 November 1983. There was no record of who collected them from Newcastle-under-Lyme police station. The three boys were interviewed separately by the Inquiry in September 1990, nearly seven years after the events. Each recalled that after being handed over by the police they had their clothes removed, probably at The Birches, and were then taken to 245 Hartshill Road in their underpants without shoes. Tony Latham confirmed this account to the Inquiry. He also agreed that, as one of the boys had told us, they might well have been terrified by the experience.

**4.41** The adolescent girl who had absconded with them returned to The Birches where she was subject to 'loss of privileges'. The Birches log book makes no comment on where the boys were, but had an instruction to staff: 'children are not to be told where A., D. and P. (the three boys) are sleeping tonight'.

**4.42** John Aston, a member of the residential staff, received the three boys at 245 Hartshill Road. They each recalled being required to try to break through a locked fire door into the part of the house where

they were to be accommodated. Eventually the key was found and it was unlocked. The boys were all put into the same room. This had initially been empty but after, as John Aston recorded '*they* moved the furniture' it contained a table and upright chairs. They were required to have 'a cold shower, then ½ hour to keep fit. They then sat in silence till Phil (Price) and Tony (Latham) arrived.' The log book records that they were given cheese on toast, tea 'and even a fag'. They then went to bed sleeping in a second room on mattresses on the floor with no other bedding. John Aston was also sleeping on the floor. The boys were told that they were in an intermediate treatment unit and would have to earn back their clothes.

**4.43** Two of the boys, A. and P., recalled that the next morning they were required to do physical exercises outdoors in their underwear. The third boy, D., had an indistinct recollection of what occurred.

**4.44** A. said that '(Rodriguez) had us doing bunny hops around in a circle and everytime you went past him he would hit you with a cane'. This continued for about twenty minutes in the 'back yard'. A. added, 'I didn't think it was funny and neither did the other two, he wasn't just messing about he was hitting'. A. when interviewed was asked if there were any other children around and he replied that, 'we never saw anybody'.

**4.45** P. recalled that they were taken to 'a concrete square' and he (Rodriguez) had us bunny hopping round there . . . and he had a stick and he was standing there in the middle . . . we had nothing on, just our underpants still, nothing on our feet, and we were bunny hopping round and he was saying move over and he was whipping us, he is mad, but I was laughing, so I was getting it and he was taking it worse because I was laughing. . . . Fundwell have got up at the top some sheds, garages, actually on the ground. Fundwell workers were actually working there . . . they were up at the top watching it happen they thought it was hilarious.'

**4.46** Jaime Rodriguez, when questioned at the Inquiry, strongly denied hitting the boys. He said that, 'I might have had a cane. After all . . . on many occasions I might have had something in my hand and you played with people. You messed about with children very often. It wasn't a situation where you were serious all the time. After all, children lived there and the relationship we had, it wasn't one of warden and prisoner.' He did not recall any specific times when he had a cane or a stick in his hand. He added that 'I do not deny that might have happened . . . many times. I was not in the habit of having sticks to carry around. I never did it. I might have had one at some point. I cannot deny that. I cannot affirm it positively that on one occasion I had.'

**4.47** Despite the length of time between the incident and the recounting of it by only two of the three boys, we are satisfied on the evidence that at the very least the boys were subjected on the morning of 4 November 1983 to a deliberate episode of humiliation at the hands of the residential worker.

**4.48** After the first two days the boys had outdoor exercise under the supervision of other staff and eventually had exercises indoors.

**4.49** That first morning they had to wait for Tony Latham and Philip Price to come and see them and John Aston recorded 'boredom and no fags is killing them'. When they arrived it was decided that one of the three boys should go to school from 245 Hartshill Road, but the other two would remain within the building. John Aston's log book entry continued, 'to work. All day they moved furniture. Work their socks off! Shame they are not wearing any.' Later the same day a fourth non-school attender from The Birches joined the group. John Aston recorded that one of them was complaining of 'diaroherra (sic). Medecine is a privelege (sic) to be earned! Will see what he is like tomorrow'.

**4.50** The transfer of the fourth boy from The Birches to 245 Hartshill Road was recorded in the log book as 'R. is at the *secure unit* at Hartshill' (emphasis added).

**4.51** On Sunday 6 November 1983 two of the boys who had been taken to 245 Hartshill Road were taken back to The Birches 'on trial'. By 8 November one of them was said to be reverting 'to his usual mouthy unco-operative and arrogant' ways. At 245 Hartshill Road on 6 November Tony Latham carried out a

short shift and made an entry in the log book: 'boredom and isolation I feel is beginning to bite . . . restrictions and lack of privileges are beginning to cut in.' Philip Price was also there that day and John Aston recorded that there had been discussion of the 'special unit' and 'the fact that it is here to stay and every time someone "visits" us they will find it harder and longer'. The boys were given a task on 6 November to write about the 'special unit' and complete a diary including names of staff, meals and what they had been doing.

**4.52** The three boys in the unit on 7 November were roused at 7.30 a.m. and according to the log book 'kicked . . . out of bed' by John Aston. He also made a note in the log book at the same time of a 'New Rule. 5 swear words a day. No. 6 gives extra day here. Please record.' One of the boys asked John Aston 'if he belong (sic) in a "nut house" . . . How can I comment on this?' he queried in the log book. The next morning was similar: '7-30 woke everyone. 7-35 trampled on everyone. A. . . learning to get out of bed quicker'.

**4.53** On 8 November 1983 Tony Latham issued an 'URGENT AND IMPORTANT' memo to all staff at The Birches family centre, the semi-staffed unit at 245 Hartshill Road, the children's home at Westmorland Avenue, the intermediate treatment centre at 245 Hartshill Road and (what was called) the 'Special Unit'. There was no indication of what had prompted the memo which was found stapled to the left hand page of The Birches' log book opposite the page recording events on 8 November 1983. It appears in appendix G.

**4.54** It was essentially about punishment and addressed all staff 'WITHOUT EXCEPTION'. The main points in the memo were:

- (1) Application of punishment or loss of privileges required prior agreement with Tony Latham or Philip Price;
- (2) Punishment without prior consultation with the area officer or the team leader was precluded by The Community Homes Regulations 1972;
- (3) The area officer (Tony Latham) was prepared to allow a 'senior shift leader' to deal with 'minor problems' if neither he nor the team leader (Philip Price) was available, so long as measures taken were properly recorded and that as soon as possible afterwards he or the team leader were notified and the 'punishment book' completed;
- (4) All loss of privileges or punishment was to be 'properly recorded in the punishment book'; the semi-staffed unit (at 245 Hartshill Road) was to seek prior agreement to punishments; and each establishment was to keep a separate punishment book.

In conclusion Tony Latham stated his intention 'to examine closely the methods of control carried out in all establishments' and to 'examin(e) regularly with the team leaders the appropriateness of the measures.' The final line was an admonishment 'PLEASE TAKE CAREFUL NOTE OF THIS INSTRUCTION.' It was signed by Tony Latham as area officer on 8 November 1983. The Inquiry found no evidence that the intention to examine methods of control was ever carried out.

**4.55** On 9 November 1983 John Aston, who was on duty a great deal in the first days of the 'special unit', recorded in the log book that he decided to allow the boys in the unit to socialize for a time with other boys in the semi-staffed independence section of 245 Hartshill Road. Tony Latham paid a very brief visit and after he had gone John Aston further recorded in the log book: '(I) get the impression I shouldn't have allowed the lads to socialize. Programme changed again. Next week the lads to come here again.' Immediately under the entry quoted above John Aston decided to express his own view and wrote: 'TONY PLEASE NOTE I believe if this is prolonged to (sic) much R. will abscond so he doesn't want to come here. We will have pushed him to (sic) much! Their (sic) is a fine line between pushing him to the point that he will make the effort not to come back and pushing to (sic) far so he absconds so he doesn't have to come back.' Having put a number of proposals to Tony Latham which he wished to discuss he continued: 'to keep the impression of a specail (sic)/secure unit going means no allowance of prevelges (sic) as it would defeat our 'face' to other members of The Birches'.

**4.56** Elizabeth Brennan, the principal area officer, told us in evidence that truancy lay close to the heart of the developments which soon became known as Pindown. Prior to November 1983 she and Tony

Latham had had many discussions about truancy, about family meetings and about the need for flexibility of provision and the need for movement of children in the care system. She said that 'we were trying to get turnover . . . we had grave difficulties in the early days'. She added that day care as well as residential care was taking place at The Birches. They were trying to fulfil many purposes in one building, trying to get residential and field social work staff used to new ideas, and also trying to explain their role and tasks to magistrates, probation officers and the education service.

**4.57** Proposals for changes in the use of 245 Hartshill Road had been discussed at meetings and in memoranda between the Newcastle area, Fred Hill (senior assistant, child care), Peter Crockett (assistant director), and the county fire officer for some months prior to November 1983. A long letter about fire precautions had been sent by the county fire officer to the director of social services on 19 October 1983, accompanied by a detailed sketch plan of the (then) empty former staff maisonette. This was being considered for intermediate treatment purposes. Following the fire officer's letter the director of social services wrote to Tony Latham as area officer (The Birches) on 4 November concerning these plans. His letter concluded: 'finally, none of the proposals should be put into operation until all the recommendations made by the County Fire Officer have been implemented.' He suggested that the building inspector might help to expedite matters. Before this letter had reached Tony Latham he had already used the premises for the young people from The Birches.

**4.58** When asked by the Inquiry whether the events of 3 November 1983 and subsequently had been planned, Tony Latham replied: 'it was a sudden response.' There was a 'hopeless situation at The Birches. . . . It was around the time when children were coming home to roost . . . part of the family centre concept was to bring your own children back to your area . . . so we had long stay, short stay, some didn't really want to come, new referrals . . . twenty eight kids in a . . . fifteen bedded place. . . . As a child care service . . . the whole thing was in a state of disarray.' He acknowledged that he had not consulted his line manager, Elizabeth Brennan, in advance.

**4.59** Tony Latham argued that in the circumstances at the time the way the staff rota worked 'staff might have been off duty for two or three days' and not available if the unrest with the adolescent boys 'had escalated.' . . . 'we created things very quickly, names and things very quickly. I can't recollect any major plan of putting it together'. Action, in fact, appeared to have been taken so swiftly that staff at 245 Hartshill Road who had been using the bathroom facilities in the maisonette, arrived on duty to find they were no longer available.

**4.60** Elizabeth Brennan acknowledged that 'it developed rather more quickly than it should have done without my knowledge' and that she was not fully aware of all that was going on at the time regarding the way that Tony Latham was developing his role. Concerning 245 Hartshill Road she said in evidence that she and Tony Latham had early recognised the concept of a semi-staffed unit was impractical because of insufficient resources particularly in staff time which was only available for seventy hours a week. This had led them soon after re-organisation to 'start working the two units together'. There were no extra staff, however, the only available addition being 'family aids' (described by Elizabeth Brennan as 'glorified home helps') who were all untrained and 'paid 8p an hour plussage' on their home help wages. Most of the other staff were also untrained and unqualified. Tony Latham and Philip Price gave some 'sit by Nellie' type training but nothing else was available.

**4.61** On 10 November 1983 staff at The Birches were informed through the log book that NALGO wished to conduct a ballot in the residential homes as to what action they would be prepared to take in the event of a member being suspended for taking part in industrial action. The minimum action under discussion would be a walk out from 6-8 p.m. The same day at 245 Hartshill Road, a week after the first young people went into the 'special unit' bunk beds were delivered and erected. One of the first four boys had by this time absconded and was brought back on 14 November. John Aston recorded in the log book that he 'was stripped and put to bed. Clothes locked up'. He had to wear shorts and needed 'permission to speak from staff if he wants to say something'. Having 'allowed R. . . . the privilege of talking for 5 mins' John Aston found he did not want to talk and seemed determined to run away again. Later that day the boy was required to wear pyjamas, not shorts. A week later he was still there and on 17 November 1983

Philip Price set him four questions to write about since he 'wasn't very clear about anything'.

**4.62** The four questions were recorded in the log book by another social worker at The Birches and 245 Hartshill Road, Peter Nicol-Harper. They were:

1. What he thinks of the *Secure Unit* (emphasis added);
2. What he thinks of school;
3. The Birches;
4. What he thinks about having another chance.'

**4.63** The next day 18 November 1983 the boy had a medical appointment because of suspected epilepsy and on 19 November he was recorded in the log book as 'head banging again last night'. He was sixteen years old and in addition to being in the 'special unit' he was on an attendance centre order. On 21 November 1983 he was described in the log book as 'depressed'.

**4.64** The development of the 'special unit' was not plain sailing. On 1 December 1983 John Aston was recording that: 'Jaime (Rodriguez) and I feel their (sic) are some inconsistencies between the staff. Jaime knows the ropes. A conversation with Ray (Crudace – another member of the residential staff) would be beneficial (sic)'.

**4.65** There were also practical problems such as lack of food provisions and other basic necessities. The log book records on 2 December 1983: 'up and ready for breakfast by 7-50, unfortunately there wasn't any – we didn't fancy dry wheatabix (sic)!. . . P. found 4 remaining slices of bread for us to eat'. The problem of providing adequate, nutritious food on time was a recurring theme at 245 Hartshill Road, not only in the first few weeks or months but over several years. In addition equipment was a constant source of difficulty. The cooker was so faulty that only one ring worked. There were no work surfaces on which to prepare food or clear up after meals. A frying pan had a dangerously loose handle. The refrigerator frequently went wrong or was left turned off because there were insufficient power points to accommodate it and other equipment.

**4.66** The arrangement which had been made to cater for 245 Hartshill Road was that all main meals would be brought from The Birches (about two miles away) and that the kitchen there should also order and supply basic foods such as milk, butter, bread, cereals and other foods necessary for breakfast and suppers. Frequently these were forgotten; cooked meals arrived very late and often cold and the diet in the unit was not suitable for growing boys and girls. Toast and tea, snacks on toast, crisps and other convenience food featured constantly. The occasional balanced meal, especially if hot, was recorded in the log books with considerable pleasure. One of the young people who had been in the unit during 1983 and later, told the Inquiry that 'we were given crap food, toast, it was always cold the food because they brought it from The Birches . . . there was no nutrition, it was rubbish, toast, toast and jam'. One boy just arriving in the unit was presented with an evening meal which was macaroni cheese, two rounds of bread and a cup of tea. He did not like macaroni cheese so only had bread and tea. Another boy already in the unit had an exchange with Jaime Rodriguez which he (Rodriguez) recorded in the log book. The boy had asked 'Is decent food a privilege? I answered "Yes"'. Another boy the same day who was complaining of hunger was told 'not to talk to conserve energy'.

**4.67** It was not only food which was a source of frustration. Washing powder, bedding, towels, toilet rolls, toothbrushes, combs, shampoo, cleaning materials, cutlery, crockery were all quoted, not just in the early months but regularly, by exasperated staff in the log books as missing, late or inadequate. there was frequent borrowing from the semi-staffed unit and sometimes staff had to use their own money to obtain basic necessities, being refunded later.

**4.68** The 'special unit' was ill-equipped from the outset and was staffed by people who had had little preparation for their task. Some of the entries in the log books demonstrate this clearly. On 2 December 1983 describing one of the boys in the unit a member of staff wrote: 'he has being (sic) here for three days and it is bening (sic) to get to him he has become allot (sic) quieter than on tuesday. 5-0 p.m. he made his tea and read this book.' Another entry about a boy of sixteen years old explained that for 'back answering



and refusing to do something he is told to do make (sic) to stand in corner of the room with hand on top of his head'.

**4.69** One of the first three boys in the 'special unit' had returned to The Birches after three days but on 29 November 1983 had been brought back to 245 Hartshill Road. On 3 December he absconded again and was picked up and questioned by the police. The log book records that subsequently he was 'stripped and put to bed. No conversation!' John Aston who made the entry had also been talking to the boy's grandmother. He noted that she 'says it sounds like a concentration camp' and he decided that he should 'speak to Tony . . . she seems to have taken in all that P. has said'.

**4.70** The boy concerned in the above recordings left the 'special unit' on 9 December 1983. Another boy was admitted for one day on 15 December. He was seen by Tony Latham, Philip Price and Glynis Mellors who by this time was involved in 245 Hartshill Road as manager of the intermediate treatment centre which was based there. The boy, M. was very upset when told he would have to stay in the unit. After some discussion he was told to write down the reasons why he should not stay. He did this and it was later agreed that he could return home on certain conditions. There were no further entries in the log book for 1983 and there appear to have been no young people in the unit during the rest of December and for the first nine days of the new year.

**4.71** In December 1983 there appeared to be continued tension at The Birches. Philip Price as the team leader decided to make his feelings explicit and on 7 December made the following entry in the log book: 'I feel it is appropriate to note in this book that the evening has been an extremely enjoyable experience with no problems at all . . . everyone in extremely pleasant moods . . . I find it difficult to assess many of the problems that are highlighted in this book on occasions by staff members, when the fact of them not being present all day, has as you can see, had the reverse effect i.e. (NO PROBLEMS).

- 1) who has the problems
- 2) who's (sic) needs do we need to meet first
- 3) should staff be paid to have their problems resolved

Phil'

**4.72** On what seems to be the next day (though undated), he wrote again: 'everyone up with no problems, all eager to help not a cross word said by anyone. everyone to school on time. everything organised and bedrooms left TIDY'. No comments by other staff followed these entries, but a few days later an incident involving separating young people at bedtime led to violence, hysterics and a woman member of staff striking an adolescent girl.

**4.73** In the two weeks just before Christmas industrial action was continuing. On Christmas Day itself it had been decided that the residents of 245 Hartshill Road should spend the day at The Birches. The log book records that this produced 'rather rowdy behaviour when semi-staffed arrived, arguments (sic) between both sets of kids'. Boxing Day was also not a very successful day and by the end of the year abscondings had begun again.

**4.74** During 1983 (November and December only) 5 children were subject to Pindown at 245 Hartshill Road.

- The shortest episode was 1 day
- The longest continuous episode was 10 days.

The total time spent in Pindown at 245 Hartshill Road in 1983 by each of the 5 children was:

Length of time in Pindown	No. of children	No. of episodes
1 day	2	1 each
9 days	1	1 episode
10 days	1	1 episode
12 days	1	2 episodes

### **(c) County Council Financial Policies**

**4.75** The county council's financial policies in social services pre-1983 had resulted in spending being almost the lowest overall in England and Wales in comparison with other county councils and in some significant areas of provision, the lowest. Paul Hudson, director of social services, who retired in 1985, had warned his committee in 1980 that reductions had even by then made 'a real drop in standards of service to the public' and that taking into account the continuing rise in demand of about 8 per cent per annum 'in a two year period the gap between resources and demand (was) about 24 per cent'.

**4.76** Over the whole social services department in 1983/84 there was growth of £1.3 million, savings of £600,000, leaving a net growth of £700,000. It was possible for £197,000 of the savings to be made as a result of rate relief on homes for elderly people, but the remainder, £354,640, was saved by the re-organisation of child care services. The way in which this requirement for savings affected the service was that it could only be achieved by major reductions in the numbers of residential beds available for children in care, which in its turn would bring a major reduction in numbers of staff and other costs.

**4.77** There was a reduction in the number of residential establishments and also in the number of beds in some establishments as in the case of The Birches, Newcastle-under-Lyme, where 22 beds were cut nominally to 15 although the number of children remained the same as before, or increased. The staffing establishment was related to the reduced number of beds not the number of children for whom care was provided. Even with the average reduction in the number of children, for cost reasons the number of staff allocated was considerably less than national guidelines recommended. (Castle Priory report, see Chapter 3, para. 3.9.)

### **(d) Social Services Re-Organisation**

**4.78** The re-organisation of child care residential services agreed in July 1982 and implemented on 1 April 1983 (for the details of which see chapter 3, paras. 3.40 to 3.44) had been preceded by a number of smaller changes which were an essential part of the background against which it took place.

**4.79** Staffordshire had decided in 1980, with the agreement of the West Midlands Regional Planning Committee to close its former girls approved school, Rowley Hall, and to make Riverside (also formerly an approved school – then a community home with education) a co-educational establishment with an age range from 11-18 years. This involved a reduction of 30 beds: from 110 to 80 in all, 60 for boys, 15 for girls and 5 for intermediate treatment.

**4.80** Although demand for residential places had been growing and the proportion of children in care in Staffordshire who were boarded out was significantly lower than the national average, residential child care beds had been reduced from 716 to 453 between 1976 and 1982.

**4.81** Staffordshire had also 'systematically withdrawn wherever possible from the use of local authority and voluntary homes providing education on the premises'. [Director's report to the House of Commons Social Services Committee representatives 1982] Apart from children with exceptional needs the policy was to provide for the requirements of children in care within the homes in the country.

**4.82** On 1 April 1983 the re-organisation of residential child care services began to be implemented. In the few months between July 1982 when the policy had been confirmed and 1 April 1983 the implementation date, it had not been possible to do as much planning and preparation as would have been desirable. To make the new family centre scheme work effectively 164 children in residential care needed to be returned to their own homes or found foster homes. Without significant additional field social work resources this objective was only partially met.

**4.83** Financial policy had led to a reduction of the numbers of residential child care beds. The provision of staff for the family centres and other homes in the re-organisation was also affected by financial policy. For eleven family centres comprising 155 beds, only 149 (whole time equivalent) staff posts were

allocated. These included 39 which were either clerical, administrative, or domestic/handyman/gardener posts.

**4.84** Included in the 110 social work posts were 9 area officers and 11 team leaders all of whom had work outside the family centres or managerial responsibilities within them. Of the remaining 90 social work posts half were social work assistant posts at salary levels unlikely to attract experienced or qualified staff. Taking shift work and sleeping in duties into account, the staffing ratio did not allow for more than two people to be on duty for much of the working week.

**4.85** The long stay children's homes in the re-organisation had both lower staffing ratios and salary scales than the family centres.

**4.86** The semi-staffed units which took the place, after re-organisation, of what had formerly been working boys and girls hostels, now had only 70 hours a week of staff time to cover all adult responsibility to a group of school leavers learning to become independent and to earn a living.

**4.87** Not only had the staff in the family centres to cope with the full range of children's problems but, in addition, they were to contribute to work with day nurseries, play groups, child minders, fostering and family support in the community.

#### **(e) The Career of Tony Latham**

**4.88** Tony Latham became area officer (family centre) in Newcastle-under-Lyme on 1 April 1983. While he was a social worker in Longton he had developed a number of voluntary activities for which he continued to be personally responsible after 1 April 1983.

**4.89** These activities at the 1 April 1983 were as follows:

- (a) Community and Social Services Transport (commenced January 1977);
- (b) Community Warehouse (commenced January 1977 – became a Manpower Services Commission Scheme 1978);
- (c) Voluntary Transport (commenced January 1978);
- (d) Blurton and Milton day centres for elderly people (commenced May 1979);
- (e) Longton Volunteer Centre (commenced May 1979);
- (f) Community and Social Services Youth Training Ltd. (commenced August 1979);
- (g) Grosvenor House Community Project (commenced January 1980);
- (h) North Staffs Resource Community Programme Ltd. (commenced April 1983);
- (i) Playbus Project (Newcastle) – (commenced January 1983);
- (j) Mobile Day Centre Project (commenced January 1983);
- (k) Information and Resource Centre (commenced January 1983);
- (l) Intermediate Treatment (commenced in early 1970's in Stoke).

**4.90** When Tony Latham started in his post as area officer, he considered that the premises at 245 Hartshill Road were very poorly utilized: 'the top floor of the three-storey building housed the beds and residential accommodation for the young people who were placed there. The first floor contained a large television room which was not used by the residents and two flats which had been occupied by resident staff when the building had been used as a long stay unit. I therefore developed the first floor of this building for use as an administrative centre for The Community Programme . . . (which) was designed so that the workers could be used very flexibly'. As area officer (family centre) he was responsible to the principal area officer for the children's residential units and their staff. He also had 'to play a major part in developing such activities as fostering, intermediate treatment, pre-school playgroups, liaison with day nurseries and child minders, and to be involved in treatment programmes'.

**4.91** Some of the enterprises listed above in paragraph 4.89 provided services which were supportive of general social work with different client groups, for example, The Playbus Project serving children under

five, in particular, who were part of Tony Latham's responsibilities and the day centres serving elderly people still living in their own homes, who were not. Volunteers and youth trainees were some of those who helped to run the projects. The Community Warehouse was intended to make use of furniture and other equipment no longer needed by its former owners to help families with inadequate resources or trying to set up house again after periods of homelessness. Intermediate treatment was part of a developing national programme for children and young people at risk (see Chapter 3, paragraph 3.1). Some of the transport projects were used to get clients, including children in care, to the services they needed. In the case of children in care they went to schools they already knew rather than having to go to different schools. A characteristic of the many projects and activities generated by Tony Latham was the way in which they were organised to inter-relate, using each others' resources with a disregard for boundaries between them, including financial boundaries. This made for great flexibility in a situation in which scarcity of resources was endemic but it also created certain problems of accountability and definition. Tony Latham indicated in his written submission to the Inquiry that he had already begun to realize in 1983 that 'the whole network which had been built up was becoming increasingly unwieldy'.

**4.92** There were as many as sixty people involved in the North Staffs Resource Community Project Limited, most of them recruited from job centres. There was, before long, a movement between enterprises such as this and the child care work which the Inquiry was asked to examine. Some of those who first worked in the North Staffs Resource Community Programme Ltd. and other projects were later appointed to posts in the children's residential homes as, for example, social work assistants, or social aides, from which they were later appointed to posts as social workers, although unqualified.

## Chapter 5

1984

### (a) National Events

**5.1** The London Boroughs Regional Planning Committee's report on secure accommodation was published during 1984 ('Secure Accommodation – Policy and Practice'). One of the issues dealt with in the report was staffing: 'secure units . . . require more staff than have been customarily provided in open establishments. . . . During the hours of sleep, the minimum is the number of staff on active duty and one sleeping in or on immediate call. The exacting nature of the work makes it particularly necessary in secure units to ensure that staff have their proper time off. Shifts should overlap so as to provide for effective handover.' This supported the views on staffing which had been expressed in a local authority circular (75(1)) issued by the DHSS in February 1975. The London Boroughs report recommended that 'a ratio of one member of staff on duty to 2 children may be appropriate.'

**5.2** 'Children in Care – Second Report from the House of Commons Social Services Committee Session 1983-1984' was also published in 1984 (28 March). The Committee were at pains, in paragraph 14, to make clear that in their view children in care should not be seen to constitute a group apart: 'the majority of children are in care not because of their behaviour or characteristics but because of circumstances beyond their control in their family circumstances. . . . *It must never be forgotten that . . . the care system is designed primarily to provide protection for children against adult society rather than protection for society against children*' (emphasis added.)

**5.3** As already noted in Chapter 3, para. 3.11, the Committee had visited Staffordshire in December 1982 and there were a number of issues addressed in the report which were of particular relevance to Staffordshire.

**5.4** One of these was non-school attendance. The Committee took the view that 'truancy rates represent a serious failure by schools in their primary function of ensuring that children turn up to be educated.' Whilst they did not wish to see the courts used as a first resort in ensuring school attendance, the evidence they received led them to regret the length of time which often elapsed before court action was taken. They recommended in paragraph 57 'that the education welfare service should bear in mind that a court appearance, even if not leading to any order, can in some circumstances have a beneficial effect on truants.' The Committee also concluded that 'a co-ordinated approach to non-school attendance is at present conspicuous by its absence', and argued in paragraph 58 that although there were clearly problems in the relationships between education and social services departments, 'it must . . . be recognised that an authority's prime responsibility is to see to it that a child is educated. . . . Facing up to the consequences of that truth might lead to a more co-operative spirit between education and social services departments'.

**5.5** A second issue of importance in Staffordshire which was highlighted by the House of Commons Social Services Committee's report was 'the number of changes of placement which children in care undergo . . . shunted around within the system.' They believed that this 'must be regarded as gravely disturbing for the children who experience such impermanence and may well make a child's problems worse and thereby less able to settle.' The Committee recommended in paragraph 156 that 'priority in policies . . . be given to reducing the number of changes of placement.'

**5.6** Two further issues addressed by the Committee which were of importance in Staffordshire were the medical care and education of children in care.

**5.7** The Committee received some very critical evidence on the health of children in care from the British Medical Association, the Royal College of Psychiatrists and the British Paediatric Association. In consequence in paragraph 332 they took the view that 'a child coming into care . . . offers a positive opportunity to ensure that he is receiving the full range of medical service that he needs. That his 'parent'

is a local authority should mean that more effort is devoted to watching over his development and health, not less. Those responsible should be reminded of the positive potential for benefitting children in care.' The Committee recommended that as a minimum requirement to protect the health of children in care there should be a named medical adviser generally responsible for the oversight of their physical and mental health.

**5.8** The Committee were also deeply concerned about the education of children in care. They believed that they were at a disadvantage which was 'over and above' that which they suffered from their home circumstances. Sometimes they became 'footballs of two local authority departments', an 'intolerable' situation in which 'the child concerned receives less and worse education as time goes by.' They urged in paragraph 346 that 'educational ambition on behalf of children in care should not be confined to a child's performance in school, but must also extend to . . . other activities such as sport, music or dance.' In fact they saw this as no more than 'the degree of encouragement, advice and if need be, financial support that a good parent would give, and in this and other respects a local authority must aim at being a good and not an average parent.'

**5.9** Other major points the Committee made which were of particular significance in the context of the Staffordshire Child Care Inquiry were:

(a) the 'due consideration' to be given to a child's wishes and feelings under Section 18 of the Child Care Act 1980 which they concluded must be given in full on placement decisions;

(b) the benefit to children and staff from a much more open approach to sharing responsibility for the quality of life in a residential home;

(c) the statutory duty on local authorities to ascertain and take into consideration children's wishes which should be clearly understood to include a duty to procure for each review an explicit statement of a child's wishes; that older children should be encouraged to write a report for their review; and that the outcome of a review should be fully explained to children;

(d) that the training of residential child care staff is a priority in improving the long term standard of care for children, and that it must soon be recognised as exceptional to recruit unqualified staff to anything other than the lowest grade.

#### **(b) Staffordshire and its Social Services**

**5.10** The first entry in the log book for 1984 for 245 Hartshill Road was on 10 January when it was recorded that a boy who had run away from school again was 'being detained - in the Special Unit.' He 'was complaining of stomach pains which (were) most probably caused by hunger' in the view of the staff member on duty. It was also recorded that Philip Price arrived and gave the boy some cereal and milk 'to bridge the gap' until supplies could be obtained. His supper was cereal again and a cup of tea because supplies arrived so late in the evening that he was in bed before a meal could be prepared. His breakfast at 6-30 a.m. was also cereal and milk and the log book records he had 'beans on toast for dinner'. He was discharged to The Birches on 12 January and there were no further entries in the log book until 17 January.

**5.11** On 17 January 1984 at about 9-40 p.m. Tony Latham brought a boy into the home. The log book records that 'he was made to take his clothes off and have a bath and was put straight into bed'. The next day a member of staff, Ray Cruddace, recorded that he was unable to let two boys have baths, 'dew (sic) to no towels. . . . Tony horrified (sic) went to get some . . .'. The next day, 19 January, Glynis Mellors recorded that no toothbrushes or combs were available. She also set the three boys in the unit a '3 side essay on what they thought of each other - set competitive element - threat if not done PE outside for 15 minutes'.

**5.12** The first recorded instance which we found of the use of the term 'Pindown' was when Ray Cruddace wrote in the log book on 20 January 1984: 'Phil and Tony visited and *pinned down* (emphasis added) J. . . . confined to his bedroom unless requested staff to come out . . . to be kept from R. . . . and all times no contact . . . J. to have a restriced (sic) w/end of meditation to attempt to resolve his current attitude and feelings. 3 hours written work each day, but time to discuss his feelings with staff should be

available'. This seems to have been copied from a 'programme' drawn up for this boy although it was not produced to the Inquiry. Two days later on 22 January another member of staff recorded about this boy, 'the one thing other than boredom that seems to be getting to him is not being able to talk to anyone, and (sic) can see the benefits of good behaviour in helping him to restore his privileges and his eventual return to The Birches'.

**5.13** Peter Crockett, assistant director, had meetings with the senior staff group in January, February and March 1984. Proposals were to be put to the social services committee concerning reduction of the numbers of beds at Riverside (community home with education) and the opening of a secure unit. The question of offering some staff help from Riverside to family centres was also being considered. A report was given from the Riverside Co-ordinating Committee which also met during this period. They had discussed the high numbers of residents at Riverside and the problems of 17 young people who were considered ready to leave but who had nowhere to go. Reviews had been carried out, but although there had been many recommendations for places in semi-staffed units, there had been 'no movement'. Special measures were held to be necessary to deal with the 'bulge'. Other relevant matters raised were that Eileen Robinson, principal assistant (casework), was preparing to make material on the Community Homes Regulations 1972 and measures of control available to all principal area officers; and Peter Crockett himself was conducting a review of the work of family centres for a report to the social services committee.

**5.14** There were no entries in the measures of control book for 245 Hartshill Road from 17 January to 26 April 1984. On 17 January Tony Latham authorised 15 hours in the special unit for one boy, 2 days and 15 hours for another, 5 days and 15 hours for a third and 2 weeks initially for the fourth. These entries were followed by the signature of an official visitor (undated) and the next entry in the measures of control book was dated 26 April 1984. From that date onwards no further details were given about the lengths of time during which a young person would be in the unit. Unlike the detailed entries of measures of control which were made pre 17 January 1984, the entries under that heading after 26 April followed, in the main, a routine pattern of 'loss/forfeiture of privileges, loss of recreation and/or simple chores'.

**5.15** The log book for 245 Hartshill Road provided a different picture from the measures of control record. On 23 January 1984, Ray Cruddace recorded that S. was 'very upset to be back in the special unit'. On 29 January he recorded three additional residents in the unit, a total of five in all. The log book then had no further entries until 17 February after which it continued on a daily basis.

**5.16** On 31 January 1984 Eileen Robinson, principal assistant (casework), had paid a statutory visit to 245 Hartshill Road. The log book did not mention this visit and the report she wrote was not amongst those produced to the Inquiry. From the correspondence and action which followed, however, it was clear that the visit was a significant event. Eileen Robinson wrote about it to Peter Crockett on 16 February 1984 and also recorded a long note for the file, dated 16 February, of a meeting she had had with Elizabeth Brennan, principal area officer Newcastle-under-Lyme, and Tony Latham, area officer (family centre), at which the findings of her visit were discussed. The date of this meeting was not recorded but the file note comprised a first page commencing 'I had a meeting with Mrs Brennan and Mr Latham' which then recorded some of the discussion, and was attached to two further pages which were copies of her three page memorandum to Peter Crockett. This memorandum had followed a discussion she had with Peter Crockett and was intended as an 'aide memoire for (his) use and to place on record the factors which (she) regarded as unacceptable risks to residents and property'.

**5.17** The aide-memoire listed 'the unacceptable risks' a summary of which is as follows:

**Exterior** – grass area ploughed up by car tracks, grass bank apparently used as a footway, peeling paintwork, excessive amounts of litter and rubbish, car parking area 'blatantly' used by a member of the public, broken off concrete bollard in the grass and a parked folding caravan at the rear.

**Inside** At 4-15 p.m. when Eileen Robinson had called she could get no reply. A 'community worker' was eventually found 'working' in a 'workshop'. He then locked up and went 'off duty'. No member of

staff was present. Eileen Robinson waited till 4-30 p.m. and another volunteer then rang the family centre (The Birches) and Philip Price arrived. He said that there was sickness amongst the staff and no-one had reported for duty for three or four days. He added that that night there was cover from 7 p.m. 'by a casual' (sic) (volunteer and care aides) but explained that the general state of the 'hostel' as due to no staff. Eileen Robinson continued 'two young male residents were in the building – no sign of any food or preparation for a meal by the time I left at about 5-15 p.m.'.

**5.18** She also saw a sixteen year old West Indian mother and her baby about whom she had some anxiety in that setting. She complained that 'the bedrooms and sitting room allocated to residents on the top floor were not in an acceptable condition'. The major area of other rooms had been put into use for YTS and other training and in the grounds was a Portakabin used for the 'paperwork of the Manpower Services Schemes'. The intermediate treatment manager had part of the building and groups were taking place several nights a week. Garages had been converted into workshops and were being used by YTS trainees. The North Staffordshire Activities Unit had been located in 245 Hartshill Road and £10,000 worth of camping and other equipment bought with the Rainer Foundation grant was stored there. Eileen Robinson reported that she had been told that daytime MSC supervisors became voluntary intermediate treatment supervisors by night. She told Peter Crockett she was also aware that 'every volunteer and any supervisor who is involved in any of the centres (family centres) has also been approved as an "Approved Volunteer" through this office'.

**5.19** In the file note of her meeting with Elizabeth Brennan and Tony Latham following her statutory visit on 31 January 1984, Eileen Robinson recorded that 97 children had passed through The Birches (presumably since it became a family centre on 1 April 1983); that there were 26 children currently in residence though numbers fluctuated a little; that young people at 245 Hartshill Road, other than the teenage mother, had been found lodgings and would be moving out. 'In addition' she concluded 'the friction between the Area and the schools has ceased, every non-school attended that have resolved (sic) and the youngsters are back in school, and the relationship with Courts have improved through visits to the Family Centre'.

**5.20** In response to Eileen Robinson, Philip Price had said that for some days just before 31 January 1984 no staff had been available for 245 Hartshill Road. The 245 Hartshill Road log book, however, recorded continuous occupation by boys in the special unit from 10 January to 18 February, with the exception of 13-16 January, although there was no record of them in the measures of control book.

**5.21** Fred Hill, senior assistant (child care) was another member of headquarters staff involved in the Newcastle area's child care service. He had succeeded Elizabeth Brennan when she became principal area officer in Newcastle-under-Lyme. He was accountable to Eileen Robinson and also to William Pierpoint, then principal assistant (service delivery). Their line manager was Peter Crockett, assistant director (service delivery). Fred Hill's responsibilities included oversight of buildings and equipment in residential child care establishments, supervision of homes advisers, staff recruitment and advice on staffing. He was also concerned with capital programmes, fire prevention, staff rotas and 'cover', disciplinary matters, implementation of re-organisations and a range of other related matters. He told us in evidence that in 1983 he had to relate his responsibilities to the whole county. He was also one of the rota of senior staff responsible for carrying out statutory visits under the Community Homes Regulations 1972.

**5.22** On 16 February 1984 Fred Hill visited The Birches and the following day reported in writing to Peter Crockett.<sup>12A</sup> Because of the breadth of his responsibilities he told us that he would only have been likely to visit any residential establishment for a specific purpose, though after the lapse of time he was unable to identify the initial purpose of this visit. Fred Hill was known in the social services department for his careful and prompt recording of his work. On this occasion his promptness in writing to Peter Crockett was related to concern raised by a conversation with Tony Latham about 'the transfer for short periods of persistent absconders at The Birches to 245 Hartshill Road' and the fact that some of the

12A See appendix H.



practices outlined to him appeared *'to be in contravention of the Community Homes Regulations on control'* (emphasis added). He thought Peter Crockett might be aware that occasionally a maximum of four children from The Birches were accommodated with a member of staff in continuous attendance in a bedroom and sitting room at Hartshill Road. 'The facility is used when a child needs to be withdrawn from the group at The Birches following persistent absconding, to undergo a programme of *behaviour modification*' (emphasis added).

**5.23** He identified the features of this behaviour modification programme as follows:

- (a) a member of staff on occasions slept in the same room as the children;
- (b) although no one was locked in, the basic aim was to discourage further absconding;
- (c) as a further deterrent to absconding each child had initially to wash his/her clothes which were not returned for periods up to 36 hours, during which pyjamas or PE kit were worn instead;
- (d) additional measures included loss of privileges, loss of recreation, imposition of household chores (children did all the cooking and cleaning), withdrawal and transfer of pocket money into children's savings and additional education and recreation, the latter in the form of physical exercises. These measures were relaxed or increased according to progress and might vary from 24 hours to a few days.

**5.24** It was claimed that the unit had a high degree of success but Fred Hill felt that restriction of a child's liberty by the almost constant presence of a member of staff was difficult to reconcile with the regulations. He also thought that holding back pocket money 'as a punishment' fell outside the regulations and that the domestic duties being performed by children went beyond the imposition of a minor but unwelcome chore. Removal of clothing, though used as a measure of control occasionally in other residential establishments also appeared to Fred Hill 'to fall outside the regulations'.

**5.25** Fred Hill told Peter Crockett that Tony Latham had accepted that procedures must comply with the regulations and that practices regarding pocket money, household chores and additional recreation (i.e. physical exercises) were questionable and would have to be modified accordingly. Tony Latham had been asked 'to enter the measures taken (including withdrawal of clothes if this happened) more specifically on a day to day basis rather than the 'blanket measures which appeared to cover the total stay of a child'. Fred Hill ended his memorandum to Peter Crockett with the words: 'I feel that clear direction and advice is required in this case to protect both the interests of children and staff and I would recommend that further discussions take place with the area so that the activities of the unit can carry on but that they are brought into line with the Community Homes Regulations on control'.

**5.26** Tony Latham's knowledge of the Community Homes Regulations 1972 was clearly demonstrated in the document which he wrote and signed on 8 November 1983 only five days after the first three young people were taken into the special unit at 245 Hartshill Road (see appendix G).

**5.27** We examined the measures of control records of children's establishments at Moorview, The Alders, The Birches, Heron Cross, Wood Street, 245 Hartshill Road and 100 Chell Heath Road for the years 1979-1989 in relation to taking away children's clothing and substituting nightclothes or PE shorts as a deterrent to absconding. What we found was that Moorview, The Alders, The Birches, 245 Hartshill Road, Heron Cross and Wood Street records showed no incidents or only a handful over the years. Only one establishment, 100 Chell Heath Road, showed numerous incidents during 1986, 1987, and 1988 only. However, examination of the 1986, 1987 log books of The Birches showed many incidents of removal of clothing and substitution of nightclothes or shorts which had not been entered in the measures of control record. These continued to occur and one such was on 26 February 1984 only a few days after Fred Hill's discussion with Tony Latham. The girl involved, who was later to spend a considerable time in Pindown, was disciplined by being put into pyjamas and dressing gown. At 245 Hartshill Road, in spite of Tony Latham's undertaking to Fred Hill and his own memorandum to 'ALL STAFF' on November 1983, removal of children's clothes and substitution of nightclothes or PE shorts continued but was not identified and recorded in the measures of control book. It was, in fact, only the day after Fred Hill discussed these issues with Tony Latham, that Jaime Rodriguez made a relevant entry in the log book of the 'special unit'. A boy who had been brought into the home by a social worker was 'made to go in bath (sic) and change into shorts'.

**5.28** One of the five boys who had been in the unit on 29 January 1984 was recorded on 17 February as entering the unit again. Two other boys appeared to have been in the unit for unrecorded periods prior to 17 February. On 19 February there were four boys in residence and Tony Latham was on duty from 9-45 a.m. – 6 p.m. He undertook a further period of duty on 20 February from 11-30 a.m. and used the opportunity, as he recorded, for 'putting in basic organisation to the unit', for example 'beds and bedding with pillows organised for all boys'. He 'explained . . . future . . . expectation of meal times to be better organised with tablecloths and tables laid'. He added that '*basic luxuries*' such as 'our Hoover, ironing board, pots and pans etc. etc. have now been provided to the I.T.U. (Intensive Training Unit) to avoid the constant need of borrowing from the semi-staffed unit'. The log book entry ended: 'still a lot of work to do with this little tribe if the success of this venture, this time will work'.

**5.29** Entries in the next few days recorded that a schoolboy had gone to work at Duke's Lodge, Tony Latham had been taken ill, and a worker named Chris Thomas explained how he had 'read riot act' to the boys in the unit on 26 February 1984. 'I said that if they wanted me to continue to show some humanity that I wanted something from them in return, otherwise I could be as big a b. . . d as they liked, the choice was theirs. I think I made some impression.' On 27 February 1984 when he returned to duty he found the boys had all 'bobbed school'. They were put in separate parts of the unit to await Philip Price's arrival: 'no food, allowed one drink for the first three to arrive.' They were interviewed by the police at about 17-30 and given 'the official "slapped wrist"'. Philip Price arrived at about 8-30 p.m. but could not see the boys because he was showing magistrates around the building. The boys were given sandwiches (except one 'who didn't like the filling') and got ready for bed. At 9 p.m. when Philip Price was free again he told Chris Thomas he would see the boys in the morning. Tony Latham was back at work by then and the boys were taken to The Birches to be seen by him and Philip Price.

**5.30** The log book for 5 March 1984 records that P. a school boy had spent the day before, Sunday, at Duke's Lodge working and that his clothes were wet and dirty but there was no washing powder available to deal with them. The next day there were no toilet rolls available. P. was recorded as 'throwing up. I told him to have nothing to eat for 24 hours gave him some milk of magnesia'. There was no suggestion of seeking medical advice. The next day, 7 March the milk had gone sour because, due to there being only one power point, the refrigerator had been turned off to accommodate the television and replacing the plug had been forgotten. No bread or milk were available during the day. On 8 March the boy P. was still having stomach pains (for the third day). The log book records: 'gave him milk of magnesia'. There was still no suggestion of calling a doctor. On 9 March the midday meal for the school boys (including P.) was corned beef and meat paste sandwiches, their evening meal a cup of coffee, three slices of toast, and half a tin of cold rice pudding. Ray Cruddace, on 10 March, recorded 'Dinner' – sandwiches and coffee. On 11 March a member of staff 'arrived with some washing. So D. (a boy) did the washing'.

**5.31** On 12 March 1984 Tony Latham undertook another short duty at 245 Hartshill Road. He recorded it in the log book as follows: 'took over from Bob (Sharpe). Blasted everyone out. Good tidy up and Hoover up. Tidy cupboards (sic) and bathroom. . . . Keep pressure up to keep unit straight.'

**5.32** On 21 March 1984 a member of staff, Terry Kendrick recorded that a boy had absconded from the unit. He was 'brought back at 11-25 p.m. Stripped of his clothes and in the Bath and went straight to Bed.' Two days later the same boy absconded again and on his return, it was recorded that: 'C. was to be kept strictly isolated with no contact at all – dressed in shorts only'. A few days later when he was seen by Tony Latham who decided his new weekend programme, the programme contained as a final item recorded by Ray Cruddace, 'able the (sic) where (sic) his clothes'. Meanwhile, a member of staff on 24 March noted 'C. asked for book to read as he had finished his work given to him by Mr Price. I refused to allow him this and sent him for a bath instead, telling him that reading a book was a privilege, and that he had none'.

**5.33** In the last few days of March 1984 there were several log book entries which illustrated the basic problems of the unit's environment and catering. On 24 March the 'sideboard containing crockery and cutlery finally collapsed'; a member of staff, Carole Taylor, on 26 March commented in the log book that 'at the moment no proper meals are been (sic) eaten and no times are set. This needs seeing to'. The next day 27 March, she recorded: 'the lads will be allowed 2 pints of milk a day. If they want extra they are to

buy their own.' This same member of staff two weeks later was on duty with two boys, one of whom was recovering from German measles. She wrote: 'both of them refused breakfast because I told them to have one bowl of cereal only. Personally I don't think that it (sic) unreasonable because at the moment they are getting through too much milk and cereal. Will discuss it at the morning meeting'.

**5.34** Peter Crockett had been carrying out a review of family centres during the spring of 1984. His report on the review was considered at the 30 April meeting of the Social Services General Sub-Committee, just over a year after family centres were set up. It was a long report which offered a section on general matters and then a review of each of twelve family centres, with a very brief note on semi-staffed (independence) units. There was an account of the adverse effects of the industrial dispute in which residential staff had been involved. The Committee's attention was also drawn to the inadequacy of domestic hours for cooking in many establishments and the effects of this. A number of positive outcomes were claimed for the re-organisation, and some problems acknowledged.

**5.35** The Newcastle-under-Lyme family centre was the subject of a long and enthusiastic account, but one which at no point revealed that The Birches and 245 Hartshill Road were being run as a joint undertaking, nor that there had recently been anxieties raised in correspondence with Peter Crockett concerning the 'special unit'. The short paragraph on semi-staffed units also made no mention of the special unit at 245 Hartshill Road. The only related comment was that 'interesting schemes have been developed to cope with absconders from school. . . . The semi-staffed unit has been used partly for that purpose'.

**5.36** The positive report given by Peter Crockett was one side of the coin. The other side was evidenced by the numerous log book entries written down during the first half of 1984 by staff at the special unit who were critical of the Heath Robinson, poorly organised and 'hand to mouth' arrangements which governed day to day life in the unit for children and staff alike. Even Glynis Mellors, a keen and loyal supporter of Tony Latham, was exasperated by the very poor provision made for meals.

**5.37** On 5 May 1984 a girl was brought into the special unit, the first since it was set up. It was recorded by a residential worker that she 'came in with a smile on her face and greeted me as though nothing out of the ordinary had happened. I made no reply to her greeting'. The girl was expecting to be interviewed by the police and wanted to be able to talk to the residential worker who wrote that 'I ignored this'. Whilst with the policewoman the girl was very distressed and later the policewoman asked about the reasons for the special unit and how long K. would be in it. She was told that K. would be in the unit 'for however long it takes to achieve aims of program (sic)'. When the girl asked to wear pyjamas instead of a nightdress in Pindown, the residential worker acknowledged in her log book entry that 'it is very cold in here'. Later the girl tried again to talk to her 'but realizing I was not going to converse returned to the bedroom saying "I will go out of my head if I stay in here"'. Shortly afterwards she was heard 'sobbing her heart out'. Having asked if she could speak to her social worker or to Tony Latham or Philip Price and been refused all three, 'she again threatened to committ (sic) suicide'. When she came out of her room to try again to make contact the worker recorded that she 'told her that she would be punished further if she would not comply with the rules'. There was no information in the log book about why this girl had been admitted nor her legal status in care.

**5.38** On the following day, 6 May 1984, a worker whom the girl knew and had been asking to speak to, offered to bring some items which she needed from the Birches. She was told that someone the girl did not know was to come since otherwise it would be difficult to 'ignore her questions'. The worker in this episode finally recorded that she was putting the girl on to cleaning the unit which she described in the log book as 'a mucky hole'. When this girl, who had had no drink in the early morning with her breakfast, asked if she could have one at noon, she was told that she would have to wait till lunch time.

**5.39** Later on in May 1984 one of the boys in the special unit was visited by his father who, finding him sitting in the Pindown room in his underpants, removed him. John Aston who was on duty at the time recorded in the log book: 'decided that physical reaction inappropriate simply OUT NUMBERED'.

**5.40** In early June 1984 there were several entries in the log book which described the distress of children refused contact with parents, even on the telephone. One of these children who had been refused such contact on two consecutive days was then recorded as having been taken to Duke's Lodge where he filled 162 bags of logs. He 'worked very hard'. He was eleven years old at the time. He and the staff member who went with him had not been able to take any sandwiches with them because there was neither bread nor butter available at 245 Hartshill Road, in the unit. Tony Latham's wife gave them something to eat.

**5.41** Sleeping arrangements for the group in Pindown were difficult. One boy on 16 June 1984 was sleeping on a mattress in the hall. Further bunk beds were installed. Later on in June a female member of staff was recorded as having slept in the same room, the back Pindown room, with an adolescent girl who had just been admitted. When this girl arrived at 1-20 a.m. on 20 June all the other young people had to get up and move around so that she could be accommodated.

**5.42** During June 1984 a number of log book entries indicated that staff were having difficulty in managing the group of young people. On 12 June one staff member writing about two children who were misbehaving said he 'threatened to throw a bucket of cold water over them'. On 17 June a boy was made to wear pyjamas for being aggressive to another child. On 26 June there was a two page entry giving a detailed weekend programme for a girl who was to spend a considerable amount of time in Pindown later on. Tony Latham wrote the programme: 'any staff member deviating from this programme without first checking with me will be severely (sic) dealt with'.

**5.43** Two days later on 28 June 1984 it was recorded that Lord Hunt, of the Rainer Foundation, which had been entrusted with administering government funds for intermediate treatment, had visited The Birches and that the day care group there had very much enjoyed his visit.

**5.44** Also on 28 June 1984 a neighbour of 245 Hartshill Road telephoned the social services department headquarters to make a number of complaints about the activities that went on there. Fred Hill took the call. The complaints made by the caller concerned:

- (a) lack of supervision in general;
- (b) two children on the roof on 24 June (other children it was said had been on the roof on other occasions);
- (c) problems of parked vehicles;
- (d) noise;
- (e) lack of planning permission for the activities in the garages/workshops;
- (f) a drunken teenager in the grounds on an unspecified date;
- (g) unsuccessful attempts to speak to Tony Latham about the other complaints.

**5.45** Fred Hill telephoned Tony Latham on 29 June 1984 and urged the arrangement of a meeting with the complainant. Tony Latham claimed to have spoken to the complainant and his wife on previous occasions but undertook to arrange a further meeting. The matter of planning permission, it was agreed, would be investigated. As far as we are aware the outcome was not recorded.

**5.46** During the first half of 1984 Philip Price produced a document which was concerned with a staffing rota at the family centre which implicitly included both The Birches and 245 Hartshill Road. He wrote it as team leader without prior consultation with his line manager Tony Latham. It was untitled and we were told that it was produced mainly for staff working at the above two establishments. We have given the document the identifying number 1 and a copy of it appears in appendix F together with seven other documents (numbers 2 to 8) which came into existence between 1984 and 1989 and which we have called the Pindown Documents.

**5.47** The first part of document 1 deals with sleeping in duties at both buildings, with case records, planning of working weeks, staff meetings and morning management meetings. There was then a separate section which focussed specifically on 245 Hartshill Road. It envisaged increased numbers of people involved in activities in the building and increased uses for the building. Six separate areas within

the building were identified. They were:

- (1) The main landing for children who had developed to a point of self help skills but who still required firm consistent handling with a positive base to operate from, and positive relationships (this was on the first floor above the ground floor);
- (2) The flat downstairs accommodating two residents who have reached 'a reasonable stage in their development' requiring less staff input and more decision making;
- (3) 'Special unit – to be treated separately from all other units at all times with very specially devised plans which should be adhered to at all times and not changed without approval of review. It is envisaged that all residents will receive a weekly review some with family, others with social workers etc.';
- (4) Schoolroom;
- (5) Dining area – adjacent to schoolroom for all meals except for those on self help programmes;
- (6) Another flat – to become a flexible resource to be used in any way seen as appropriate by the area officer or the writer of the document.

**5.48** The document stated that except for sleeping in there should always be two staff on duty, one being a senior. 'The emphasis of the unit should be on working with the clients, positively where appropriate to achieve the aims of individual programmes.' Programmes were to include menu planning, budgetting, washing, ironing, mending, cleaning of bedroom, counselling. The 'little office' was not to become a 'congregating point' for staff. What was expected was that staff would be working 'alongside clients achieving and striving towards the individual's programme'. Morning management meetings would identify special cases within the special unit, involve a community programme representative (though they would remain separate) and discuss day to day running and routine needs. The document concluded with the hope that discussions would 'help resolve many of the anxieties . . . facing the total staff team in making this work'. The writer saw 'the move' as 'another exciting development' and 'the next stage of family centre concept'.

**5.49** Prior to August 1984, Tony Latham and Philip Price produced jointly a document called 'Routine of the Intensive Training Unit'. They could not remember precisely when they wrote it. A copy appears in appendix F as document 2.

**5.50** Document 2 laid down the 'Rules of the House'. They defined the basic characteristics of the Pindown regime. On admission a child was to 'bath and have a hair wash'. They would then wash and dry their own clothes. If admitted overnight this might be left till the next morning. In addition 'at the earliest possible time residents will be explained the "Rules of the House"'.

**5.51** These rules included first a series of prohibitions and then one instruction. The prohibitions were:

- (a) no 'wandering around' in the rest of the building without permission;
- (b) no smoking without permission;
- (c) no television without permission;
- (d) no radio without permission;
- (e) no making drinks without permission;
- (f) no communicating out of windows without permission.

The instruction was 'Do as is told'.

**5.52** The training element in the unit was to be linked to social and life skills, 'behavioural and educational'. Residents were to carry out all domestic work; getting up and bedtimes would normally be 7 a.m. and 8 p.m. The role of staff would be observing and assessing; the objective of training would be to 'slowly expand to trust and responsibility'. Tony Latham and Philip Price (referred to in the document as 'Tony/Phil') would 'constantly oversee' every case and one if not both would be involved every two days in reviewing a resident's programme. Staff would keep 'an accurate daily log of events and observations'. 'In cases where 'punishments' are imposed these should be carried out strictly in accordance with the Community Homes Regulations and recorded accurately.' 'Leave' (for residents) would be granted according to progress, co-operation and achievement and completed on a leave form included in the guidelines. A copy of this form was not produced to the Inquiry. The leave forms could only be completed and authorized by Tony Latham or Philip Price.

**5.53** The next section of document 2 was addressed to all staff at 245 Hartshill Road and, in particular, those involved in the main semi-staffed building and the Intensive Training Unit. It contained a list of instructions the overall effect of which was:

- (a) to separate completely residents in the two parts of the building;
- (b) to control telephone calls. Calls to social workers and parents could be made at staff discretion. Residents in the ITU were not allowed any incoming calls unless previously agreed by either Tony Latham or Philip Price;
- (c) to ensure the functioning of the ITU it was to be independent of the semi-staffed unit in all respects. If facilities were inadequate to achieve this Tony Latham was to be notified immediately;
- (d) to recognise that passing of cigarettes, messages and other 'goodies' was happening but to reduce it to an 'absolute minimum';
- (e) to provide for specifically worked out and detailed programmes for individuals. These would be created by Tony Latham and/or Philip Price and were not to be 'deviated from under any circumstances without their prior approval';
- (f) to ensure supervision was as close as possible to reduce absconding, though joint supervision of both parts of 245 Hartshill Road was recognised as being 'appropriate' at times;
- (g) to make specific arrangements for a teenage mother and her baby living in the semi-staffed part of 245 Hartshill Road.

The matters contained in (a) to (g) above were set against the background of a general statement that 'the philosophy behing (sic) the Intensive Training Unit is undermined if the "Rules of the Establishment" are not strictly adhered to'.

**5.54** Document 2 had an appendix entitled 'Basic Programme'. This comprised first 'a total loss of all privileges e.g. television, radio, cigarettes, visitors (other than family and social workers) no nights out'. Visitors were to be allowed by prior arrangement. Privileges were to be earned through co-operation with staff and decided upon at specified review times. Failure to sustain co-operation would automatically lose the right to privileges and the basic programme would again be enforced. The timetable of the day shown in the appendix to Document 2 was inconsistent with the earlier part of the document i.e. an hour shorter, but it showed all meals taken in the resident's room, bath night and morning and what were described as 'supervised activities and individual sessions'.

**5.55** The final section of document 2 was entitled 'Daily Tasks - Intensive Training Unit'. With further inconsistency, since earlier in the document it stated that all domestic tasks would be carried out by residents, it listed work to be done daily, weekly and fortnightly/monthly 'either by Intensive Training Unit residents or by staff on duty'. The lists were a range of mainly domestic tasks, 'neither exclusive nor exhaustive' and to be 'done properly, not rushed and one (sic) to a resonable (sic) standard'. Reviews were included as a weekly task each Tuesday. Staff expected to be present would be Tony Latham, Philip Price, a key worker and/or social worker and parent 'where appropriate'. The last two pages of document 2 were a variant on the tasks list and a variant on the 'instructions'.

**5.56** During July and August 1984 the log book entries focussed on a girl who had arrived in the unit in the early hours of the morning in late June. At times she was on a strict regime, the staff refusing to talk to her. She tended to shout out in her sleep and had bad nights. During the day she surprised staff by the amount of interest she showed in books. The log books recorded on 28 July that she had read 'a *whole* book' and then taken two more.

**5.57** On 23 July 1984 Tony Latham visited 245 Hartshill Road and made a long entry in the log book. The first part related to entries of matters pertaining to morning meetings, jobs around the building and reports of visits to children's families. The second part began with an exhortation to staff to sign their own entries, 'how the hell do I know who wrote that!!!' he asked. His own entry then continued (all in capital letters) 'What a lot of saints we have residents!! All jobs done to perfection, no problems reported from any residents - does this mean that they please themselves, are never asked to do anything that might cause a ripple or are they all ready to move to lodgings the little darlins!! Sorry I just can't believe our programmes are so successful.

No cheek from P.!!

Complete co-operation from G.!!

R. M. happy and smiling  
P. C. full of the joys of spring  
Did you not have any stimulating conversation?  
No wonder the staff feel so unproductive.'

Log book entries about individual young people painted a different picture from Tony Latham's entry.

**5.58** Glynis Mellors wrote in the log book on 2 August 1984 'in which gold mine do you search for cups? Or is it a matter of 'throwing' your own each morning?' The statutory visitor in August 1984 was P. Warren who inspected 245 Hartshill Road on 15 August when Glynis Mellors was on duty. He reported that 'painting/furniture/tidiness (was) generally poor'; there had been only minor restrictions, for example, loss of privileges as measures of control, but there was no adequate space for an office or for staff, that 'nearly everywhere (was) bare/uncared for,' and 'most of youngsters rooms (were) depressing and reflect type of youngsters accommodated - they don't seem to care'. Another statutory visitor, David Livingstone, who inspected during Philip Price's duty, on 31 August reported 'generally a progressive extension of work done at The Birches family centre was in evidence'.

**5.59** John Aston on 13 August 1984 recorded in the log book that the girl who liked reading had asked for school work. He 'put J. on domestic science. Cleaning kitchen!!' On 14 August referring to a recent admission of a working age boy, Aston wrote: 'no smoking, radio, television etc. Week of Specail (sic) Unit rules. (See Yellow Folder with rules in.).

**5.60** The reference to the Yellow Folder was the first mention of a stiff yellow ring binder which was kept in the office of the Intensive Training Unit at 245 Hartshill Road. It was originally put there by Tony Latham sometime prior to August 1984. There was a white label on the front of the binder with the following message signed by Tony Latham:

'Intensive Training Unit.

This book is to remain in the Intensive Training Unit office and all staff are asked to make themselves fully conversant with the contents'.

**5.61** Various documents were put in the Folder from time to time. When John Aston first referred to the Folder it contained document 2 (Routine of the Intensive Training Unit) and probably also a document entitled 'Code of Instructions - Enclosure to Central Office Circular No 16/79 dated 10th January 1979 - Community Homes Regulations 1972 - Regulation 10 - Control'.

**5.62** The other documents which were in the 'Yellow Folder' when it was produced to the Inquiry were:

(a) copy letter to Elizabeth Brennan, principal area officer from the director of social services dated 22 November 1984;

(b) copy letter to the director of social services from Elizabeth Brennan dated 25 March 1985 (a follow up to the letter of 22 November 1984);

(c) copy letter from the director of social services to Elizabeth Brennan dated 9 May 1985 (a further letter concerning the fire door);

(d) copy letter from the director of social services (Circular 138/86) dated 26 June 1986 and headed 'Restriction of the liberty of children in care', addressed to staff in the child care section;

(e) copy letter from the director of social services dated 25 October 1986 headed 'Community Homes Regulations 1972, Regulation 10: Control, Secure Accommodation (No 2) Regulations 1982' (sic) and addressed to certain senior managers (child care) Riverside, Tay-y-Bryn and statutory visitors;

(f) an undated document entitled 'Principles behind the use of the Time Out Unit at 245 Hartshill Road', and signed 'by Chris Walley';

(g) letter from the director of social services to British Telecom, headed '245 Hartshill Road, Stoke-on-Trent - Installation of additional line' and dated 1 February 1988.

Copies of the documents in the Yellow Folder appear in appendix F under the general heading document 3. The undated document 'Principles behind the use of the Time Out Unit at 245 Hartshill Road' probably came into existence in 1989. Although signed in Chris Walley's name it was not, he told us, written by him or signed by him. Walley was an area officer (children) Stoke-on-Trent until 1988 and then Juvenile Justice Co-Ordinator, North Staffordshire. The word 'occasionally', however, on page 2 of

the document was written by him.

**5.63** The impact of the contents of the Yellow Folder was not discussed in the log book but entries soon afterwards display some ill-concealed frustration. On 22 August 1984 John Aston came on duty and found that information he needed was missing. He wrote 'no communication. . . . No review book filled in. Good management this'. He found himself in disagreement with the admission of a boy to the unit and after returning from some outside work for which Philip Price provided cover he left a note in the log book for Price: 'Well Phil. Obviously you don't read log books and programmes'.

**5.64** In early September 1984 John Aston was signalling through the log book for more information, this time about weekend programmes and the use of Duke's Lodge. He recorded a sharp toned agenda of the issues he hoped to raise at the next staff meeting. A week later he wrote to a colleague in the log book 'have you got the report book, you sod?' The next day he had words with The Birches because the evening meal did not arrive till 7 p.m. By 22 September 1984 he was recording that the 'washing machine (was) in . . . a disgusting and dangerous state'. A new arrival came in on 1 October and was 'stripped to his pants . . . and school work set'. A few days later, 6 October, he recorded that the young people in the unit were not able to have an evening drink because there were no cups. In addition there were no cereals, no milk and no bread.

**5.65** On 7 October 1984 an entry was made following information from Philip Price. It recorded 'C.I.D. (police) coming to see T. . . . because they think he should not be in here because he has not done anything'. There were further instances of pyjama discipline at this time and a boy who did not want to work at Duke's Lodge and made this clear by leaving and returning to The Birches, later received a 'roasting' from Tony Latham, was put in night-clothes and sent early to bed.

**5.66** Meanwhile the memorandum which Fred Hill had written to Peter Crockett on 17 February 1984<sup>13</sup> about what he believed to be breaches of the Community Homes Regulations at 245 Hartshill Road, had received no written response. In evidence Fred Hill said that although it was addressed to Peter Crockett, Tony Latham and Philip Price knew about what he was writing because he had informed them at the time. His purpose had been 'to bring to the attention of my superiors some of the things that were going on so they then could make a decision whether this was OK or whether it needed to be limited'. No one else appeared to have put the issues in writing before, for example, the issue of wearing nightclothes as a deterrent to absconding. Hill added that although Elizabeth Brennan might have raised the matter of the special unit with Peter Crockett 'there (was) no document'. He believed, looking back, that when he returned from his visit on 16 February 1984, he would have gone to his line manager William Pierpoint and gained his agreement that he should swiftly put the matters of concern in writing. He had done so the next day.

**5.67** Fred Hill explained that in considering whether there were breaches of the Community Homes Regulations he had carried out 'a very simple exercise': if pocket money, for example, was able to be taken as restitution to pay for damage (but not otherwise taken) 'they weren't doing that' and 'so if it's not there (in the regulations) you weren't supposed to be doing it'. The regulations ought to be used in this way. 'You're not supposed to say, well, let's try and find a way round that.' He saw quite clearly that removal of a child's clothing was a punishment and felt sure that a child would see it in that way. He had worked in residential child care himself and in 1984 was concerned that legal requirements should be respected.

**5.68** The first response to Fred Hill's memorandum came at a meeting at The Birches on 11 October 1984. Those present at the meeting were Peter Crockett, William Pierpoint, Elizabeth Brennan, Fred Hill and Tony Latham. The meeting had been convened in response to a letter from the principal area officer detailing the use of residential establishments in the Newcastle area and proposals for future developments. One of the eight main items of discussion was 'Intensive Unit - Hartshill Road'.<sup>14</sup> It was

13 See appendix H

14 See appendix H.



recreation. This would take the form of organised tasks outside the establishment 'usually such things as gardening or sports under the supervision of staff'. These activities, it was said, took place at weekends. The measures of control would be 'relaxed or increased according to the child's progress during the period in the unit which might vary from 24 hours to a few days. All punishments were entered daily in the measures of control book and all staff had been made aware of the Community Homes Regulation on control.'

5.75 Hill's memorandum to Peter Crockett next identified the problems which he considered needed attention. The first and most 'obvious' was the extent to which a child's liberty was restricted in the unit. He understood that at no time was a child locked in a room even if accompanied by an adult. He believed that because of what he interpreted as the 'high staff to child ratio' absconding was less likely than from the family centre where staffing ratios were lower. He quoted the DHSS circular<sup>16</sup> on the Secure Accommodation (No. 2) Regulations in which 'control imposed or implied by staff or other responsible adults' would not be considered to constitute restriction of liberty, though 'control should always be imposed or implied in a manner consistent with good child care practice'. His view, however, as expressed to Peter Crockett was that '*we are obviously sailing close to the wind*' (emphasis added) with some of the arrangements he had described: unless it was 'abundantly clear' that continued staff presence in the Unit did not have the effect in practice of restricting the liberty of a child any more than it would do in a normal small staff children's group situation in a residential setting.

5.76 After discussing the individual aspects of practice which he had examined, removal of clothing, staff sleeping in the close vicinity of children and additional recreation as punishment, staffing, education and access for statutory visitors, Fred Hill summed up his recommendations, and the conditions which should be met if, as he hoped, the activities of the Unit were allowed to continue. He saw the Unit as a 'valuable facility in the area' . . . which provided 'a positive approach to the problems of non-school attendance and absconding'.

5.77 Fred Hill's recommendations were that:

(1) There should be no more loss of liberty in the Unit than that caused by the control imposed or implied by staff through a manner consistent with good practice;

(2) The practice of removal of a child's clothes and substitution of pyjamas, PE kit etc: should be discontinued;

(3) The practice of staff sleeping in the same room as children or on the landing outside the room should be discontinued;

(4) The use of additional recreation when defined as a punishment should be discontinued;

(5) All measures of control taken must comply with the Community Homes Regulations (regulation) 10 on control (sic) and should be recorded in the appropriate book;

(6) The use of the terms special or intensive in reference to the Unit should be discontinued. (Fred Hill reminded Peter Crockett that at the meeting on 11 October 1984 it had been decided that the beds at Hartshill Road could be used for short stay preventative work in addition to semi-staffed use. He took the view that the Unit was providing short stay facilities in line with the family centre concept of flexible use of resources);

(7) Statutory visitors should be given access as required to the Unit and all parts of the building;

(8) The minimum level of staff cover at 245 Hartshill Road should be Residential Care Officer 2 or Social Work Assistant 2. If semi-staffed staff (are) used in this respect they should be made fully aware that their responsibilities include supervision of the Unit from time to time;

(9) Arrangements for the education of non-school attenders should be recognised officially by the department;

(10) The use of a second sleeping-in member of staff at 245 Hartshill Road should be accepted and should take place when determined by the needs of the children within the Unit.'

Finally he recommended to Peter Crockett that a letter should be sent to the Newcastle area including the conditions he had outlined. He also suggested that all principal area officers should be informed that the practice of removal of a child's clothing to deter absconding should be discontinued.

16 See appendix M.

agreed that 'Mr Hill should re-examine the practices within the Unit to ensure that they fall within the Community Homes Regulations on control'. The note of the meeting ended with the following statement: 'it was further confirmed that the Area have been given a flexible brief regarding the use of the 10 beds at 245 Hartshill Road and that they can continue to be used for short stay preventative work as appropriate in addition to semi-staffed use'.

**5.69** A statutory visit was paid to 245 Hartshill Road on 31 October 1984 by I. D. Cunnott whose report to the District Advisory Sub-Committee expressed satisfaction with the achievements made in the work with adolescents. On 1 November 1984 John Aston put together another list of issues he wished to raise at the staff meeting. They were outlined in the log book:

- (1) Young people might get too accustomed to schooling in the unit;
- (2) 'Tension – Boredom – Frustration of living here!';
- (3) 'Do they know their future short term/long term?';
- (4) Food: – from The Birches 'small portions';
- (5) Need for shampoo.

On Sunday 11 November John Aston also recorded that a group of young people spent all day at Duke's Lodge cutting and bagging logs.

**5.70** On 12 November 1984 Fred Hill wrote a report<sup>15</sup> for Peter Crockett of the work he had carried out in examining the practices within 'the so called Intensive Unit at 245 Hartshill Road'. At that time the accommodation in use was a bedroom, sitting room, bathroom and toilet in a former staff flat. The rooms were said to be used to accommodate a maximum of four children although the average number of occupants at any one time was said to be two. Most of the children accommodated had previously been resident at The Birches though there were occasional exceptions.

**5.71** In Fred Hill's view the purposes of the Intensive Unit were:

- (a) for individuals who needed to be removed from the main group at The Birches 'so that more individual care can be offered' or 'whose treatment programme at The Birches breaks down';
- (b) for absconders who could not be contained within the main group;
- (c) as a 'crash pad' for short term care and for 'a number of children who encounter problems with non-school attendance'.

Each child was said to have a 'treatment programme' and a 'key worker'.

**5.72** Hill found that staff for the unit were drawn from The Birches, the semi-staffed unit at 245 Hartshill Road and on occasions from social services aides. Overall responsibility lay with the senior member of staff on duty at The Birches. One member of staff was rostered outside of school hours and an additional member of staff 'drafted in as required'. Sleeping in 'cover' was provided and on occasions a member of staff slept in with the children or on the landing outside. The semi-staffed unit sometimes covered sleeping-in duties, and occasionally additional sleeping in cover was allowed.

**5.73** Fred Hill understood that most children in the unit went out to their own schools. If, after consultation with the school, it was decided as part of a treatment programme that a child should not attend, alternative arrangements for education were made at 245 Hartshill Road. Children from the family centre who were not attending school were taught in a separate area of the building at 245 Hartshill Road. He was informed that school work was provided by individual schools and when appropriate children were taught by home tutors from Staffordshire education department. 'Additional tuition' was being provided by a community services worker who had trained as a teacher and support from the Urban Aid programme was being sought to finance her on a permanent basis.

**5.74** The regime in the Intensive Unit started with a child having to wash his/her clothes on admission. They were not returned 'for periods up to 36 hours during which time the child is clothed in pyjamas or PE kit'. If appropriate, further measures as part of a plan to modify behaviour were taken. These included loss of privileges, loss of recreation, imposition of household chores and imposition of additional

<sup>15</sup> See appendix H.

**5.78** On 20 November 1984 Fred Hill wrote a further recommendation to Peter Crockett.<sup>17</sup> It was headed '245 Hartshill Road – Special Unit'. The purpose of the memorandum was to inform Peter Crockett that since the completion of Fred Hill's report dated 12 November the Newcastle area staff had transferred the unit from the staff flat to 'the integral ex-staff maisonette' in order to provide more space. There were now two bedrooms, a kitchen, a sitting/dining room and bathroom/toilet in use. It was still not envisaged that more than four children would be accommodated at any one time. A copy of Annex B to the DHSS Circular (LAC(83)18) (see appendix M) was attached to Fred Hill's memorandum and Peter Crockett's attention was drawn to the fact that it was not permitted to confine a child or children in a certain section of a home by locking internal doors even when they were accompanied by a responsible adult or adults. Permission had previously been given by the fire officer to lock one of two doors between the maisonette and the main establishment to separate the activities in the two areas. Although Fred Hill was satisfied that there were no fire risks, 'the fact remain(ed) that the locking of the internal door in question could be seen to have the effect of confining children to a particular area' and he wished to consult Peter Crockett on this point. In addition he wished to add to his list of recommendations in the memorandum of 12 November a requirement that no more than 10 children's beds should be used at any one time in total at 245 Hartshill Road and that a maximum of 4 of the 10 should be in the Unit.

**5.79** Peter Crockett responded to Fred Hill's two memoranda in a letter to Elizabeth Brennan, principal area officer, on 22 November 1984.<sup>18</sup> The letter was signed in the name of the director of social services as was customary but both Peter Crockett's and Fred Hill's references were on it. The letter was written with specific reference to 'the short stay facilities currently operating in the maisonette at 245 Hartshill Road'. Peter Crockett said that whilst he fully appreciated the 'positive work in progress' after 'lengthy discussion on the matter' he had decided 'to lay down a number of safeguards for children and staff which (were to) be adhered to at all times'. He described them as 'instructions', and in the main they followed the recommendations made by Fred Hill, though with two significant exceptions and one only partially met. The 'instructions' from the director of social services to the Newcastle area were:

- (1) Control implied or imposed by staff should at all times be implied or imposed in a manner consistent with good child care practice;
- (2) No more than 10 children's beds were to be utilized at any one time at 245 Hartshill Road, this number to include a maximum of 4 in the staff maisonette;
- (3) The use of the terms special or intensive (to describe the unit) were to be discontinued;
- (4) Statutory visitors were to be given access as required to the maisonette and all parts of the building;
- (5) The minimum level of staff cover at 245 Hartshill Road was to be Residential Care Officer Grade 2 or Social Work Assistant Level 2. If semi-staffed staff were used in connection with the activities in the maisonette they were to be made fully aware of their responsibilities in this respect;
- (6) In normal circumstances only one sleeping in allowance per night would be paid at 245 Hartshill Road. If circumstances arose that warranted a second person sleeping in, clearance would have to be obtained on each occasion from central office;
- (7) All measures of control taken had to comply with the Community Homes (Regulations), regulation 10, Control, and were to be recorded in the appropriate book;
- (8) The practice of staff sleeping in the same room as children or on the landing outside the room was to be discontinued;
- (9) The use of additional recreation when defined as a punishment was to be discontinued;
- (10) No internal doors in the unit were to be locked at any time, including the door leading from the maisonette to the main establishment.

**5.80** These ten instructions met recommendations 1, 3, 4, 5, 6, 7, 8 in Fred Hill's memorandum. His recommendation concerning sleeping in staff was watered down. The two which were omitted entirely were the official recognition (and, therefore, need for resources) of educational provision at 245 Hartshill Road, and Fred Hill's proposal that the removal of children's clothes and substitution of pyjamas or PE kit to discourage absconding be discontinued, not only at 245 Hartshill Road but throughout the county's child care establishments. Peter Crockett's response to this latter issue was to tell Elizabeth Brennan that

<sup>17</sup> See appendix H.

<sup>18</sup> See appendix H.

the practice fell 'outside the Community Homes Regulations' but that before issuing 'a final instruction' he wished to give the matter 'more general consideration'. Meanwhile he asked her 'to attempt in the intervening period not to use this practice, pending further guidance'. His letter concluded by asking her for formal acknowledgment of her receipt of the instructions, and that she would 'ensure that all staff connected with the unit (were) made fully aware of them'. Mrs Brennan eventually responded on the 25th March 1985 (see chapter 6, paragraph 6.8).

**5.81** Entries in the unit log book continued to reflect what had become a familiar pattern. On 17 November 1984 John Aston recorded that one of the boys 'didn't have a wash till I kicked him up the back side'. He then found that the boy was wearing football shorts under his pyjama bottoms and made him remove them. On 25 November the vacuum cleaner was not working and on 29 November a female member of staff protested in the log book 'women (are) not just here to wash and iron, hoover etc!' A number of children at this time were recorded as talking in their sleep. At the beginning of December a new member of staff recorded that when she had to examine a child's head for nits, she let the child examine her head in the same way. By contrast a 'regular' member of staff recorded that having put two girls in Pindown on 10 December he told them 'they would stay in the room until someone came to give further direction - I added that I didn't know *when* this would happen, but that Phil/Tony would probably take their sweet time as the girls had bugged them about'.

**5.82** On 11 December 1984 Lynn Allsop, a homes adviser, carried out a six monthly review visit to 245 Hartshill Road. Following her visit she reported that difficulties were arising due to the building being used for 'intermediate treatment, community service programmes etc!'. She did not refer to the special unit. Additional problems were being experienced in keeping to normal procedures in respect of building, equipment and fire precautions, and numerous site meetings had been held with the building inspector and fire officer 'in an attempt to keep track of developments'.

**5.83** Fred Hill making observations regarding her report wrote: 'although this unit is being used flexibly in line with the family centre concept it has been something of a nightmare for Mrs Allsop to keep track of continually changing developments. However this has been done in a supportive manner although I do get concerned the safeguards are occasionally disregarded by the staff in this area'. Written underneath these comments were the words 'I think our letters protect our position at least'. The initials beside them were GP (G. Pierpoint).

**5.84** On 14 December 1984 the log book recorded that 'Phil arrived . . . has decided that things are a little too comfortable in here for the kids . . . has written a work programme . . . for the weekend and said that staff could add any other nasty little jobs which need doing'. On 15 December the vacuum cleaner was missing, there were no bin bags, no mop and the usual equipment problems.

**5.85** A statutory visit was paid by R. Pilmore to 245 Hartshill Road on 18 December 1984. The visit report was not produced to the Inquiry but the note which formed part of a report to the District Advisory Sub-Committee said that the establishment was generally in need of internal redecoration; that several measures of control had been recorded in accordance with the Community Homes Regulations; and that the Unit was fully used with numerous activities taking place, some with the help of volunteers.

**5.86** From 18 December 1984 until 15 January 1985 there were no log book entries and the records show no children in Pindown.

**5.87** During 1984 19 children were subject to Pindown at 245 Hartshill Road.

**5.88** - The shortest episode was one day.  
- The longest continuous episode was 37 days.

**5.89** The total time spent by each of the 19 children in Pindown at 245 Hartshill Road was:

Length of time in Pindown	No. of children	No. of episodes
2 days	1	2 episodes
6 days	1	2 episodes
7 days	4	1 each
9 days	1	1 episode
10 days	2	1 each
13 days	1	1 episode
14 days	3	{ 1 child – 1 episode 1 child – 2 episodes 1 child – 3 episodes
15 days	2	
20 days	1	
28 days	1	2 episodes
38 days	1	2 episodes
60 days	1	5 episodes

Four children were not included in the above figures because it was not possible to identify how long they had been in the Unit.

### (c) County Council Financial Policy

**5.90** In Staffordshire the Policy and Resources Committee decided budget strategy for the whole county. Individual spending committees then received allocated targets to be met.

**5.91** The 1984/85 budget strategy was decided at a meeting of the Policy and Resources Committee on 12 July 1983. The director of social services reported to his own committee on 7 September 1983 that a target reduction of £7,000,000 had been set for the county as a whole. The figure which social services had to meet was £291,000, 1 per cent of its total budget. Over the whole social services department in 1984/85 there was growth of £1.7 million, savings of £300,000 and net growth therefore of £1.4 million.

**5.92** The director reminded the committee that over successive years 'savings have been made with every possible attempt to minimise the impact on the services provided to clients'. In 1984/85 he was proposing to find £262,950 by reducing the county council's contribution to District Council's Sheltered Housing Schemes and to meet the remaining sum of £28,950 by reducing the number of beds in a home for elderly people and using part of the building for intermediate treatment.

**5.93** The overall impact of savings in 1984/85 on the child care services, therefore, was considerably less than in the previous year. Nevertheless it was not possible to do more than add a cost of living increase to boarding out allowances which could with advantage have been raised in real terms. In some other items of expenditure where inflation-proofing was also not possible, this meant in effect reductions. These had already taken place in earlier years as well, and were contributing to a continuing decrease in resources and standards.

### (d) Social Services Re-Organisation

**5.94** 1984 was a year of consolidation and review of the 1983 re-organisation.

**5.95** The next re-organisation took place in 1985.

### (e) The Career of Tony Latham

**5.96** Tony Latham continued to develop existing projects during 1984, and also to initiate new ones. A new day centre was set up in January 1984 and the first steps taken in what was in 1987 to become known as SHAP, the Supportive Housing Accommodation Project. Tony Latham and Philip Price had found that there was a serious shortage of suitable accommodation for young people to live in when they left

residential care. Much of what was available was unsatisfactory. They decided to negotiate with private landlords, to guarantee rent and place young people with a volunteer living in the same house initially, until after several months the young people, usually two or three together, could manage on their own. Also in 1984, in October, another new enterprise, Forest Enterprises (Staffs) Ltd. was incorporated and commenced trading in October 1985. Its purpose was to help people leaving the Community Programme and Youth Training Scheme. It provided work in gardening, clearing rubble and chopping logs.

**5.97** During 1984 Tony Latham was closely involved with the development of Pindown and the overall approach to work with children and families. He told the Inquiry that 'time spent in the unit . . . was seen as a very small part of a much wider process of formulating and developing care plans or contracts with each young person'. His objectives were to develop 'individually tailored, closely supervised, well structured and controlled' care plans which would be constantly reviewed 'with the direct participation of the young person and all significant others'. These others would include, as appropriate, members of the child's family, social workers and teachers. The vehicle used for review was the 'family meeting', held both before and during periods of time spent by a child in Pindown. Family meetings were often held in the late afternoon or evening to accommodate parents in particular.

**5.98** Tony Latham's view as expressed to the Inquiry was that 'the review meeting was . . . the most crucial element in the programme'. Family centres were intended to work more closely with families in the area, and it was therefore important to encourage their active involvement. He said that 'we had recognised that often when children come into care, the level of parental contact falls off dramatically'.

**5.99** The children in residential care, in his view, were a low priority for area social workers because they were living 'in a safe arena'. The review meetings, therefore, also had a 'major priority of making . . . area social workers as responsible for what went on in (residential) care as in the field'. Tony Latham, therefore, decided to chair the review meetings because he was line manager for the social workers responsible for children at The Birches and the other homes for which he was responsible. He 'demanded that the area social worker should be accountable in the same way that parents were also accountable. It was not fair that Johnny should get a rolicking for failing to perform his part of the bargain if, for example, the social worker had failed to visit his parents, or on a home visit, he had been put in front of the T.V. and ignored by his parents'.

**5.100** Tony Latham described part of the technique of family meetings as 'positive and negative role play, with the idea that by creating conflict, people start saying what they think'. He would play a negative role concerning the young person while another member of staff appealed to him on behalf of the young person. He would then reluctantly concede that the young person 'should be given a particular privilege or allowed to visit their parents'.

**5.101** The written records for which Tony Latham accepted responsibility were log books, measures of control books, programme books, residential files and area social workers files. Although decisions from review meetings were recorded, there were seldom any written accounts of family meetings or reviews and as we understand it, there was not the kind of preparatory documentation for them which would be appropriate for a case conference or a statutorily required review. In the measures of control records there was no information concerning the reason for the measures being used.

## Chapter 6: 1985

### (a) National Events.

**6.1** During 1985 there were two publications of relevance to Staffordshire's residential child care service. Both were concerned with research. One was the first study for a number of years of children's homes.<sup>19</sup> The study covered twenty homes in three local authorities, three voluntary and three private organisations. Two hundred and thirty-four children (59 per cent boys and 41 per cent girls) were living in them. Its findings demonstrated not only that residential provision was a positive choice for some children, particularly adolescents, but that it had an important role to play in keeping siblings together, in maintaining close links between parents and children, in providing reception functions for children coming into care and a safety net for fostering failures. The author concluded that 'the quality of individual care offered in the homes visited was, generally, of acceptable standard and in several establishments was extremely impressive.' He added that 'most staff were deeply committed to their task and children were usually appreciative of their residential experience'.

**6.2** The second publication<sup>20</sup> was produced by the Department of Health and Social Security in order to disseminate the findings of nine research studies which were of importance to good practice in child care. The studies had been carried out in 49 local authorities and included about 2,000 children. Many free copies of the publication were sent to directors of social services for circulation within their departments. Although not specifically about residential child care many of the practical issues highlighted by the studies were directly related to the work of residential staff as well as field social workers. Examples were: planning for children in care; statutory reviews; decision making; and family contacts of children in care. The publication was also the subject of a series of national seminars in which local authority staff and others were invited to participate.

### (b) Staffordshire and its social services

**6.3** The records produced to the Inquiry show a gap of time in the occupation of the special unit at 245 Hartshill Road between 18 December 1984 and 15 January 1985. Two teenage girls and a teenage boy had gone out in the week before Christmas 1984. Two girls aged fourteen and one aged thirteen came in during the second half of January 1985. The thirteen year old stayed for 48 days, the other two spent 9 and 15 days respectively in the unit.

**6.4** Physical conditions and catering continued to be the subject of complaints by the staff in log book entries. Problems were experienced in getting medical examinations on admission carried out. Some entries gave clear indications of staff being overstretched particularly during evenings and overnight, when supervision of both the Pindown unit and the semi-staffed unit had sometimes to be combined.

**6.5** Early in 1984 the meeting of senior staff chaired by Peter Crockett had discussed the possibility of Riverside (community home with education) making additional staff available to help family centres. At that time also the opening of two secure units was being planned. These plans, however, did not materialise as the director of social services informed his committee on 19 February 1985. The secure units had not met the requirements of the Secretary of State under the provisions of the Criminal Justice Act 1982 and would not therefore be able to open. The staff who would have been working in them, instead of being deployed to help family centres, were to be involved in trying to facilitate the movement of children out of Riverside back to their own homes or into other children's residential establishments.

**6.6** During January 1985 Paul Hudson, the director of social services, had decided to take early retirement as from 28 February. His deputy Barry O'Neill was appointed to replace him from 1 March 1985 and Peter Crockett was appointed deputy director from the same date. Peter Crockett and John Spurr transferred their functions with immediate effect from mid January 1985, John Spurr becoming

19 Children's Homes – David Berridge, Basil Blackwell Ltd. 1985.

20 Social Work Decisions in Child Care – Recent Research Findings and their Implications – DHSS HMSO 1985.

senior assistant director when Peter Crockett became deputy director. John Spurr's responsibilities included chairing the group of senior staff which Peter Crockett had established before 1983.

**6.7** When Peter Crockett wrote to Elizabeth Brennan over the director's signature on 22 November 1984, [see Chapter 5, para. 5.79] he asked her formally to acknowledge his letter containing the instructions concerning the special unit at 245 Hartshill Road. On 11 February 1985 he wrote again because she had failed to do so: 'whilst I appreciate the need to discuss my letter with relevant staff in your area, I would ask you to acknowledge receipt and to confirm that all staff concerned with the Unit have now been made fully aware of the instructions I have laid down'.

**6.8** Due to the changes resulting from the director's retirement and Peter Crockett's promotion it was John Spurr who received Elizabeth Brennan's reply to Peter Crockett's second letter, which she addressed to the new director Barry O'Neill. Her letter<sup>21</sup> was dated 25 March 1985, four months after Peter Crockett's first letter. In the first sentence she apologised for the delay in replying and then continued, 'certainly the matter has been discussed with all the relevant staff concerned with the unit and they are fully aware of the points you have raised'. The word used in Peter Crockett's letter had been 'instructions' a much stronger term than 'points you have raised'. It was also not clear whether 'the matter' referred to in her letter was the final issue about removal of clothing and substitution of night clothes or PE kit to deter absconding, or merely a general term to cover the unit and the issues concerned with it. Elizabeth Brennan did not say whether she had personally discussed the letter with her staff.

**6.9** The main point of her letter was concerned with two specific issues in the ten instructions which she did not accept. The first was sleeping in allowances about which she had obtained a concession from John Spurr that she need not consult central office on each occasion that additional sleeping in duty was required. The second was the prohibition on locking at any time the door which divided the unit from the rest of the house. She asked for reconsideration of this on the grounds that because of other exits there was not a fire risk, and that the door needed to be locked, not to keep young people in the special unit but to keep young people from other parts of the house out of the unit.

**6.10** When Elizabeth Brennan's letter reached John Spurr he had written a note on it. It read 'FH (Fred Hill) 2 things

1. I'm inclined to agree about the locked door
2. The whole set up is being considered closely and may well be brought to an end v. soon.

JS'

Two versions of this note were seen by the Inquiry. The first was as quoted above. The second was a copy of Elizabeth Brennan's letter which had had the note written on it but had then been folded and photocopied so that only the first part of the note appeared.

**6.11** The second part of the note might, in the light of the preceding correspondence about contraventions of the Community Homes Regulations, have implied that the special unit was about to be closed. John Spurr denied in evidence that this was the intention and could not, in retrospect, remember what the note meant. He thought it might have referred to the fact that the diversity of activities being carried on at 245 Hartshill Road were leading to excessive wear and tear on the premises and also to difficulties with neighbours, and therefore might need to be reviewed. Consideration was being given at this time to the future of all the semi-staffed units. On 4 March 1985 the meeting of assistant directors and principal officers had been invited by John Spurr, by this time its chairman, to discuss the matter in preparation for a report by the director of social services to the Committee on 29 April 1985.

**6.12** Before that meeting took place Brendan Sullivan, assistant director (finance), had paid a statutory visit to 245 Hartshill Road on 10 April 1985. The report of his visit was not produced to the Inquiry but it had raised issues about which Fred Hill wrote on 5 June 1985 to John Spurr, senior assistant director. One of the issues was about the level of staff left in charge of 245 Hartshill Road. Fred Hill reminded John

21 See appendix H.



Spurr that the area staff had been 'instructed' that the minimum level of 'cover' should be social work assistant level 2, and that social services aides should not be left in charge at any time'. He said that he had been assured by the area officer that this instruction was complied with at all times.

**6.13** Brendan Sullivan raised two other issues which were inter-related and also related to the forthcoming report of the director to the Committee. The first was what was referred to as the 'Time Out Area' which was another name which was sometimes used for the special unit. We do not know what Brendan Sullivan had said about this, but Fred Hill's comment to John Spurr implied that Brendan Sullivan may have thrown doubt on its future continuation. Fred Hill wrote that: 'I am not aware that the Newcastle Area have any plans to phase out this facility, and on the contrary, they appear to regard it as an essential part of their resource. As you are aware we have laid down guidelines in respect of this facility'. The second issue was about semi-staffed facilities about which Fred Hill reminded John Spurr, who had raised the general issue with senior staff in January 1985, that it was 'hoped eventually to phase-out the semi-staffed usage at Hartshill Road'. Brendan Sullivan may have commented on the state of the building because Fred Hill concluded his note to John Spurr by promising 'to visit the premises once again with the Building Inspector to see what improvements, if any, can be effected on the top floor of the building'. The top floor was where children's bedrooms were situated and where for a substantial proportion of its existence, the Pindown unit was also situated in a small flat formerly used by staff.

**6.14** Barry O'Neill, the director, had reported at the General Sub-Committee meeting on 29 April 1985 that many of the young people for whom semi-staffed units had been required, had moved on elsewhere and the need was no longer so great. He suggested that this provided an opportunity for redeployment of the buildings concerned. 245 Hartshill Road provided ten semi-staffed places, only six of which were occupied and 'in addition, these premises provide a base for a Community Services Team which organises a wide range of voluntary services in the locality providing effective support services towards preventative child care. Part of the premises is also used as an annexe to (The) Birches Family Centre for the occasional short term care of up to 4 children, and some intermediate treatment activity also takes place there'. The director told the Committee that the six young people in the semi-staffed accommodation were likely to move on and 'whilst the premises serve as a useful adjunct to the activities of the Birches Family Centre, I would like to keep in mind the possibility of finding another locality for these *mainly non resident functions*' (emphasis added). If that were possible, he would then wish to make further use of the residential facilities of the premises, '*possibly as a residential home for mentally handicapped adults*' (emphasis added). The final recommendation to the Committee was that '245 Hartshill Road . . . continue to be used for daily activities until alternative centres can be found'.

**6.15** The director's report made no reference to the special unit although the correspondence referred to above was continuing at director and assistant director level at the time of his report. Since Elizabeth Brennan was a member of the senior staff group which met with Peter Crockett, and later John Spurr, she would have known about the possible change of use of 245 Hartshill Road. Tony Latham, however, said, in evidence, that he had no knowledge that 245 Hartshill Road was being considered for another purpose and had not been consulted about it by anyone.

**6.16** The final item in the correspondence which Fred Hill had begun on 17 February 1984 and which had involved Peter Crockett, John Spurr and Elizabeth Brennan, was the director's response to Elizabeth Brennan's letter of 25 March 1985. It was drafted by Fred Hill and sent over Barry O'Neill's signature on 9 May 1985.<sup>22</sup> It only mentioned the dispute about whether a door between the 'unit' and the rest of 245 Hartshill Road should be locked or unlocked. The letter said: 'I note that the only point . . . you find difficult is the instruction (point 10) about the door in question'. The letter thus assumes the other nine points have been accepted. It continued: 'after further consideration . . . I am agreeable to the locking of this door by the use of the existing yale lock which will enable the door to be opened from the unit side as required but not from the establishment side'. Elizabeth Brennan was asked to ensure that the key to the mortice lock on the door was removed.

22 See appendix H.

**6.17** There was no further correspondence and the issue of removal of clothing and substitution of nightclothes or PE kit as a deterrent to absconding was thus left unresolved. Elizabeth Brennan did not seek any decision and the director's last words had enjoined her 'to attempt . . . not to use this practice pending further guidance'.

**6.18** Further re-organisation was going to take place in the child care service from 1 April 1985 when area officers (family centres) were to become area officers (children and families) and to be based in area offices instead of in the family centres. They also were to have responsibilities for field social workers amongst other additional work. This change was discussed in anticipation by the group of senior staff chaired by John Spurr. Principal area officers were 'advised to use whatever means was appropriate to recruit a team of casual staff in order to fill deficiencies' left by the withdrawal of the area officers from family centres. A list of volunteers was also to be prepared and arrangements made for clearance of their suitability for work with children.

**6.19** During the early part of 1985 the senior staff group chaired by John Spurr met five times in January, once in February, twice in March and on 1 April 1985. No further records of any meetings were produced to the Inquiry.

**6.20** Although the documentation of Pindown implied that children and young people would, in the main be held in the regime for short periods only, the records for 1984 showed that a significant number were involved for ten days or more and a few spent periods of time between twenty and sixty days in total. This pattern continued in 1985. It also became clear from the records of 1985 that some young people came into the regime in successive years as well as more than once in any one year.

**6.21** Several young people in 1985 not only went into Pindown more than once, but were in for quite long periods and had either been in during the previous year, or were to go in in subsequent years, or both. A boy, P. E. who was admitted from The Birches on 15 February 1985 provides an example. He was just fifteen years old and had already been in Pindown for two periods of twenty-four and four days respectively in November and December 1984. The preparatory instruction in the log book about his admission in February 1985 read: 'room to be stripped . . . of everything except sleeping bag'.

**6.22** P. E. was brought in at 3-15 p.m. by Philip Price. He had absconded from school and the decision had been made to re-admit him to the special unit. The entry in The Birches log book read that P. E. had been 'transferred to Maisie's welcoming arms if not charms!' The term 'Maisie' was derived from the maisonette in which the unit was located.

**6.23** P. E. was taken straight to his room and after tea, bathed and was in bed by 6-30 p.m. The next day, Saturday, he did school work in his room all day but was described as very unhappy and crying a lot. Log book entries in the following days record that he was talking in his sleep a great deal and talking to himself when awake.

**6.24** Louise Doherty (then Ogborne), the teacher at 245 Hartshill Road, described him towards the end of his first week as 'an immature boy of below average intelligence. . . appears to inhabit a world of his own . . . unable to face reality'. A few days later in the week ending 1 March 1985 she wrote again in the log book: '*another week of solitary confinement for (P. E.) has had some rather peculiar effects* (emphasis added). He is talking to himself a great deal and we had tears several times during the course of the week. Sleeping in staff also report incidents of (P. E.) talking in his sleep. He admits to missing his mother a great deal and constantly asks when he will be allowed to see her. . . . The pitiful part of it all is that he keeps doing silly things and blotting his copy book – but he can't seem to tie those incidents in with not being allowed any contact, freedom or privileges'. Amongst the 'silly things' he had done were calling out of the window of his room and banging on the bedroom door and walls in an attempt to communicate with two girls who were also in Pindown. His school work was not encouraging but the report said he had 'shown every willingness to do it' and 'obviously tries to do his best'.

**6.25** Later in March 1985 he was described as 'an affectionate child' who 'responds well to a degree of

care (coupled with control)', and Louise Doherty commented 'I now begin to think that P.'s emotional progress has been affected by a lack of self-confidence, as he responds gratifyingly to encouragement and praise'.

**6.26** By 8 March 1985 he had still not been allowed to see his mother, and was having tearful and hysterical outbursts, saying that 'he couldn't take anymore' and was 'terrified about his review'. After an appearance at a juvenile court on 29 March he was given a conditional discharge and allowed to go home, continuing to come for schooling to 245 Hartshill Road. On 5 April Louise Doherty once more reported, 'after his discharge P.'s behaviour changed quite dramatically. The quality of his work improved and he was bright and co-operative during the school day'. P. E. was in Pindown for forty-six days on this occasion and for a further period of fifty-five days during 1985, *a total over 1984 and 1985 of one hundred and twenty-nine days*.

**6.27** During March 1985 a fifteen year old girl was also re-admitted to Pindown. She was described by Louise Doherty as 'co-operative . . . helpful . . . lively imagination'. Louise Doherty later wrote that 'she seems to me to have fallen into a pattern of coming in and going out with little meaning being attached to why'. A truant aged just 16 was admitted on 8 March. The log book recorded that 'he was immediately stripped down to his shorts, isolated in his room and put on the basic programme'. He was discharged home on 12 March but by the last week of March was in Pindown again 'depressed and resigned'.

**6.28** The measures of control book for 245 Hartshill Road did not record the isolation or removal of clothes in these cases or any others. The entries were almost uniformly 'loss of privileges, loss of recreation, simple chores'. There was an occasional omission of one of the measures or a different order in the three entered. There were 1146 entries for 1985 relating to 26 children. They were entered under the headings of date, name of child, measure of control, by whom applied and by whom authorised. There was no column for information about why the measures of control were applied.

**6.29** Many hundreds of entries were made by Louise Doherty. Significant numbers were made by Jane Walton, Damian Doherty and John Aston. Small numbers were made by S. Lovatt, Glynis Mellors (then Bonnici), P. Hall, C. Taylor, Janet Daniels, Peter Nicol-Harper and J. Scott. There were some gaps in the signatures. Tony Latham made four entries and Philip Price one. In the column for the name of the person who authorised the measures of control there were some gaps and Tony Latham authorized his own and twenty-nine others. Otherwise the signature throughout was Philip Price's. The impression gained from many of the entries is that they were signed in batches, probably some time after the event.

**6.30** There were no records of statutory visits to 245 Hartshill Road between December 1984 and April 1985 amongst the reports produced to the Inquiry. We read reports of statutory visits to The Birches in January, February and March 1985. The impression gained by the visitors was that the children were well cared for though the physical conditions in the home showed the effects of high numbers and inadequate maintenance. There was recognition of the difficult task being undertaken. Entries under measures of control showed only four absconders in the three months and only three incidents of additional measures of control being used. By contrast the log book recorded several children being put into pyjamas for punishment or following absconding. These were not recorded in the measures of control book. One boy had been told that if his behaviour did not improve he would have to go to Duke's Lodge to work.

**6.31** It was also clear from other log book entries that Philip Price and occasionally Tony Latham were being used as disciplinarians. After a statutory visit on 19 March 1985 the visitor, Peter Warren, had stated that 'staff and building' were 'very well organised'. Further admissions from The Birches to 'Maisie' took place shortly afterwards.

**6.32** On 15 April 1985 a member of staff who was on night duty at The Birches expressed her feelings in the log book: 'tonight has been a total waste of time – its not human beings you want working here but morons who don't have hearts and are without feelings'. Children had been running in and out of bedrooms and the older children (some of whose names appeared later in Pindown) were behaving in an 'unacetable' (sic) manner. 'IN THIS BUILDING WE ARE NOT RUNNING A BROTHEL' she

wrote. 'Their language is gutterish and disgusting'. She recorded that she had had to ring Philip Price because a boy had a 'quite large dagger knife' which he refused to give her for safe keeping in the office until the next day.

**6.33** The next day, 16 April 1985, Philip Price wrote in the log book: 'I accept that two female staff on duty together is not a good idea, but occasionally it has to happen to avoid major rota changes. If staff are in a position to negotiate an alternative I would be more than willing to discuss and accept a compromise'.

**6.34** John Aston warned his line managers through the log book on 2 March 1985 that the group in the unit at 245 Hartshill Road was getting too big and was 'becoming a little pressure cooker'. Shortly after this date a boy attempted suicide and was admitted to hospital where he remained for six weeks. Later in the month John Aston put another warning in the log book – seeking to persuade colleagues to restrict access to the unit.

**6.35** Janet Daniels expressed disillusionment with what she described as the 'b' treatment she had been asked to carry out with one child. It 'has backfired' she said 'the whole exercise has been a total failure'.

**6.36** There were also several comments in the log book in April 1985 which gave staff reactions to Duke's Lodge and the children's involvement. On 4 April Graham Toplass took a girl to work there and later recorded that she 'worked well all afternoon cleaning out the chickens. Never complained (sic) about the smell (it was bloody awfull (sic)). After the chickens, she cleaned out the rabbits'. Several days later Louise Doherty took a group of young people there and later recorded 'the girls mucked out the chickens . . . D. and I cleaned the duck shed out (pooh!)'. During May Louise and some children cleaned up Duke's Lodge itself, made Tony a stew and fed the rabbits. The log book in May began to refer to visits to Duke's Lodge as 'day care' and 'evening care'. It also became clear from log book entries that visits there at weekends sometimes related to shortage of staff at 245 Hartshill Road.

**6.37** Most new entrants to the unit came after truancy or absconding but a girl was brought in on 18 April with the instruction 'she's not here for control. Having communication problems at foster home'. She was admitted, in fact, for assessment but she was immediately put on the same regime as others in Pindown and recorded in the same way on the day of entry in the measures of control log book. She was still retained on this basis on 3 May 1985 when John Aston wrote in the log book to Philip Price 'J.'s thought's and feelings what (sic) she wrote down opposite. Take the time to read them Phil!' She was still being retained on the 'loss of privileges, loss of recreation, simple chores' formula which was always entered in the measures of control log book. On 22 May she was described in the daily log book as 'very upset by what goes on in the unit' and wanting to get out as soon as possible. The measures of control log book showed that she remained on the 'loss of privileges etc.' for sixty-four days until 20 June 1985.

**6.38** During the time this girl was in the unit there were variations in the regime for her and she went out to some activities, but the staff records did not discriminate throughout the period, and she was, therefore, in the position of having to 'earn' basic concessions such as going out to a youth club even though she was referred for observation and assessment which was one of the functions of the family centres after 1 April 1983.

**6.39** There were two statutory visits to 245 Hartshill Road in June 1985, one by E. W. Roman, senior assistant, on 19 June and one by H. Miller, senior assistant, on 20 June. Mr Roman under the heading of control reported that there were no problems. Concerning the building he noted that 'the multi-purpose utilisation . . . put(s) an unusually heavy demand on the fabric and furnishing. . . . For this reason a much higher level of maintenance should be provided than . . . at present to keep up with noticeable wear and tear, which, quite unfairly, draws the visitors attention away from the valuable contribution the place makes to a section of young people and particularly in respect of local community collaboration'. Mrs Miller, under the heading of control reported 'numerous daily records of privileges withdrawn which involve six children. Aim of staff is to reinforce good behaviour so here is a simple reward/punishment system in operation to hopefully effect change in the children's pattern of behaviour'.

**6.40** One of the conditions which had been included in the director's letter of 22 November 1984 had been that there was to be 'a maximum of 4 children in the staff maisonette' i.e. the unit. Numbers in the unit began to rise at the end of May when there were five residents. By 6 June there were six. June 1985 was a difficult month in 245 Hartshill Road. John Aston spelt out 'that if (MJ) was admitted someone would have to move out', to Riverside. The mother of a girl who was 'on basic Pindown' called to see her and the log book recorded: 'Mum says she's schocked (sic) at how things are here. tried to explain that all we are doing is denying privileges so she won't be bad enough to come back.'

**6.41** It was also in June 1985 that Wade Rogers refused one boy contact with his mother and broke down a door behind which another boy was barricading himself. When the boy behind the door was found to be wearing his own trousers, they were taken from him. Wade Rogers recorded that 'C. said he had nothing to live for. Both children very upset (was it something I said?)'. The boy whose trousers were taken away from him ran away again the next day.

**6.42** On 8 July 1985 there was a starred entry in the log book which read 'Keep tidy. *Official visit* in morning Mr F. Hill'. Before that note the log book recorded that two girls had been transferred elsewhere in the building and 'Unit cleaned and locked up'. No record of Fred Hill's visit was produced to the Inquiry. On 24 July a statutory visit was paid by P. A. Wall, another senior assistant from headquarters. Under the heading of control his report was 'satisfactory' and in general comment he described 245 Hartshill Road as a 'hive of activity with this establishment playing a big part in the Family Centre concept for the Newcastle Area'.

**6.43** Throughout June and July 1985 there were many days when five or six residents were in the unit and by August the numbers went up to seven. They remained at five, frequently six and sometimes seven up till the second week in November when numbers dropped for the rest of the year to three or less.

**6.44** On 17 July 1985 the boy P. E. who had been in Pindown for forty-six days earlier in the year was admitted again. The following day Peter Nicol-Harper recorded that 'P. E. wanted sheets and his dressing gown. I refused'. Two days later on 17 June John Aston wrote in the log book about P. E. 'well (sic) can be said about this little runt has been said. He has done exactly as he has been told. Willing to complete anything you set. Either willing or to (sic) scared to say anything'. On 26 July a fourteen year old girl W. B. was admitted for a 'reception programme' which was described as 'negative programme though not too heavy'. There was a possibility that the girl might be pregnant. She was also asthmatic. Damian Doherty recorded that: 'she . . . claims to have asthma, cannot get her breath, need to clarify if she does suffer or if it is attention seeking. Excuses to come out of her room'. The log book records later the same day that W. B. was 'too upset' to eat. 'The young girl broke her heart this evening and later asked about how long she would be in here for.' The following day Damian Doherty recorded about W. B.: 'asthmatic again today after having to write about the problems with her family – poss. (ibly) stress related.' Being asthmatic she found it difficult to get to sleep. On 30 June, another member of staff recorded that 'she finally got off to sleep. Around 10-30 she was transferred across the other side because there was a possibility of (a boy) being admitted'.

**6.45** D. G. was brought in on 31 July 1985 by Graham Toplass who 'had to carry him to the car whilst he was screaming and . . . causing all the neighbours curtains to open. . . . He finally cried himself to sleep around 11-30 p.m. A fifteen year old girl was admitted on 10 August and Jane Walton recorded in the log book 'N. Q. . . . to have the "fear of God" put into her. No conversation with her at all – from us or kids'. Regarding the boy P. E. on 7 August 1985 his "programme" refers to "*punishment measures*" (emphasis added) . . . no TV – remain in bed . . . not to be allowed to look through window or talk to anyone'.

**6.46** D. G., who was frequently in Pindown from the age of just eleven years old, was 'very upset' on 12 August and doing 'a good deal of weeping and sobbing'. Over the next few days the following entries were recorded about him:

– 'he has drove (sic) me mad. . . . At 1-45 I lost my temper, he doesn't know how close to death he came. I don't think he likes me any more he won't answer or talk to me HA HA HA HA I will have to do it more often.'

– ‘HE NEEDS PINNING DOWN AGAIN’ (emphasis added).  
– ‘The same as always driving me mad. . . . If he plays is (sic) cards right I will swing for him never mind picking on him.’

**6.47** At the end of August and in early September 1985 ‘everybody off to Duke’s Lodge’ was a frequent entry.

**6.48** A fifteen year old girl, S. V., who spent many weeks in Pindown at various times and who had been described as an intelligent girl who saw little to look forward to in life, was described by Graham Toplass as ‘a pain . . . she needs something that we cannot give her here, like the biggest shock of her life’. The next day she cut her wrist: ‘Blood everywhere, soon setteled (sic) down when I told her it didn’t bother me what she did to herself. As (sic) been a pleauser (sic) to be with this afternoon.’ The same day the general situation in the unit could be seen through the entry Damian Doherty made before going off duty: ‘I’m glad to finish today – something must be done about the ratios (of staff) + numbers + people in this unit . . . its getting increasingly difficult to contain everybody here – What a bloody night!’

**6.49** The staffing problem was also referred to in an entry by Damian Doherty on 30 September 1985: ‘this place contains too many kids who are becoming more disruptive, rebellious, annoying, disturbed by the day. I had my worst night on duty ever. *A time bomb is all this place is becomming (sic). All I seem to do is contain to (sic) many kids, in poor ratio, in a small space! Narrowly avoided a full scale rebellion last night.*’ (emphasis added). The evidence in the log books sometimes indicated that staff were carrying out night sleeping in duty alone.

**6.50** In October 1985 John Aston asked for ‘programmes to be written out – is a must! Lots of confusion around the place’. A girl L. C. was coming in for ‘solitary’ to do ‘lots of very boring school work . . . to remain isolated till she goes home at 9 p.m.’ D. G. was brought back to Pindown ‘screaming’ again, having tried to dive out of a window to escape. He was put back on ‘full Pindown’ and work at Duke’s Lodge in between. Damian Doherty stated in the log book concerning a thirteen year old girl, C. A., ‘Pindown is doing her no good . . . I feel that it further upsets a deeply disturbed young lady and also confuses staff roles with her’. This girl, coming in for Pindown during the day only, graduated to residential Pindown. In the log book Jane Walton wrote: ‘Be nasty to her’.

**6.51** Duke’s Lodge was being used a great deal. A social worker complained to Peter Nicol-Harper that a boy for whom he was responsible was working too late at night at Duke’s Lodge to get to college on time the next morning. The same evening that this was recorded Tony Latham telephoned The Birches to say the boy would not be back from Duke’s Lodge till after 11-30 p.m. The programme for another boy, during October 1985, read: ‘Pindown – no – contact – schooling in his room or Duke’s Lodge *if Tony requires him*’ (emphasis added). By November this boy was working at Duke’s Lodge three evenings a week (‘evening care’) and all day Sunday (‘day care’) in spite of still being a schoolboy.

**6.52** During the last few weeks of the year one child was prevented from going on a visit home as a punishment, and also had to go to Duke’s Lodge though very unwilling to do so. Another child was referred to a psychiatrist, but she and another girl both took overdoses on the same day before there had been time for her appointment. Because of insufficient staffing someone on the staff had to be fetched from their home to stand in with one girl while the other was taken to hospital. The second one went later.

**6.53** At The Birches Peter Nicol-Harper who had worked there since 1983 and was later to return as team leader, left in September 1985 to undertake professional social work training. Jaime Rodriguez who in 1984 had been seconded for training returned, not to The Birches but to the area office. Numbers of children at The Birches had been falling during 1985 and there were no entries in the measures of control record when statutory visits were made on 30 September and 22 November 1985. On 20 December 1985 Mr D. Layton, a principal assistant, reported that ‘the general appearance both internally and externally has changed out of all recognition. . . . The policies followed by the Family Centre have resulted in a considerable reduction in the large number of difficult to place children which the centre was left with when it opened under its present function’.

**6.54** No reports of statutory visits to 245 Hartshill Road between 18 June and 31 October 1985 were produced to the Inquiry. The visitor on 31 October, D. J. Livingstone reported under 'Control' – 'Nil' absconders since the previous official visit and 'several entries of loss of privileges and recreation in line with Community Homes Regulations'. During the period between June and October 1985 there were 633 entries and even between the end of September and the end of October, there were 154 entries. D. J. Livingstone signed the book recording these entries on 31 October, the last entry for October. On 15 November I. D. Cunnett also paid a statutory visit and under 'Control' recorded 'no attempted absconding since last statutory visit'. During the interval between D. J. Livingstone's visit and I. D. Cunnett's one boy had in fact absconded. I. D. Cunnett also recorded 'numerous' additional measures of control, 'but all appear within guidelines'. The measures of control book had not been signed. The final statutory visit during 1985 was made by A. J. Brookes on 17 December. He recorded 'none' in relation to abscondings since the last visit.

**6.55** Also on the 17 December 1985 Jane Walton made an entry on a young boy, J. V., who was coming into Pindown daily because he was a problem at school. He was nine years old. She wrote: 'No problem. Did exactly what he was asked. Stayed in his room only coming out when given permission. However he was smiling on his way out to go home, so I had words with him and threatened to make him stay and do more jobs. He went home crying. Damian gave him a rollicking earlier on, and set him tasks. Consistent, firm, negative approach maintained'. Another day, this little boy was set to clean windows and polish woodwork. He was 'caught . . . playing with the spray . . . few choice words. Set him on writing the alphabet which he couldn't write (sic) it out. He can recite up to 'f' with difficulty'. Jane Walton took him home and was concerned that his mother did not put him to bed at once. She was warned 'to make it quick'. Following this, on another day, he managed to recite to 'k' but whilst cleaning the bathroom and dishes he was smiling again so Jane Walton gave him 'a few words about Santa forgets to call in the Pindown room. Look worried. Taken home. Mum sharp with him i.e. supper/bed soon'.

**6.56** During 1985, 22 children were subject to Pindown in 245 Hartshill Road. Some had been in Pindown in previous years and some returned subsequently. The figures below relate to 1985 only.

- The shortest single episode spent in Pindown was 1 day.
- The longest continuous episode was 84 days.

The total time spent by each of the 22 children in Pindown at 245 Hartshill Road was:

Length of time in Pindown	Number of children	Number of episodes
2 days	3	1 each
3 days	2	1 each
6 days	1	2 episodes
7 days	2	1 each
8 days	2	1 each
9 days	1	2 episodes
10 days	1	1 episode
11 days	2	1 each
21 days	1	2 episodes
23 days	1	1 episode
41 days	1	4 episodes
44 days	1	1 episode
48 days	1	1 episode
101 days	1	2 episodes
108 days	1	3 episodes
117 days	1	6 episodes

### (c) County Council Financial Policies

**6.57** The Finance and Development Sub Committee in Staffordshire met on 18 May 1984 to consider a

report on the county council's financial position for 1985/86 disclosing the 'serious situation which would develop in that year unless special efforts were made to curtail expenditure'.

**6.58** In preparing 1985/86 revenue estimates spending committees were to be asked to

- (a) make substantial reductions in their base budgets; and
- (b) limit the amount requested for development growth.

**6.59** At the social services committee meeting on 10 January 1985, the director of social services and the county treasurer presented a joint report concerning base budget reductions and limitation of new developments.

**6.60** Over the whole social services department in 1985/86 there was growth of £1.2 million, savings of £600,000 and net growth therefore of £600,000.

#### **(d) Social Services Re-Organisation**

**6.61** Paul Hudson, director of social services, took early retirement in February 1985 and Barry O'Neill, his deputy, was appointed as director.

**6.62** A major re-organisation within the social services department coincided with this change. There was no tradition of consultation with staff regarding re-organisations and very little, if any, took place in 1985.

**6.63** At headquarters Peter Crockett, who as assistant director from 1982 had combined the work of three assistant directors pre-1982, became deputy director. John Spurr, who in 1982 had become senior assistant director, remained in that post until 1986. Responsibility for individual client groups which in 1982 had been unified under Peter Crockett, in 1985 was divided again into disability services, services for the elderly, and children and family services, each under an assistant director. This specialisation corresponded with similar divisions into specialist groups outside headquarters. The direction of residential services, with the exception of family centres, remained at headquarters in the specialist groupings. Responsibility for family centres remained at principal area officer level. The assistant director for children and family services was Audrey Williams. Assistant directors had senior assistants responsible to them. One of these posts was filled by Fred Hill in the children and families group.

**6.64** At area level principal area officers had three area officers corresponding to the client group divisions at headquarters, and each of these specialist area officers was responsible for groups of social workers comprising a senior social worker and field social workers. There was also a juvenile justice co-ordinator responsible for a team of juvenile justice social workers.

**6.65** The area officer posts which from 1983 had been based on family centres were removed from the departmental structure. The area officers for children and families who took their place continued to have responsibility for the family centres and other children's residential care units, but were based at area offices and held the wider responsibilities described above. Elizabeth Brennan continued to be the principal area officer for the Newcastle-under-Lyme area. Tony Latham, formerly area officer (family centre) became area officer (children and families). Philip Price remained, until he went away for social work training, as team leader in the family centre.

**6.66** The way in which the department was being re-organised resulted in what was described in the notes of a meeting of assistant directors, principal area officers and senior assistants on 25 February 1985 as a 'wide overlap between the problems of individuals and the pattern of care established within an establishment which function was the function of central office staff'. This overlap was the subject of considerable discussion and potential difficulty. Central office remained responsible for appointments of staff, emergency cover and the emergency duty team. Areas were responsible for social work with clients, but expected to offer 'interest and associated involvement' in residential establishments, and similarly in the appointment of staff by participating in interviews.



**6.67** Training matters were to remain the responsibility of the senior assistant director in liaison with the training officer. Area officers were to consult with the senior assistant director who would initiate agreed courses.

**6.68** Riverside (a community home with education) had had some further reduction in numbers of beds from 75 to 50. It had also been intended to open two small secure units within it. In 1985, at the 19 February meeting of the Social Services General Sub-Committee, it was decided not to do this because of lack of funding to bring them up to the standards required by the Secretary of State for approval. Two of the posts which had been allocated for the secure units 'as a consequence of the re-organisation of the department' were to be used to establish 'posts of Rehabilitation Co-Ordinator to develop services for children moving back into the community from Riverside or other residential homes'.

**6.69** The semi-staffed residential units in Stoke-on-Trent and Newcastle-under-Lyme were reviewed for the Social Services General Sub-Committee on 29 April 1985. A number of changes were made in the use of units no longer needed for young people and further possible changes were recorded for review at a later date.

#### **(e) The Career of Tony Latham**

**6.70** During 1984 further re-organisation of child care services was planned and eventually implemented on 1 April 1985. Area officers (family centres) were to cease to be based on the family centres and instead to be based in the area offices taking on at the same time increased and more widely based responsibilities. Their title was to be area officer (children and families). Tony Latham had received a letter from the director of social services on 16 November 1984, offering him the new area officer's post for the Newcastle-under-Lyme area. If he accepted the post his new duties were 'to participate in the management of the department's activities in that . . . area . . . to take a particular responsibility for the service to families and children . . . (to) be a member of the principal area officer's management group and . . . to establish a management group involving officers in charge of residential and day care establishments and senior field work staff in your special field of activity'. He was also to be involved in conjunction with the principal assistant responsible for health service contacts in social services central office, in liaising with health authorities in the Newcastle area in relation to family and children's services. In due course Tony Latham accepted the post which took effect from 1 April 1985.

**6.71** The responsibilities of Tony Latham's new post were much wider than his previous one, and involved areas of work in which he had no experience. It required not only the full-time commitment expected in a full-time post but until new experience had been gained to match new demands, it required extra commitment. At the same time the range of staff expecting leadership and supervision was both wider and more senior than in his previous post.

**6.72** By 1985 Tony Latham's own house, Duke's Lodge, had become 'almost entirely turned over to projects'. He described what took place: 'the vehicles were largely kept there and repairs carried out there . . . various equipment was moved (there). . . . When the Longton Volunteer Centre closed, the people working there – The Clerical Group and The Task Force were divided between Duke's Lodge and Hartshill Road. There was a big increase in the YTS operation in 1984, 1985 and 1986.' His 'front room' was used for daytime meetings, an upstairs bedroom was occupied by a team of five people running YTS schemes who came in at 7.30 a.m. Another bedroom was used for papers and filing cabinets. Downstairs there were five desks, and training sessions for YTS and The Community Programme took place, and the kitchen was a 'free for all'. A portacabin and a mobile caravan were in the garden. Tony Latham worked very long hours and he carried out his 'voluntary' work at home, both before and after his paid employment for Staffordshire.

**6.73** During 1985 Tony Latham increasingly involved children and young people from 245 Hartshill Road with Duke's Lodge. Log book entries record this on many occasions. It is also clear from some of the entries that boys and girls were working to a significant extent though the terms 'day care' and 'evening care' were used. Some received payment; some received small sums of pocket money; some

received no money. It is also clear from log book entries that there were occasions, particularly at weekends, when parties of children went to Duke's Lodge at least in part because the staffing situation at 245 Hartshill Road was not viable for them to stay there. The hours they were there, some of them undoubtedly for work, were a minimum of three hours in the evenings and six hours on Saturdays and Sundays, sometimes longer.

## Chapter 7: 1986

### (a) National Events

7.1 Accompanying the Secure Accommodation (No. 2) (Amendment) Regulations 1986 was a publication, 'Secure Accommodation for Children and Young Persons – Guidance for Local Authorities' – Department of Health and Social Services Inspectorate 1986: CI(86)8.

7.2 Although focussed on practice in relation to the use of secure accommodation, the contents of the Guidance for Local Authorities contained much that was directly relevant to the care of children and young people in Pindown in Staffordshire.

7.3 Within the physical security of an *approved* secure unit for example the document made clear the importance of the following: an adequate quality of life; the damaging effects of isolation; and the developmental needs of children for companionship of other children, for education, recreation, choice in their environment as far as possible, personal possessions and interesting food attractively presented.

7.4 It was also stressed that active intervention in terms of counselling should be available so that the child is 'helped to make sense of his experience'. Other important issues discussed were the quality of social work practice in assessments and decision making; joint decisions between field and residential staff adequately monitored by senior specialist staff; the need for practice to be child focussed avoiding a rigid, punitive and impersonal approach; the importance of understanding that a child's view of his behaviour may be very different from an adult view, combined with 'adequate knowledge of human growth and development' and 'normal' behaviour.

7.5 In relation to emotional needs the guidance drew attention to 'the sense of loss, isolation and powerlessness which accompanies placement in a secure unit' . . . which combined with 'pre-existing emotional difficulties and the feelings engendered by being closely confined may lead to an overwhelming sense of despair and a lack of trust in others'.

7.6 The NHS Health Advisory Service also published a report in 1986 on services for disturbed adolescents. ['Bridges over Troubled Waters' – March 1986] The group responsible for the report represented health, education and social services. They consulted widely, took evidence from many organisations and individuals and visited centres of various kinds in England, Scotland and Wales. Amongst the many issues relevant to the care of adolescents which they discussed, three in particular were relevant to the subject of the Inquiry. They were punishment and control, complaints procedures and information. In Paragraph 5.21 in relation to punishment and control they argued that in all institutional settings for children and young people there should be a general prohibition on 'inhuman and degrading treatment' as well as specific prohibitions on such 'inappropriate sanctions' as physical punishment, deprivation of food and drink, limitations on access to parents, relatives and friends, imposition of particular dress codes or uniforms, the use of drugs as a restraint, physical restraints or seclusion'.

7.7 The report argued also in Paragraph 5 in relation to complaints procedures and information that in all institutional settings for children and young people there should be 'well publicised complaints procedures, containing an independent element'; and that all young people should be given 'a handbook setting out clearly their rights, any specific rules of the institution, and how they should set about making a complaint'.

### (b) Staffordshire and its Social Services

7.8 The first entry in the measures of control book for 245 Hartshill Road was on 14 January 1986 when two fifteen year old boys were admitted to the unit.

7.9 On 16 January when a statutory visit was paid to The Birches there were only seven children resident.

7.10 Organisational problems were continuing at 245 Hartshill Road, and there were log book entries, as in previous years, calling attention to shortages of many staple commodities.

7.11 Early in January there was the first mention of provision of a home tutor, for a boy, P. E., in constant difficulties in relation to education. She gave him a calendar for his room. A staff member wrote 'he's so pleased. It's sad that he can be so chuffed over such a little thing, poor kid'. The same boy was reluctant to go to Tony Latham's home, Duke's Lodge, to work so he locked himself behind the doors to the boiler room. When he refused to open the doors they were kicked in by one of the residential staff, and he then had to go to Duke's Lodge. The log book recorded 'HE HAD NO CHOICE!' His programme stated 'To go to Duke's Lodge as and when required.' In addition he was put on 'a heavy chores programme' to 'continue indefinitely (sic)' until Glynis Mellors decided otherwise.

7.12 Although Glynis Mellors was taking a major role in relation to some children at this time, she was asked by Elizabeth Brennan to move to Duke's Lodge in January 1986. The North Staffordshire Voluntary Project which oversaw the running of nineteen voluntary projects set up by Tony Latham needed work to be done on its accounts and organisation. From January 1986 for most of the year Glynis Mellors was less involved in Pindown, but she continued to do residential work at The Birches for several months and her name or signature appeared on various programmes for children at 245 Hartshill Road.

7.13 In February 1986 more than two years after the 'special unit' started, a cook was appointed at 245 Hartshill Road and daily deliveries of milk and bread were at last arranged.

7.14 John Spurr reported to the director of social services on 27 February 1986 following a statutory visit to The Birches. At that time there were nine children accommodated, four adolescents in the main building and five younger children in the former staff house. He wrote that: 'the splitting up of the age groups (has) given the staff an opportunity to work more positively with the separate groups of children.'

7.15 By contrast the wear and tear on 245 Hartshill Road was considerable and in March 1986 a homes adviser had spent 'Christmas shopping money' to replace seating in the TV lounge, to buy some bedroom furniture and extra laundry equipment. Commenting on her report Fred Hill, senior assistant, wrote that 'this building continues to take quite a hammering because of the extensive use . . . despite the total lack of domestic hours conditions appear to have improved.'

7.16 The same month, on 20 March 1986, Brendan Sullivan, assistant director (finance) paid a statutory visit to 245 Hartshill Road. Since his last visit redecoration work had been carried out and it was 'not the slum it was this time last year'. He thought that the home gave a favourable impression in terms of level of activity and the use to which it was being put.

7.17 Brendan Sullivan commented particularly on two aspects of the residents at the home though he said he 'did not enquire other than with superficial comments as to what was going on'. The first aspect was *'the use of what was described as a 'pindown' unit. Essentially this was one room in which one child was kept isolated (but the room was not locked) from the rest of the establishment to give him time 'to consider'.* When I called the one boy in this room was working quite happily it appeared on homework. A member of staff is stationed in the office adjacent to this room and can keep an eye on any visits to the boy or his movements out of the room' (emphasis added).

7.18 The other aspect on which he commented was 'a mother and baby (who) were resident at the Home'. At the time the mother was out at work and the baby was being minded by a volunteer. Brendan Sullivan commented that 'I am not clear about the exact status'. His overall impression of the home was 'favourable' though 'some of the activities did appear to be none-routine!! (sic)' When the report of this statutory visit reached the District Advisory Sub-Committee there was no mention in it of 'Pindown'. Brendan Sullivan had also commented that on measures of control: 'a considerable list of detailed loss of privileges were recorded'. The report to the District Advisory Sub-Committee stated that 'the control over the children at the establishment again seems to have improved since my last visit children seem to be taking more care of their surroundings.'

**7.19** Admissions to the unit at 245 Hartshill Road continued during 1986. In mid February there were eleven young people in all, some in the unit itself, and others in the rooms on the landing nearby. A boy whose foster home had broken down was brought in; an eleven year old boy who had been on a form of daily Pindown, returning home at night, was brought into residence for a 'contemplation retreat . . . in Pindown room'. Two adolescent girls, one asthmatic and the other with the instruction 'not to be treated harshly' were admitted in March 1986. The second girl was described by a member of staff only a day later: 'this place is really cracking her up so I relented and joined the softly, softly approach.'

**7.20** In early April 1986 a boy who was almost thirteen was admitted at his own request according to the record. The log book instructed 'start Pindown . . . no calls, no visits, allowed clothes and shoes, no school work, to have a few days to think about things.' He had a history of absconding and 'was weepy on admission . . . obviously re-thinking his ideas of care. MR LATHAM SAYS FIRM PRESSURE.' A week later he was recorded as 'not enjoying a "negative" approach.' After another week the log book recorded about this boy 'still shell shocked. I think he will be glad to get home.'

**7.21** A thirteen year old boy who had already been in the 245 Hartshill Road unit before was there again in May 1986. He ran away and was to be put on 'STRICT PINDOWN' when he returned. He telephoned wanting to know if he could return and what would happen to him if he did. He was told that this was not known but that it was all right for him to return. The log book entry continued, 'HA HA HA. He returned 5-05 put him in back bedroom. He had a temper tantrum throwing things about (soon put a stop to that) Dose (sic) not know what he's done wrong. IS HE THICK?' The same day two hours or so later the log book recorded, 'asked for a drink – but sleeping brats don't need drinks – (therefore) guess the reply?'

**7.22** In early June 1986 the same boy was in Pindown again 'until further notice'. His Sundays were spent at Duke's Lodge. In July he was still at 245 Hartshill Road and one of the staff recorded that 'he is at times very trying. If he was a horse we would have shot him by now.'

**7.23** The fourth Pindown document, a copy of which appears in Appendix F as number 4, originated some time after July 1986 as part of a report entitled 'Intermediate Treatment in Newcastle, Staffordshire – Evaluation Report'. The report covered the period from August 1983 to July 1986 and was written by Glynis Mellors (then Bonnici), intermediate treatment manager. She told the Inquiry in evidence that she was asked by Tony Latham to prepare the report for Elizabeth Brennan. 'I wrote it and then it would go for approval to Tony Latham.' She did not remember whether he had amended it but she agreed she had approved of the final version.

**7.24** Tony Latham, in evidence, said that the report was written 'if I remember rightly, because we were at a point where we were . . . fighting for resources in the Newcastle area . . . it was a . . . document which was used to try and increase that resource provision, . . . it was designed to give Liz a full picture of the overall intermediate treatment resources, and that means how we were using Glynis as well . . . part of Glynis's role . . . was in the Pindown type of regime.' He agreed that he had approved the document.

**7.25** A section of the main report was headed 'Intermediate Treatment – Preventative and Rehabilitation Work'. It first relates intermediate treatment to the re-organisation of the child care system in Staffordshire and to 'the ethos behind the Family Centre concept'. Arguing that in the past aspects of the child care service had been looked at 'in too much isolation' the document goes on to explain that a 'decision was made to treat both cause and effect simultaneously, not only from within the Community but also from within the residential setting'. It asserted that 'each child had similar problems giving rise to similar effects but the causes were identified as being different'.

**7.26** It explained that complex individual programmes and contracts were drawn up 'to re-introduce both child and family into an acceptable environment from which both could operate effectively'. To do this the programmes had to be removed to a setting 'equiped (sic) and designed to cater towards a resolve, as opposed to operating from a general base where specialist work was impotent'. The reasons why specialist work was 'impotent' in a general base were held to be:

- (a) lack of uniformity of approach;

- (b) demands and interruptions of other children's needs;
- (c) adverse effect of more difficult children on others.

7.27 To achieve the objective outlined above 'a unit was set up detached from the main part of the residential building based at 245 Hartshill Road'. Initially it was referred to as 'the special unit'. At the time when Document 4 was written it was known as the 'Intensive Training Unit'. The instruction in Peter Crockett's letter to Elizabeth Brennan of 22 November 1984 that the terms 'special' or 'intensive' were to be discontinued seemed to have been either not known or overlooked.

7.28 The unit in 245 Hartshill Road, the report continued, 'soon became recognised as the place where problematical children were placed. Being totally isolated and self contained it enabled its residents to be observed, assessed, appraised and programmes developed. *Above all, it enabled at times hard line punishment and reward tactics to be adopted without influence, prejudice or inconsistency* (sic)' (emphasis added).

7.29 The report claimed that as the 'radical' practice of preventative and rehabilitative work was acknowledged, demand for it grew. Sometimes a family would be catered for, if interaction between parent and child needed to be assessed. Sometimes the unit was used as a 'crash pad'. The report stated that: 'it was and still is a pliant and very important tool to use in many cases'.

7.30 Contracts and programmes for children were 'devised as a result of combined expertise and experience from the area officer, team leader and intermediate treatment manager'. [Tony Latham, Philip Price and Glynis Mellors.] The term 'contract' was defined as 'a framework of criteria laid down by which the individual needs to operate to succeed'.

7.31 The report argued that preventative and rehabilitative work should not be used 'solely at the point of crisis' but that 'steps should be taken well before this point to enable problems to be nipped in the bud'. '*Contracts and programmes would denote punishment and rewards*, immediate courses of action, specific goals, specific expectations, specific sanctions, time limits and controlled disciplines to be enforced by the appointed person. *This enabled sanctions to be exercised . . .*' (emphasis added).

7.32 An essential element in the work described in the document was that '*care is presented as a totally negative experience*' (emphasis added). It was linked in the argument with 'negative I.T.' Intermediate treatment, it argued, offered positive or negative experiences. Positive intermediate treatment was 'all the "nice" things – holidays, camps, visits to places of interest etc.' Negative intermediate treatment was 'ensuring the participant clearly identifies, comes to terms with and works through his problems and is not allowed to take the easy way out.'

7.33 Examples were given in the report of 'Intermediate treatment residentials'. One girl admitted to the Intensive Training Unit had a 'programme . . . structured on what was called a 'heavy pin down', her only privilege being that of being allowed to attend school'. Another girl was in 'intensive Pindown as a result of constant absconding from the Birches Family Centre, expelled from school, permissive (sic) behaviour and theft'.

7.34 In order to promote understanding of what the author of the report and her colleagues were offering, the report stated that meetings had taken place with local magistrates, and that not only were individual children's contracts and programmes drawn up for juvenile courts, but also for the social services department, the probation service, parents and schools.

7.35 'Weekly reviews with the family and/or the individual appraised and evaluated progress and if necessary new criteria were introduced.' Many meetings were held in the evenings to enable parents to participate. Children 'earned' benefits and privileges 'away from the scenario of care' which at times of dispute at home, it was suggested, could appear to be a 'glamorous (sic) option'. To counteract this, as stated above, 'care is presented as a totally negative experience'.

7.36 The programmes were recorded in duplicate note books with a page for each child. A number of these books were produced to the Inquiry. Programmes from 7 August 1985 – end of December 1986 were examined. There were 272 programmes, or revisions or confirmations of existing programmes. They had been produced as follows:

Tony Latham	—	none
Philip Price	—	34
Glynis Mellors	—	17
John Aston	—	52
Louise Doherty	—	18
Damian Doherty	—	8
Jane Walton	—	3
Janet Daniels	—	1
Jean Scott	—	1
Unsigned	—	138
Total		272

7.37 A number of the unsigned programmes included decisions to put a child in 'basic pindown' which involved isolation, and on occasions substitution of night clothes or PE shorts for the child's own clothes. An example of an unsigned programme was one on 11 February 1986: 'A *very negative* experience of care required for D.

1. Rise at 7 a.m. Bath  
Bed at 7-30 p.m. after a bath
2. No contact with other residents
3. No privileges
4. No smoking
5. No phone calls
6. Not allowed out of room
7. To knock on his door if requires staff attention
8. Will *not* go out to school for the rest of the week possibly.'

For the same boy on 3 March another unsigned programme states 'Total pin down procedure. Not allowed out of room even to complete any chores. A hard lesson is required for this young man.' Another unsigned example dated 25 September 1986 states

'Basic programme  
Bedtime 7 p.m.  
Rise 7 a.m.  
Bath – morning, night  
No other contact with other residents  
All meals to be taken in room  
No visitors  
No phone calls.'

7.38 The document gave examples of reports to juvenile courts on children who had been involved in the programmes and contracts. One of these related to a boy who had been in 245 Hartshill Road in 1984. The magistrates were told that 'at the beginning of the programme T. was schooled in *our Education Department*' (emphasis added). At the time this boy was at 245 Hartshill Road, Louise Doherty (then Ogbourne) was facing the problem of setting up a schoolroom. She told the Inquiry that 'when I started off it was made clear to me that there was no budget for it at all, and there certainly wasn't. . . . I didn't have a pen. There were . . . a few textbooks, but they were very antiquated, . . . I had no resources at all. So it was very, very difficult for me to work'. She said that there was no communication with the education department concerning the classroom: 'because it (the unit) wasn't recognised'.

7.39 During the summer months of 1986 statutory visitors reported that The Birches remained under-populated to the benefit of the children who were there. Discussion however, was going on about the relationship between The Birches and 245 Hartshill Road. Fred Hill visited 245 Hartshill Road on 29 July 1986 and reported that there was still heavy wear and tear at this establishment. Under general

comments he said 'most of the Family Centre work is still based at Hartshill. Apparently following recent contact between Mrs Brennan and Mr Spurr, Mr Spurr has agreed to discuss with the Director on his return from holiday'.

7.40 Eileen Robinson carried out the August statutory visit to 245 Hartshill Road and reported as follows: 'pending a decision at Central Office this establishment is continuing to operate as the "headquarters" of the Family Centre, with the staff house at The Birches providing for younger children'. Some rethinking was going on and she suggested that 'it may be that alternative proposals will emerge which will involve bringing The Birches back into use for younger children.' A note was written on this report by John Spurr saying that since Eileen Robinson's visit Elizabeth Brennan had confirmed that The Birches 'is reinstated as the Family Centre and the former staff house is not at present being used for residents. There are still some details to settle about some of the uses made of 245 Hartshill Road, but *its primary use has reverted to semi-staffed for older children*' (emphasis added). Written in a different hand and unsigned there is also a note in capital letters saying 'The Birches is the Family *Centre*.' The reports of these statutory visits which went to the District Advisory Sub-Committee contained none of this information. There was also no mention of the 'Intensive Training Unit' in any of the reports.

7.41 In September 1986 Philip Price was seconded to undertake social work training in Wrexham. He was not then involved with 245 Hartshill Road or The Birches for the next two years. It had been intended that he should commence his training in 1985 but he believed there was 'too much to be done' at that time and it was deferred. When he finally went he told the Inquiry he felt he was 'burned out' by the excessive hours of work which he had done in the preceding three years.

7.42 The statutory visit to 245 Hartshill Road on 30 September 1986 was carried out by M. D. Willis, a senior assistant, who in noting '18 instances of children losing privileges and suffering minor sanctions' since the last official visit, pointed out that 'the measures of control book has no column in which to record the reason'. In this instance the report to the District Advisory Sub-Committee added new comments. It said 'that a widely used resource is the provision of family meetings to examine the tension of family dynamics. In conjunction with contractual work, these resources have been key factors in helping to prevent children from coming into care.' This visitor had also noted that the staff day room was 'no more than a broom cupboard'. This comment did not reach the committee.

7.43 The last statutory visit in 1986 of which a report was produced for the Inquiry was carried out by Mrs M. Jupp, a senior assistant, on 20 November. She noted under measures of control that since the last visit sixty measures had been recorded as 'all loss of privileges and entered each day imposed (sic)'. Only five of the statutory visitors during 1986 signed the measures of control book. The signatures were in April, May, August, September and November.

7.44 Glynis Mellors had been moved to work at Duke's Lodge in January 1986. In her written statement to the Inquiry she indicated that she knew Duke's Lodge through her job as intermediate treatment manager. By 1986, she said that it had 'turned into a dilapidated area. A variety of equipment was stored there, YTS trainees, Community Programme trainees and volunteers were accommodated . . . Social workers would borrow minibuses to transport kids every day of the week . . . the phone never stopped ringing.' She often worked there at weekends as well as long hours during the week. She said that she got very frustrated at the conditions of work ' . . . I had to go through pools of mud to get to my office and frequently had chickens flying at me'. She wrote to Elizabeth Brennan on 31st October 1986 and in consequence was moved back to The Birches, initially for six months.

7.45 Glynis Mellors was upset by the way in which her request was considered. She felt that it was seen as an opportunity to reduce costs whereas she herself had put in 'literally hundreds of hours of overtime with no thanks or recognition'. She believed that the social services department was happy to benefit from the additional resources which she and Tony Latham were making available, but 'were not prepared to make more than a token gesture to fund those resources'.

7.46 Glynis Mellors moved back to The Birches on 10 November 1986 where she continued to run the



YTS scheme and also the accounts of all the nineteen companies within the North Staffordshire Voluntary Project. She remained at The Birches until she moved back to Duke's Lodge in May 1987.

7.47 During October 1986 the log book at 245 Hartshill Road was used as a means of proposing the conversion of a sleeping in room into an office for the staff. Jaime Rodriguez, who by this time had returned to residential work again, promised to take the idea to Tony Latham.

7.48 The Birches still had a very small group in residence, but 245 Hartshill Road was so full that residents were subjected to more than usual bed moving, room changing and consequent lack of security. A member of staff wrote about one boy, 'this poor lad does not know if he is coming or going. We will have to find him a bedroom. The times I had to disturb him during the night because he is sleeping on the landing floor is past a joke.' The next day another member of staff was also moved by his plight: 'very fed up with the isolation bit and very down about sleeping in the corridor'.

7.49 John Aston, on 1 November 1986, referred in the log book to the arrival of a new boy on 2 November. It was not clear at that point whether he would be residential or coming in by the day. His future activity, however, was already decided. It was reported that Tony Latham required him 'to wash, scrub clean 1000 plant pots. To be done in middle laundry. . . . D. can go home when they are all done perfect. Restacked in the hall ready for collection.' In the middle of this log book entry the following sentence appeared 'If he (D.) doesn't come in then T. to do them'.

7.50 Two more boys came in during the next few days and by 7 November the log book contained a complaint about high numbers and the need for more support. The following day, a Saturday, the member of staff telephoned Tony Latham 'to see if he could send some work to keep T. and D. fully occupied. He suggested boxes of nuts, bolts and screws to be brought up from The Birches to be sorted out into appropriate piles.' The same day the log book also recorded that a boy C. had *not* gone to Duke's Lodge because '*Tony does not need him*' (emphasis added).

7.51 On 11 November 1986 a boy who was in Pindown on a number of occasions was in again: 'here for tea and *punishment*. To eat in front pindown – no contact with any other lads. *Dirtiest, messiest jobs*, he is not to stop until 7-30 p.m. (except for tea)' (emphasis added).

7.52 Early in December 1986 two teenage girls were admitted to Pindown. A member of staff recorded about one of them, 'this young lady came in on her high horse she soon climbed down when she found out what was in store for her'.

7.53 During 1986, 27 children were subject to Pindown in 245 Hartshill Road.

– The shortest episode was 1 day.

– The longest continuous episode was 37 days.

The total time spent in Pindown in 1986 at 245 Hartshill Road by each of the 27 children was:

Length of time in Pindown	No. of children	No. of episodes
1 day	1	1 episode
2 days	2	1 each
3 days	1	1 episode
4 days	1	1 episode
5 days	1	1 episode
6 days	3	1 each
7 days	1	2 episodes
8 days	2	2 each
9 days	1	2 episodes
10 days	2	2 each
11 days	1	1 episode
12 days	2	1 each

Length of time in Pindown	No. of children	No. of episodes
16 days	3	{ 1 child – 1 episode 2 children – 2 episodes each
18 days	1	
20 days	1	
21 days	1	
35 days	1	
37 days	2	

#### (c) County Council Financial Policies

**7.54** The director of social services and the county treasurer again presented a joint report to the Social Services General Sub-Committee on 29 November 1986/7. The county council Policy and Resources Committee had set financial guidelines for spending committees. Over the whole social services department in 1986/87 there was growth of £1.2 million, savings of £800,000 and net growth therefore of £400,000.

**7.55** In the development proposals put to the committee the only item specifically relating to child care was the appointment of clerical staff in relation to a child abuse review. In the 1986/87 estimates, compared with 1985/86, field social work showed some increase; family centres, long stay community homes and semi-staffed units showed either no increase or a slightly lower figure than the previous year; and intermediate treatment showed a very small increase. Boarding out expenditure remained almost the same as the previous year and preventive and support services were identical.

**7.56** The savings which had to be made were eventually achieved 'for the most part by transferring responsibility for the payment of individuals in private and voluntary residential homes from the county council to the DHSS.' A witness told the Inquiry that it was fortunate that this opportunity was available; otherwise the situation would have meant not standing still but making substantial cuts.

#### (d) Social Services Re-Organisation

**7.57** A major departmental re-organisation had taken place in 1985 and no further large scale re-organisation was currently being planned in 1986.

**7.58** Changes likely to affect the rest of the residential child care service were, however, being considered in relation to Riverside (community home with education). The director of social services presented a report to the Social Services General Sub-Committee on 24 September 1986.

**7.59** Staffordshire had, before 1981, had three community homes with education on the premises, totalling 186 beds in all. In 1981 two were closed and Riverside was adapted to provide 75 community home with education places, and a 25 place observation and assessment unit. In 1983 the community home with education was reduced from 75 to 50 places and observation and assessment increased from 25 to 28 places.

**7.60** Since 1983 there had been a steady decline in numbers of residents in the long stay part of Riverside. During 1986 numbers had fallen as low as 20 and were 27 at the time the report was written. In the observation and assessment unit, however, there had been continually full occupation and greater demand than could be met. At the same time, the director reported, 'there are a number of children and young people who cannot be managed in the family centres, or in the community, and who need a period of residential care in a structured, controlled setting.'

**7.61** Riverside was 'at a crossroads'. It cost almost £1,000,000 a year to run and field social workers had expressed a preference for its functions to be carried out in small units located in centres of population.

**7.62** The director, however, felt its extensive facilities would be difficult to replace and was therefore proposing that it should be retained but operate on a different basis. His proposal was for a 50 place residential unit for girls and boys 'requiring assessment, care and treatment which the area child care services may be unable to provide. 'The purpose of the unit will be to give comprehensive assessment, care and treatment on an individual basis to delinquent anti-social and disordered girls and boys in the 11-17 years of age group who cannot be managed in more open settings.' A decision had been made in 1985 not to open the two secure units formerly planned for Riverside: see Chapter 6. para 6.68.

**7.63** The aim of the unit, according to the director, would be 'to achieve stability and progress in the behaviour of children and young people'. The staff structure for 50 children and young people in such a unit was to consist of six teachers and twenty-eight residential staff of whom one was on a high salary grade and would be in charge but sixteen would be on salary scales which were unlikely to attract either experienced or qualified staff. A relatively small domestic staff and a small office group were to complete the establishment.

**7.64** In recommending this re-organisation of Riverside the director told the committee that it was intended 'that the proposed changes will provide the foundation for creating a skilled source of help for difficult young people and their families, which the area social work staff will find positive and imaginatively responsive, while also producing considerable savings on current costs'. He did not explain how the observation and assessment demand, 'greater than (Riverside) can meet' would be provided in conjunction with the kinds of care outlined above, particularly taking into account that the full use made of the observation and assessment unit was due to the numbers of children and young people remanded by the juvenile courts.

#### **(e) The Career of Tony Latham**

**7.65** Tony Latham had worked closely with Peter Crockett, currently deputy director of social services, when he was a social worker in Longton and Peter Crockett was the principal area officer for Stoke-on-Trent. During that time Peter Crockett had actively encouraged Tony Latham's promotion of intermediate treatment and associated activities. When Peter Crockett became assistant director (service delivery) he continued to take an interest in Tony Latham's work.

**7.66** Elizabeth Brennan, principal area officer, was Tony Latham's line manager in Newcastle-under-Lyme from 1 April 1983 and he was one of her most senior members of staff. Particularly when the changes were made in the responsibilities of area officers, Elizabeth Brennan and Tony Latham worked closely together.

**7.67** Peter Crockett as assistant director (service delivery) had an overview of what was going on at field level throughout the department and admired what he saw as Tony Latham's initiative and energy. Elizabeth Brennan told us that 'Mr Crockett was the one who used to suggest to the other area officers that they should be as enterprising as Mr Latham.' Tony Latham was aware of the differences between his own situation and others in relation to senior managers. He told the Inquiry that whilst it was unusual for staff at his level to have access to senior managers, the sort of work he was doing constantly brought him into touch with them. When, for example, he was asked to develop intermediate treatment all over the Stoke-on-Trent area he became involved with managers other than his own and he told us that he got 'sucked into the next tier of management', partly because of the 'conflict between areas and divisions, and not a lot of working together between one area and another.' He added that 'as soon as somebody crosses that border, which is what my work invariably did . . . then somebody else over and above them used to have to intervene to sort out my position, which is where I got involved with Peter Crockett.' Later, he believed that, 'there was always a lot of confusion between John Spurr's role and Peter Crockett's role', and he was aware that this caused frustration to some senior managers. With reference to tasks he undertook at the request of senior managers both before and after 1983, he told us that he never received even a temporary upgrading nor any additional status to handle the people and problems involved.

**7.68** Elizabeth Brennan became anxious and critical regarding the conflicts created by the demands on

Tony Latham. His new area office post had increased his responsibilities considerably and separately he was personally involved and playing a key role in the decision making in a large network of diverse activities, projects and businesses. She was aware that he was working extremely long hours. She and Peter Crockett had a discussion with Tony Latham about this and she expressed the view that his area responsibilities were suffering as the result of his other enterprises. After the meeting she decided to write to Peter Crockett. The letter dated 11 July 1986 was marked strictly confidential at the time but it was the subject of discussion at the time of the Inquiry.

**7.69** Elizabeth Brennan's letter stated that she could confirm that Tony Latham had mainly carried out the work of his various projects in his own time. Because, however, of the very close relationship between the projects and the work of the family centre he still got directly involved in matters at the family centre which she 'would not normally expect an area officer to get involved with'.

**7.70** Elizabeth Brennan explained to the Inquiry that there had been a direct overlap between the work of the family centre in Newcastle and Tony Latham's Community Programme Scheme. This was because staff shortages in the residential units had led her and her colleagues to use people from the Community Programme Scheme as social services aides who then worked as temporary staff in residential child care.

**7.71** She went on to write that although Tony Latham was spending more time managing the area office child care team than he had been formerly, 'it is still far from satisfactory'. Too much responsibility was being left to senior social workers particularly in relation to child abuse. It has to be noted that the proportion of qualified field social workers in Staffordshire even at the time of the Inquiry was very low by comparison with other local authorities. In 1986 the proportion was even lower in this particularly demanding area of work.

**7.72** Elizabeth Brennan wrote to Peter Crockett 'I am aware that Mr Latham works many more hours than he should for the department, but a lot of this is of his own making. Because of the hours he works he gets extremely tired and it is having a serious effect on his health. He is also asking to take more time off in lieu so that he has more time during the day to do his project work'. She told us that she received no reply to the letter.

**7.73** In strict line management terms John Spurr was Elizabeth Brennan's line manager, but Peter Crockett had been concerned with Tony Latham's enterprises and had wished to be involved in the discussion which preceded her letter. This was not the only occasion when we observed departmental lines of communication and accountability being bypassed.

**7.74** Elizabeth Brennan's perception that her line management role in relation to Tony Latham was not as clear as she would have liked, was due to her feeling that his work outside his area responsibilities was being 'sanctioned at a high level'. This put her in a dilemma as his line manager. She was also not sure that the full implications of the developments for which he was responsible were clearly understood by those, whoever they were, who were lending him their support.

**7.75** Tony Latham told the Inquiry that during the latter end of 1986 he had been to a meeting with Roy Hudson (a Deputy Clerk), Brendan Sullivan, assistant director of social services (finance) and Peter Crockett, deputy director of social services. At that time, acting on advice he had been forming companies in some of his enterprises. At the meeting those present had discussed 'at some length' what Tony Latham was doing and the risks which he and other social workers in his position were taking in acting as members of executive committees or directors of companies, and what protection, if any, might be offered to them by the local authority. Nothing, in fact, subsequently materialised according to Tony Latham. He told the Inquiry that 'as everything was up and running at the time . . . I just carried on'.

**7.76** Some changes began to take place, however, and Longton Volunteer Centre and Longton Resource Centre Community Programme closed in November and December 1986 respectively.

## Chapter 8: 1987

### (a) National Events

**8.1** In 1987 Staffordshire was one of six local authorities invited to participate in an inspection of family centres by the Social Services Inspectorate.

**8.2** The previous year a national survey of family centres had been carried out prior to the selection of a sample of centres for more detailed study. The inspections in 1987 were concerned with the use of family centres run primarily as an alternative to the more traditional means by which local authority social services departments have provided services.

**8.3** The 1986 survey had identified eight categories of family centres which were divided into residential and non-residential ones. There were two residential categories: converted children's homes and 'special' residential family centres.

**8.4** Because the House of Commons Social Services Committee in its second report on children in care in 1984 had been concerned, as noted before in Chapter 4, paragraph 4.4, that family centres based on 're-cycled children's homes' might become 'an unhappy mish-mash of family centre, playschool, crisis intervention centre and residential home' the Inspectorate decided to concentrate exclusively in its 1987 inspection on residential family centres based in converted children's homes. Staffordshire County Council, having been invited to participate, chose The Alders at Tamworth and The Birches at Newcastle-under-Lyme to be inspected. The report of the various inspections was eventually published in 1988 entitled 'Family Centres – A Change of Name or a Change of Practice'. Insofar as the inspection of The Birches is relevant to the Inquiry it is dealt with below in paras. 8.33 and 8.40 to 8.45 and in chapter 12 para. 12.74. The visit to The Alders has no relevance to the Inquiry.

**8.5** During 1987 the DHSS published practice guidance to social workers under the title 'Reports to Courts'. In a section under the heading 'The Child Away from Home' attention was drawn to the importance of involving residential child care staff in the preparation of reports.

### (b) Staffordshire and its Social Services

**8.6** The practice of Pindown was in its fourth year when 1987 began. A 14 year old boy who was already in the unit on 6 January was described by John Aston as 'very quiet, lonely and bored. Need to find something that we can occupy him with.'

**8.7** A thirteen year old girl was admitted on 19 January 1987 'very upset'. The boy described above, on 29 January 'spent a good deal of time sobbing his heart out . . . grieving. Very co-operative and well mannered.' The girl who had come in on 19 January was described as 'quiet – still looking shocked at being here – but well behaved'. The following day one of the regular staff working with these two children recorded in the log book, 'in my infinite wisdom allowed them a book'.

**8.8** A statutory visit was paid to 245 Hartshill Road on 21 January 1987 and the visitor noted that some of the measures of control used since the last visit were related to non-attendance at school. Although Elizabeth Brennan had told John Spurr in autumn 1986 that 245 Hartshill Road's 'primary use has reverted to semi-staffed for older children' the Pindown group continued with school age children as well as older ones.

**8.9** On 10 February 1987 a boy of just fifteen was brought in and then jumped out of the bathroom window and ran away. Later in the day he was brought back. The log book recorded: 'collected him from home what a performance that was. He just did not want to come back to Hartshill Road, I wonder why? L. and I convinced him that it was the only place to be. We put him in the *Royal Suite* it is the nicest room in the building. Stoke police have been informed that he's back at the *Hotel del Doss*.' The next day pyjamas had to be borrowed for him and at 8 p.m. he absconded in the pyjamas through the bathroom window

again. The following day his parents decided to keep him at home.

**8.10** Two more boys went into Pindown on 20 February 1987 and a third on 25 February. A statutory visitor on 26 February 1987 recorded in her report that there had been 58 measures of control used since the last visit. There was no other comment except that they were 'within guidelines'. The member of staff on duty when the visitor came recorded in the log book that the 'statutory visitor called short and sweet no problems.'

**8.11** At The Birches the numbers of residents had been rising again and a statutory visitor on 18 February noted that 'recent rise in admissions to Riverside from the area had been necessary because of lack of vacancies at The Centre.'

**8.12** In April 1987 Tony Latham began a period of six weeks' sick leave. Before that he had signed the measures of control book for several days authorizing loss of privileges and other routine measures of control. The signature authorizing these measures of control had otherwise been illegible since Philip Price went for training in autumn 1986. It continued to be illegible until almost the end of 1987 when Peter Nicol-Harper's signature began to appear regularly.

**8.13** In April a fourteen year old boy was admitted to Pindown. The log book described how he felt: 'got very upset and angry at first - he hit the wall and cried . . . he clearly is very confused by life and cannot seem to see any way out of the trap he feels he's in.' The next day another member of staff recorded that there were 'no problems, such a shame. He is a nice lad. Just needs a family'.

**8.14** The statutory visit to 245 Hartshill Road on 24 March 1987 was carried out by Mr I. D. Cunnett, a senior assistant at headquarters. Under 'Control', additional measures since the previous official visit, the comment was 'J. T. Planned programme of *continuous negative care* - under review by Officer-in-Charge weekly' (emphasis added). The report to the District Advisory Sub-Committee under 'control' said 'appears within guidelines'.

**8.15** One of the very young children who experienced Pindown, a ten year old, came in on 7 May 1987. He was described in the log book: 'he's just a little boy EDT (Emergency Duty Team) delivered him at 12-40 . . . still crying at 2-30 a.m.' The next day this child was so distressed another member of staff recorded that he was trying everything to get out. He had attempted to abscond three times 'then tried to bite himself to death, made himself sick and finally tried to open his tummy up with his finger nails . . . when everything failed finally went to sleep at 12-00.' Another member of staff the next day recorded that he was still trying desperately to get out 'he cannot understand . . . why he can't a) see mum b) watch television c) go outside and play.'

**8.16** During May 1987 Glynis Mellors moved back from The Birches to Duke's Lodge. At central office Audrey Williams, formerly principal area officer, Stoke-on-Trent, was appointed assistant director. Philip Owen was appointed to take her place in Stoke.

**8.17** At The Birches a 'training flat' had been established and a statutory visitor in April 1987 commented that the group of children living there seemed to be getting younger. The statutory visit on 25 June 1987 was at a time when two children had an illness for which they should have been able to be isolated in one bedroom but this was not possible. The visitor commented that pre-school children and teenagers were having to share sleeping accommodation which was not desirable.

**8.18** On 1 June 1987 Louise Doherty (then Ogborne) wrote in the log book: 'it would be difficult to give any reader an adequate idea of the atmosphere here tonight. 245 is ticking away like a time bomb. The majority of residents, notably (then followed a list of names) are demanding, ignorant, selfish, thoughtless people. I think I would like to work with animals . . . they're much nicer.' The next day Graham Toplass drew up a list of 'new rules and punishments' which were discussed with 'all residents'. It was recorded that after some initial resistance they were accepted 'well'.

**8.19** Early in June 1987 the ten year old boy was again in Pindown, so upset that Graham Toplass wrote, 'I am getting very concerned about this little chap, he's off his food, feeling sick all the time. Dr S.- came to give him his medical, I asked his opinion, he says it could be nerves.' The child's mother did not come to his review and he was very upset again and said she had let him down. A member of staff 'reminded him how many times he had let his mother down and how bad it feels.' Three days later he was discharged to his home.

**8.20** The statutory visitors to 245 Hartshill Road for June and July 1987 called when Jaime Rodriguez was on duty. The report of 9 June noted under measures of control, 'pages of loss of privilege recorded'. The one in July noted one absconder and forty-one measures of control since the last visit. The District Advisory Sub-Committee was told in statutory visit reports for June and August 1987 about the work being done in intermediate treatment and with family meetings but there was no mention of the many measures of control or the special unit.

**8.21** In July 1987 there was a dysentery infection amongst the children at The Birches. By this time there were thirteen children most of whom were under thirteen years of age.

**8.22** In July 1987 a girl of mixed race was in Pindown at 245 Hartshill Road. A member of staff recorded in the log book that 'this girl talks as if she requires a 5 STAR HOTEL – requesting food that West Indians eat e.g. swordfish.' Also in July, a schoolboy, D. G. who was in Pindown on a number of occasions, 'decided not to work at D/L (Duke's Lodge) today'. The log book records 'I have put him in the Back Pindown room, moved B . . . to the front, R . . . schooling on the landing'. D. G. remained in Pindown till school on Monday.

**8.23** The report of the statutory visit of 25 August 1987 was much fuller than usual. It was critical of physical conditions in kitchens, bathrooms, and toilets, and maintenance in other parts of the building. It also commented on matters concerning the children: 'this home deals with a small number (one or two) of children with behavioural problems who stay for a short assessment period. 2 such children have had privileges withdrawn – one for 4 days, one for 5 days e.g. no television, confined to premises, no late nights.' The report continued, 'the aim of this unit is to prepare youngsters who are about to leave care for independence. Facilities are not ideal for this and the building in general is not in good repair. Its rambling nature makes supervision with limited staffing rather difficult.' In the report to the District Advisory Sub-Committee there was no reference to these matters. The general condition of the establishment was noted: 'Some areas are in need of redecoration and will be dealt with in the current financial year.' Under the heading of 'Control', the comment was 'satisfactory'.

**8.24** In August 1987 Peter Nicol-Harper, who had been seconded for social work training in 1985 returned to work in The Birches. At 245 Hartshill Road there was another new rule, that residents of the establishment were not to visit residents of halfway houses (SHAP) a number of whom were likely to be former residents.

**8.25** Peter Nicol-Harper was taking a more senior role after he returned from training and began to organise reviews and staff meetings. He also sorted out regular fire drills, began to promote staff development opportunities and discussions about difficult issues such as cannabis smoking. Jaime Rodriguez was also promoting staff development on racial issues.

**8.26** In September 1987 one of the girls at 245 Hartshill Road was being transported on Sundays by John Aston to Duke's Lodge to work at the snack bar there. On 11 and 12 September two staff matters were recorded in the log book, Tony Latham's leaving party on 18 September on the occasion of his going to headquarters to work and the marriage of two staff at The Birches and 245 Hartshill Road, Louise Ogborne and Damian Doherty.

**8.27** From September 1987, 245 Hartshill Road and The Birches had, for the time being, lost all three of the team who had worked together so closely initially in 1983 and later, namely Tony Latham, Philip Price and Glynis Mellors. Tony Latham had become the Voluntary Projects Co-Ordinator, Philip Price was

away at a training course and Glynis Mellors was working at Duke's Lodge on accounts and administration. Jane Taylor succeeded Tony Latham as area officer (children and families). Jaime Rodriguez, as Team Leader and Peter Nicol-Harper, as acting team leader for a time were working at The Birches and 245 Hartshill Road. Elizabeth Brennan was able, at this point, to hand over a significant amount of child care work to Jane Taylor who did not play the same kind of role in relation to the residential units as Tony Latham had done.

**8.28** Statutory visitors to 245 Hartshill Road commented in September 1987 on the staff being 'enthusiastic and caring', and in October on the setting up of 'counselling rooms' and a 'semi-independent living flat' which needed furnishing. Pindown was continuing and two adolescent girls came in during September. One was described on 24 September in the log book as having no change of underwear and 'keeps asking for her clothes'. There was also no spare dressing gown. Two days later she was 'not coping with pindown at all'. The same day she ran away but did not get very far before she was caught and brought back. The log book recorded: 'the place is getting to her. She has no power of discription (sic) i.e. Discribe (sic) your room at home answer "my room is nice"!'

**8.29** The provision of education in the unit had deteriorated and in late September 1987 a child who needed special education was recorded as 'being schooled' in pyjamas by a Community Project worker. He had run away from The Birches with two girls. He was taken straight to Pindown after being seen by Jaime Rodriguez. One of the girls was sent to Riverside. The other remained at The Birches.

**8.30** In early October 1987 the log book was again used for trade union communications at The Birches, this time informing staff that they should not co-operate with the piloting of a new departmental filing system. There was an announcement in the 245 Hartshill Road log book of a staff meeting at which future policy in relation to the home was to be discussed. There was no record of what took place.

**8.31** On 7 October 1987 a girl who was almost fifteen and who was to spend, in total, one of the highest number of days in Pindown was recorded as coming voluntarily to 245 Hartshill Road to meet her social worker 'and admit herself to Pindown'. It was clearly a very important event in her life and she wrote a story about herself entitled 'Decision Time' in which she as the author described what happened to 'a small girl' who was herself. It portrays the insecurity of a child in an adult world in which changes happen which she cannot control but as a result of which 'her heart was broken'. The end of the story was when after losing 'all she ever lived for', she was 'put into care' and realized a 'choice has to be made - her life rests on her decision'.

**8.32** A parent telephoned on 5 November 1987 asking for his ten year old daughter to be admitted to 245 Hartshill Road. The log book recorded that a member of staff 'informed him we were not an HOTEL and did not take bookings'. Also in early November Louise Doherty who had previously been employed as a social services aide was appointed as a social worker. She wrote a message on 3 November 'IMPORTANT - EVERYBODY. Tues 10 Nov. 87. DHSS Inspection takes place. Please ensure:

- (1) The building is clean and tidy (Marg. is coming in at 11 a.m. on that day to clean)
- (2) All files are tidy and up to date
- (3) Filing cabinet is tidy
- (4) The office is clutter free and as "professional" looking as possible.
- (5) Fire book up to date and easy to read
- (6) Measure of control book up to date.'

**8.33** At The Birches on 2 or 3 November 1987, it is not clear from the entry which date is correct, a member of staff had used the log book to alert colleagues to the Social Services Inspection on 10 November. The entry read 'DHSS Inspection. Files need to be tidy and up to date. Building to be clean.' Someone else had written beside it 'Why?' In fact as contemporary correspondence shows the visits by the Social Services Inspectors on 10 November were arranged 'simply to have seen' the centres and 'met the officers in charge before December' when the inspection was to take place. Neither log book at 245 Hartshill Road or The Birches mentioned the visit on 10 November. The two weeks which had been agreed for the inspection were 7-11 and 14-18 December 1987.



**8.34** In late November 1987 a note was written in the 245 Hartshill Road log book, '*Riverside situation – No child admitted from Riverside to Hartshill Road without permission from Jaime, Jane (Taylor) or Liz (Elizabeth Brennan). Children from the Newcastle area who would normally be admitted to Riverside will be admitted here*'.

**8.35** During November 1987 The Birches transferred three of their group to 245 Hartshill Road. A child being given a 'fireman's lift' by a member of staff had her eyebrow gashed and had to have stitches in it in hospital. One of the older girls attacked another girl at school and was suspended. She later ran away again and after being picked up was placed at 245 Hartshill Road.

**8.36** Mr I. D. Cunnett the statutory visitor to 245 Hartshill Road on 20 November 1987 noted in his report, though it was not included in the report to the District Advisory Sub-Committee, that 'the same young person since 10.11.87 (was) confined to house in evenings but as a result of absconding from school is now confined to bedroom (in pyjamas) at time of visit. Family meeting arranged for 23.11.87.' This entry appeared under the measures of control heading. The boy concerned appears from the records to have been one who was in Pindown on a number of occasions. Although the visitor recorded '2 residents at time of visit' and '2 young people receiving intermittent care' he wrote 'none . . . were seen on this occasion.'

**8.37** Two important entries in relation to records were made in the log book at 245 Hartshill Road on 14 and 15 November 1987. On 14 November Graham Toplass drew Peter Nicol-Harper's attention to the need to enter admissions and discharges to and from 245 Hartshill Road in the register at 245 Hartshill Road 'as numbers will (otherwise) be wrong when totalled up.' The next day Peter Nicol-Harper recorded in the log book, 'Graham – Jaime says it is not necessary to admit Birches kids to Pindown here – they should stay on The Birches register.' The Social Services Inspection took place at The Birches between 11 and 17 December. On 24 December a note was written in the 245 Hartshill Road log book all in capitals, 'ADMISSIONS TO CARE WILL NOW TAKE PLACE AT 245 UNTIL FURTHER NOTICE.'

**8.38** On 2 December 1987 Peter Nicol-Harper recorded in the log book at 245 Hartshill Road, '5 in Pindown.' The next day he added that he had 'forgotten to put the saucepan on the doorhandle' in Pindown. On 9 December Peter Nicol-Harper recorded that a letter had been sent to the families who were to be involved in family meetings which the Social Services Inspector hoped to observe. At just after midnight on 11/12 December a teenage girl was brought into Pindown by the police having run away from The Birches. A member of staff wrote on 13 December that she 'must work her short and curlies off and not stop till she drops'. A boy was moved into the front Pindown room on 13 December. On 14 December 1987 Peter Nicol-Harper recorded about the teenage girl 'L. wants to wash her clothes – is this a privilege she still has to earn?'

**8.39** The Social Services Inspectors had started their visits at The Alders in Tamworth on 8 December 1987. On 11 December they paid their first visit to The Birches to meet all the staff. The same day at 245 Hartshill Road the log book has an entry 'Mike Thomas (a social worker) rang. He will be bringing a boy on Monday afternoon to show him the pindown. Would you lay it on a bit please.'

**8.40** The programme of the Social Services Inspectors' visit which was produced for the Inquiry began on Monday 14 December. The team leader at The Birches, Jaime Rodriguez had drawn it up after discussion with Elizabeth Brennan. A general discussion was planned on 'philosophy, staffing, rotas, procedures etc., child care practices, work loads, case work, shared programmes etc, files.' At 2 p.m. a 'general discussion at 245 Hartshill Road (similar to The Birches)' was arranged. At 4 p.m. there was a meeting with Jaime Rodriguez and Bob Sharp, manager of the community programme, about transport, intermediate treatment and day care. At 5 p.m.-7 p.m. the Inspectors were invited to attend and observe family meetings. These took place at 245 Hartshill Road and the Inspectors, in evidence, said they attended only one. One of the two families did not want observers to be present.

**8.41** On 15 December a boy was admitted to 'basic pindown' with 'a member of the Stoke team' who was

to spend the night there 'to babysit him'. A boy who had already been in Pindown was warned that if he made any contact with the newcomer 'he would be in trouble'. A teenage girl was described in the log book: 'no problems in her behaviour, but her room smells, I hope she's not up to her tricks again.' She was a bed wetter.

**8.42** The Social Services Inspectors' programme for Tuesday 15 December was 'observation of establishments' routines' in the morning and at 2 p.m. 'general discussion Supportive Accommodation – Visit to Houses'. This was the Supportive Housing Accommodation Project which was formally launched in 1987. From 5-30 p.m. the Inspectors were to observe the activities of an intermediate treatment group. The Birches log book recorded on 15 December: 'DHSS – Jim and Ian stayed from 5 p.m.–7-30.' Later on the same day there was another entry 'DHSS men returned at 10-15 and were impressed by the QUIETNESS'.

**8.43** On Wednesday 16 December 1987 the Inspectors' programme included a visit to Duke's Lodge at 10-30 a.m. and a discussion of 'weekend I.T.' The afternoon was for observation and further discussion with the family centre team leader if necessary. On Thursday 17 December there was a feedback session with family centre staff before the inspection ended. No formal record was made of this session.

**8.44** Elizabeth Brennan told the Inquiry that although she had met the Inspectors briefly at the beginning of their visits in the Newcastle area she had left the main organisation and contact to Jaime Rodríguez.

**8.45** The Social Services Inspectors had a meeting with the director of social services following the inspection. No formal record of this meeting was produced to the Inquiry.

**8.46** The inspection by the SSI is further considered in Chapter 12, para. 12.74.

**8.47** A final statutory visit for the year 1987 took place at The Birches on 15 December. It was carried out by Peter Warren who was received by Alf Werner, a social worker. Peter Warren's report recorded that two children had absconded since the last official visit and '21 recorded measures of control where youngsters lost privileges'. In fact 20 of these referred to one child. No reference to the measures appeared in the District Advisory Sub-Committee report. The visitor noted that the outside yard was in a dangerous condition and that the county council could be liable if there were an accident.

**8.48** In December 1987 Jaime Rodríguez who had been temporary team leader at The Birches returned to the Newcastle area office and Peter Nicol-Harper took on responsibility for The Birches and 245 Hartshill Road. Arrangements for Christmas at The Birches included receiving some of the children at 245 Hartshill Road. There was then a gap in the log book for 245 Hartshill Road between Christmas Eve 24 December and 4 January 1988 when Pindown began again.

**8.49** During 1987, 30 children were subject to Pindown in 245 Hartshill Road:

- The shortest episode was one day.
- The longest continuous episode was 25 days.

The total time spent in Pindown in 1987 by each of the 30 children was:

Length of time in Pindown	No. of children	No. of episodes
1 day	1	1 episode
2 days	2	1 each
3 days	2	1 each
4 days	1	1 episode
5 days	1	4 episodes
6 days	3	1 each

Length of time in Pindown	No. of children	No. of episodes
7 days	4	{ 3 children – 1 each 1 child – 2 episodes 1 child – 1 episode
8 days	3	
9 days	1	
10 days	1	1 episode
12 days	3	{ 2 children – 1 each 1 child – 2 episodes
13 days	2	
14 days	1	2 each
17 days	1	1 episode
20 days	1	1 episode
24 days	1	2 episodes
25 days	1	1 episode
42 days	1	1 episode
		6 episodes

### (c) County Council Financial Policies

**8.50** Over the whole social services department in 1987/88 there was growth of £1.7 million, savings of £500,000 and net growth therefore of £1.2 million.

**8.51** A proposal for the closure of Riverside (a community home with education) was included in the social services budget in a joint report by the director of social services and the county treasurer. The estimated saving was £237,600 in 1987/88 and subsequent years.

**8.52** Amongst developments proposed for 1987/88 were additional staff for Tamworth family centre (£7,730) and additional cooking hours for family centres (£10,260).

**8.53** Within the overall budget of the county council the social services budget in 1983/84 had represented 8.8 per cent. In 1987/88 the social services budget represented 10.15 per cent.

**8.54** A comparison of Staffordshire's personal social services net spending per head of the population with the average for shire counties showed that in 1983/84 in a ranking out of 39, Staffordshire was 35. In 1987/88 Staffordshire was 33.

**8.55** A comparison of the proportion of gross social services expenditure spent on child care in Staffordshire compared with the average for English counties showed the following:

	Staffordshire %	Average %
1983/84	12.3	16.9
1984/85	13.4	16.1
1985/86	12.5	15.7
1986/87	12.4	15.6
1987/88	11.9	15.6

**8.56** In the Audit Commission's county council profile for Staffordshire, its personal social services expenditure was compared with a 'family' of similar local authorities. These were South Glamorgan, Cleveland, Humberside, Durham, Gwent, Mid Glamorgan, West Glamorgan, Derbyshire, Nottinghamshire and Lancashire. Expenditure per head was then shown under the headings of elderly, children, disability, other clients, field work and administration. Comparisons started in 1984/85. In this comparison child care expenditure in Staffordshire was as follows:

	Staffordshire	'Family' average	Staffordshire as % of 'family' average
	£	£	
1984/85	4.6	8.6	53.5
1985/86	5.2	8.6	60.5
1986/87	5.3	9.3	57.0
1987/88	5.5	10.4	52.9

**8.57** A similar comparison made by the Audit Commission for expenditure on administration was as follows:

	Staffordshire	'Family' average	Staffordshire as % of 'family' average
	£	£	
1984/85	3.4	6.2	54.8
1985/86	3.4	6.0	56.7
1986/87	3.7	6.9	53.6
1987/88	4.4	7.5	58.7

**(d) Social Services Re-Organisation**

**8.58** Some small re-organisational changes took place in 1987 associated with the work which until then Tony Latham had developed outside the social services department.

**8.59** On 6 February 1987 a confidential report was put to the General Sub-Committee of the Social Services Committee proposing that an existing post at headquarters should be re-designated to take over, maintain, develop and co-ordinate the voluntary activities which had been developed by Tony Latham. These were:

- (a) **The Community and Social Services YTS Ltd.** involving 9 centres and projects and 120 young people;
- (b) **North Staffs Resource CP Ltd.** which catered for 60 adult staff wanting to enter community or social work, some disadvantaged adults and some young people. There were 23 projects involved;
- (c) **North Staffs Voluntary Projects Ltd.** the major function of which was to obtain and manage resources for the other projects;
- (d) **Community and Social Services Transport Ltd;**
- (e) **Forest Enterprises Ltd.**

**8.60** The director's report on 6 February 1987 told the committee that these enterprises, which it was no longer possible for Tony Latham to combine with his post as area officer (children and families) for the Newcastle area, would be 'a considerable loss to the county if (they) . . . were to fold because of absence of direction and leadership.' The new post to be known as Voluntary Bodies Co-Ordinator was required to enable the activities to continue.

**8.61** The director also acknowledged that 'a more co-ordinated approach to the development of links with voluntary bodies in the county' was required. Discussions with voluntary bodies in Staffordshire were taking place which it was hoped would achieve this.

**8.62** The post of Voluntary Bodies Co-Ordinator was established and advertised. Tony Latham was appointed on 1 July 1987.

**8.63** On 27 November 1987 the director made a further report to the General Sub-Committee of the Social Services Committee. He explained that the 30 or so companies and projects currently being co-ordinated by the Voluntary Bodies Co-Ordinator had been regrouped. Because of the scale of the

responsibilities they represented, exploratory negotiations were taking place with Manpower Service Commission officials concerning the possible incorporation of two of them within the social services department. These two were The Community and Social Services Youth Training Ltd. and the North Staffs Resource CP Ltd. Anticipated changes in the funding of Community Programme Schemes would mean that a review of this proposal would be required when these were known.

**8.64** There were no further re-organisational changes in the social services department during 1987. Riverside (a community home with education) was being gradually run down but did not close until 1988.

**8.65** An important report entitled 'The Way Forward' was written in 1987 at the director's request by Audrey Williams, assistant director. It was discussed at a meeting of the social services committee in the autumn of 1987. The document is undated but internal evidence indicated that it was post August 1987 and it is understood to have been given to the Social Services Inspectorate as background information for their visits in December 1987.

**8.66** It was a review document which provided a detailed overview of the child care service currently provided and a number of major conclusions and recommendations pointing to the need for development 'for the next 5/10 years.' It did not affect services during 1987.

#### **(e) The Career of Tony Latham**

**8.67** By the beginning of 1987 Tony Latham and Elizabeth Brennan, principal area officer, had agreed that he could not maintain his role of area officer (children and families) in Newcastle combined with the management of so many different voluntary activities and projects. Tony Latham became ill in April 1987 and was away from work for six weeks. There had been other periods of sick leave leading up to what Elizabeth Brennan saw as a crisis requiring assessment of the whole situation. She told the Inquiry that after Tony Latham's protracted period of sick leave in April and May 1987 she decided that he should begin to wind down the enterprises for which he was responsible outside of the social services department and told him that he must do so.

**8.68** As described previously in paragraphs 8.58 to 8.61 Tony Latham was then appointed Voluntary Bodies Co-Ordinator on 1 July 1987. In his statement to the Inquiry he indicated that 'at the time I recognised that I was ideally suited to this job although in some ways I felt that I was manoeuvred into it . . . (it was) more an administrative and policy making job than one involving individual social work skills and I was quite reluctant to take it.'

**8.69** Also during 1987 SHAP (Supportive Housing Accommodation Project) was formally founded, having been started by Tony Latham and Philip Price in 1984.



## **Chapter 9: 1988**

### **(a) National Events**

**9.1** The Wagner Committee report, 'Residential Care – A Positive Choice', was published by H.M.S.O. in 1988. The report sought to improve the public's perception of the residential sector. It stressed in particular the importance of the following matters: residential care being a positive experience; adequate provision of residential accommodation for children; staff being trained and qualified; and the availability of well-publicised complaints procedures involving independent advocacy. Also the report emphasised the importance of guidelines on staffing ratios.

**9.2** The importance of a formal and well understood complaints procedure was also indicated during 1988 in a report of the Social Services Inspectorate on Youth Treatment Centres.

**9.3** The House of Commons Social Services Committee published in 1988 memoranda placed before it which laid emphasis on the training of residential staff, on family centres clarifying their goals and on the need for more careful attention to the education and health of children in care.

**9.4** An important Home Office circular, 101/1988 entitled 'Protection of Children: Disclosure of Criminal Background of those with access to children' was issued: see also Chapter 16, para. 16.22.

### **(b) Staffordshire and its Social Services**

**9.5** In January 1988 Pindown was still in continuous use at 245 Hartshill Road although the staff who initiated it were elsewhere. As noted in the last chapter Tony Latham had moved into a headquarters post as Voluntary Bodies Co-Ordinator, Philip Price was away at a social work training course and Glynis Mellors was carrying out an administrative role at Duke's Lodge. The successors to Tony Latham and Philip Price were Jane Taylor, as area officer (children and families) and Peter Nicol-Harper, who was acting team leader at The Birches until Philip Price returned. Many of the child care staff, however, were the same as those who had been working at 245 Hartshill Road and The Birches in 1987. A small difference in the overall staffing arrangements was that, in the main, there were two overnight staff on duty in 245 Hartshill Road during 1988.

**9.6** Peter Nicol-Harper had had a long association with The Birches, first as a social worker there from 1 April 1983 to Autumn 1985 and then on his return from social work training in autumn 1987, as a social worker again for a short period. He stood in as team leader briefly while Jaime Rodriguez was away in the autumn of 1987 and then when Rodriguez went to a headquarters post in December 1987 he took on the leadership of both The Birches and 245 Hartshill Road until Philip Price's return from his training course in July 1988. He had qualified as a teacher before working in social services.

**9.7** Since 1983 the staff of the two establishments had worked at either of them according to need, so Peter Nicol-Harper had had experience of the Pindown regime on occasions. He was an enthusiastic supporter of the family centre concept though he said in his evidence to the Inquiry that he was less enthusiastic about Pindown.

**9.8** Jane Taylor had worked in Staffordshire social services since 1980 as a senior social worker in Bucknall and then from 1985 in Hanley in the Stoke-on-Trent area. During this period she had no contact with the family centre in Newcastle. When Tony Latham left the area she took his place in September 1987 and became responsible for field and residential child care work in the Newcastle area. She said in evidence that at the time of her interview for the post: 'there was no mention of what I later found out to be a controversial system of child care. Until I walked into 245 Hartshill Road, I knew nothing about the system known as Pindown.' She was interviewed for the post of area officer by John Spurr, senior assistant director and Elizabeth Brennan, principal area officer.

**9.9** In December 1987, soon after she was appointed as area officer, Social Services Inspectors from the

Department of Health carried out an inspection of two family centres in Staffordshire, of which The Birches was one. Jane Taylor said she was involved in taking the Inspectors round, showing them resources and in the feedback session afterwards. She did not receive a copy of their report but understood that it had been positive in relation to what they saw. See Family Centres: A Change of Name or a Change of Practice – Paras. 6.7.8 – 6.7.11; Appendix O.

**9.10** Jane Taylor was questioning in her approach to Pindown and made this clear to Elizabeth Brennan, her line manager. She was also critical of the inadequate resources provided to the family centre and other aspects of the child care service. She found that 'The Birches provided care for a large number of sexually abused children, the youngest of which was a 4 year old who had been horribly sexually abused.' In the 15-bedded unit they also 'had to provide care for acting out teenagers of 14 or 15 who also had been sexually abused, and who were promiscuous and demanding.' In the area there was only one social worker responsible for family placement and the resources for fostering in her view were negligible: 'Most of the children at The Birches had no real prospect of rehabilitation.' In these circumstances she thought that the staff 'who were asked to cope with too much', saw Pindown as a chance for a child to 'cool off', as 'an ultimate sanction'.

**9.11** A factor which was influencing the residential child care service in Staffordshire in 1988 was the gradual run-down of Riverside (community home with education) which had traditionally received a number of the most difficult adolescents who needed care as well as those on remand from juvenile courts. Although Riverside was still open in 1988 it was experiencing major difficulties due to internal re-organisation and the number of beds available had fallen steeply over recent years.

**9.12** Shortly after Peter Nicol-Harper took on the leadership role at The Birches family centre which was inclusive of 245 Hartshill Road for this purpose, he wrote a message to the staff in the log book on 28 January which is quoted in full: 'Will all staff be aware that a new even harder pindown can operate from Sunday. I do not want anyone but the immediate staff group to know where it is. I want the kids to understand that enough is enough and that we have the resource to pin kids down outside of this building. If the kids think it is Riverside let them. Will staff be extremely careful to let residents remain ignorant. Fear of the unknown is better than fear of the known. New Pindown will hopefully make admitted absconders 'disappear' but the whole effect will be lost is (sic) non Pindown kids find out where new Pindown is, who works it and what it is like. So do not feel hurt if you are not directly involved and therefore kept somewhat in ignorance yourself. Your job is to indicate to kids that you do not know who is pinned down, where and by whom. *The longer they are kept in fear of new Pindown the better*' (emphasis added). The 'new Pindown' was to operate in a house in the grounds of The Birches.

**9.13** On 8 February 1988 bedtime under the 'old Pindown', 7 p.m., was confirmed by Peter Nicol-Harper in another log book entry and on 10 February he dealt with the issue of admissions to 245 Hartshill Road in a way which indicated greater pressure than formerly. The entry said that Jane Taylor and he had sorted a policy for admission of: (a) non-Newcastle residents in supportive housing accommodation; and (b) non-Newcastle 'kids' not in supportive accommodation. Tony Latham and John Aston were the only people who could request admission, normally to Peter Nicol-Harper. If Pindown beds were occupied, an alternative was to be made available, files to be brought, entries made in the admission and discharge register, and 'once admitted no discharge to occur until authorised by a family meeting'.

**9.14** In between the notice to all staff on 28 January 1988 about the 'new Pindown' and the admissions policy statement outlined above on 10 February, the 'new Pindown' had commenced on 1 February in a house in the grounds of The Birches called The Laurels, but known also as the 'other house' or the 'little house'. Over the years it was used for many purposes but between 1 February and 28 March 1988, 29 May and 7 June 1988 and 8 and 28 November 1988 it was used for Pindown with ten children. Six of those children also spent periods of time in Pindown in 245 Hartshill Road during 1988.

**9.15** A set of Pindown rules, written by Louise Doherty early in 1988, appears on the front cover of the 'Pindown – Other House' log book (see appendix F, document 5). The entry begins with the words 'it is



essential that each child is made aware of these rules at the time of their admission'. The rules then cover removal of the child's clothes on arrival along with all personal possessions; bathing and hairwashing on arrival; wearing nightwear or underwear and dressing gown but no footwear; all meals in the child's room; no exit without knocking and waiting for permission; no communication with other children; no television, music, books, magazines, cigarettes, telephone calls or visits except by permission of the team leader; school work in the child's room, materials removed afterwards; get up at 7 a.m., bath and wash hair; bed by 7 p.m. after a bath.

**9.16** Of the first sixteen staff names which appeared in the log books as on duty with the children in Pindown at the 'other house' eleven were experienced in the 245 Hartshill Road regime. The tone of the entries in the first month was immediately recognisable as the tone which was habitual in the 245 Hartshill Road log books. In addition the same unfriendly environment was reproduced. On 2 February 1988 locks were put on the Pindown rooms' windows and the children's clothes and shoes locked in the cupboard under the stairs. Dishes and cutlery were removed immediately after meals, 'nothing for self mutilation' was to be left. There was an instruction in the log book that the girls who were the first residents were not to be given any information, and that staff should 'not let them lie in bed during the day, make them sit on the chair'. In addition the log book said 'give them a drink when you decide, not when they request - otherwise they'll request a drink to know that you are downstairs so that they can communicate.'

**9.17** The rooms were not warm enough and the girls had to wrap blankets around themselves or ask for warmer dressing gowns. Materials used for school work were taken away immediately after they had been used. The meals, recorded in detail, were similar in their inadequacy of interest and content to those which the residents of Pindown at 245 Hartshill Road were served. Ventilation was a serious problem and the rooms rapidly became very smelly. There was an instruction to staff to put pots and pans on the door handles of the rooms at night. Advice to tie door handles together was accepted until someone recognised the fire risk and counselled against it.

**9.18** Peter Nicol-Harper in evidence to the Inquiry explained that 'there were times when the programmes we were operating with the child . . . meant that one choice . . . (I) had to face as a manager, was either to speed up or slow down or alter programmes to create a move on and a bed space. . . . and I took the decision that rather than prematurely alter family meeting decisions . . . as and when needed I would set up the possibility of a third or, in fact, fourth bedroom which could be used as part of the family meetings that we were operating with non residents, . . . children in the community. The staff house within The Birches grounds had been already cleared for residential use, so I used it.'

**9.19** A decision was taken that the measures of control for the 'other house' at The Birches should be entered in the 245 Hartshill Road record. In consequence The Birches measures of control book contained no entries from 12 December 1987 until 14 July 1988. Six signatures of statutory visitors or other official visitors were entered one after the other with no comment in their reports. There was then one entry on 14 July 1988 followed by seven signatures of statutory visitors again one after the other with no comment. These included three senior members of the social services department. The next entry was 8 May 1989.

**9.20** During February 1988 Audrey Williams, assistant director (children and families) requested admission of a girl to 245 Hartshill Road. This girl presented a major management problem. She spent several periods in Pindown.

**9.21** A feature of the use of Pindown was the '£1' and '£5' tours which were laid on for social workers and children whom they were finding difficult to manage. These were intended to make children behave better at home and thus avoid coming into care. An entry in the log book of 245 Hartshill Road on 25 February 1988 recorded an appointment for a social worker to 'bring a young lady . . . for £1 tour of the building. She's to be given a full tour plus the full treatment.' The staff member who would be doing this was asked to 'allow (the social worker) to see how its done, so that she can do it by herself the next time.' A similar entry appeared on 10 March and another on 17 May 1988.

**9.22** The log book at 245 Hartshill Road continued in March and April 1988 to have entries such as the one about a teenage girl whose family meeting on 7 April had been inconclusive as a result of which she was going back into Pindown: 'please make things really uncomfortable for her' and a teenage boy on 11 April 'to be given a really hard time, isolated and perhaps a nasty job to do.' A twelve year old was to be dealt with on the basis of 'Jaime (Rodriguez) to be the good guy. Peter (Nicol-Harper) to be Mr Nasty.' On 21 April a boy not yet in care was to have 'either £1 tour or *pretend* admission.' A member of staff clearly was critical of some arrangements when he wrote 'N. collected by the level 2 (social worker) skip driver in central office 9-45 no idea what time he will be returned. What we social workers have to do to make a living.' Other entries have a variety of concepts of Pindown: 'basic Pindown', 'stage 2 Pindown', 'nasty Pindown' were examples.

**9.23** Although Tony Latham in 1988 was in a different role in the social services department from his former responsibilities, a number of entries in the 245 Hartshill Road log indicated that he was still involved in decisions about some children. These were separate matters from the Duke's Lodge activities in which children were involved. An example of this involvement appeared in the log book for 245 Hartshill Road on 24 May 1988. A girl P. was to be reviewed by her 'social work centre worker' and the team leader. It was made clear that 'T.L.' did not want a certain outcome for the girl i.e. to go 'back on landing' the alternative to which was discharge to 'Supportive Accommodation'. The entry continued 'will staff please put it in T.L. pigeon hole as to what should happen P. wise'.

**9.24** For a short time in May 1988 an attempt was made by Peter Nicol-Harper, supported by Jane Taylor, to establish a positive form of Pindown. The log book on 7 May records that 'Therapeutic pindown kicks in.' The log book records are not sufficiently explicit to identify clearly what 'therapeutic pindown' was, but in evidence Peter Nicol-Harper told the Inquiry, that 'we attempted to create a positive version of the negative pindown, in other words all the extra resources, without the taking away of children's rights. I called it 'Maisie' which was short for maisonette because there's a maisonette opposite part of 245, basically a flat, in which we theoretically wanted to set up a, for want of a better word, therapeutic community, for the children using positive re-inforcement. *The problems were that whereas Pindown can be operated by one member of staff, 'Maisie' needed three members of staff on shift* (emphasis added).

**9.25** Peter Nicol-Harper also made the point that not only were more staff needed, but 'we also wanted to use our best, most experienced, most caring, rather than controlling, members of staff, but we couldn't afford to take them away from . . . other parts of 245.' It was not in his view an effective way of running a positive programme to use the least experienced staff, and as a consequence positive Pindown only lasted two or three weeks 'and . . . was a disillusioning experience for both of us.'

**9.26** During May 1988 entries appear in the log book about one boy N. who although still of school age was having to spend a lot of time at Duke's Lodge: 19 May, 'N. working for Tony returned 9-45'; on 25 May, 'N. out working till 8-30'. Although not yet sixteen, by July N. was being charged rent at 245 Hartshill Road and on 15 July there was an entry in the log book 'Where is N's rent money for last week?' The reply was 'No wages, could not pay'. By 9 September when N. was just over sixteen years old another member of staff wrote 'N. Bill picked him up. Isn't there a law about the amount of hours a child can work.' On 12 September (a Monday) another entry notes 'N. work before 7 a.m.. Check on return if he's been paid extra for weekend.' On 23 September N. was taken to see a '½ way house' and by 26 September he had moved into it. The log book recorded 'N. to be collected for work in future from 245 at 8-30 a.m.'

**9.27** A statutory visit was made to 245 Hartshill Road on 27 May 1988 by Mr M.D. Willis who noted under 'control' that one girl had absconded for two weeks from 26 March and that there had been 124 instances of loss of privileges recorded since the last statutory visit on 31 March. He also made the following comments: 'Measures of control system seems very odd, with young people starting their sojourn there with a loss of privileges. The measures of control book does not state the reason.' He thought the establishment 'bewildering . . . to visit with its separate units and kitchens on different floors . . . general condition . . . rather poor, most things having the appearance of being well worn and the decoration looking shoddy.' However he was 'impressed with staff/resident relationships and the

politeness, warmth and trust shown.' In the report to the District Advisory Sub-Committee under 'control' was the one word 'satisfactory'.

9.28 On 3 June the rules for two young people in 'Maisie' were defined in detail: nights out at staff discretion; 'help' staff to cook; clean whole maisonette; visitors from landing by invitation only; on video night they may visit landing from 6-30 – 10-30 p.m.; to remain in Maisie till 245 Hartshill Road went on holiday unless either changed their mind meanwhile' A new Maisie log book was started a few days later. This was not produced for the Inquiry.

9.29 The traditional Pindown continued separately.

9.30 Statutory visitors to residential child care establishments had special forms on which to write their reports. Other official visitors, such as county councillors were asked to sign a visitors book. The Birches visitors book dealt with fifteen years in eighteen pages because most visitors only signed their names.

9.31 In July Peter Nicol-Harper decided to revert to being a social worker again. He told the Inquiry that 'Maisie' had not, in his view, been successful and Philip Price was returning from training. He was ambivalent, if no more, about basic Pindown as it had been and still was being practised. It was being used, in his opinion, at least on some occasions, as a form of secure accommodation. He regretted its use, for example, for a boy who was remanded on a number of occasions and who spent sixty-four days in Pindown. He said that he had expressed his views to Jane Taylor, his line manager, and to Elizabeth Brennan, the principal area officer.

9.32 The measures of control book for 245 Hartshill Road has an undated press cutting stapled to the page recording loss of privileges and other measures taken from 3 July to 20 July 1988. The press cutting states: 'Care 'Breakthrough'. – A Newcastle Centre for families has been singled out for praise in a report by The Social Services Inspectorate. The Birches in Sidmouth Avenue has been commended for its success in helping problem families to stay together. The report said that the family centre was improving the quality of child care in Staffordshire by helping to contain problems which might result in a child being taken into care. Social services official John Spurr said the former children's home represented a 'major breakthrough' in child care. 'The idea is to try to nip problems in the bud' he said. 'The centre is used as a resource to help families to learn to cope with problems' explained Mr Spurr.'

9.33 Philip Price completed the academic part of his social work training in July 1988 and began to take up the reins of his job in Staffordshire again. At some stage in July or a little later in 1988 he renewed the Pindown documentation for staff working in the Pindown unit. (see appendix F, document 6) The document is undated and consists of eight pages of which all except the first page had been drawn from other documents contained in Document 3 in appendix F and then re-typed. The first page headed 'Introduction' was new.

9.34 The first sentence of the 'Introduction' acknowledges that *'most people working in the arena of social work may have difficulty in coming to terms with the working practices of a pindown unit i.e. possible infringements of rights, civil liberties etc'* (emphasis added). The establishment of such a unit, however, was argued to be necessary within the structure of the '245 Community Unit'. 'Community Unit' was to be the new name for 245 Hartshill Road under the Juvenile Justices scheme which was being extended to include residential units. The Introduction continued by explaining that 'past experiences have led us to believe that *it* (Pindown) offers a platform to begin some positive work with individuals and *is a resource continually used and requested by other agencies for initial observations of the more difficult individuals'* (emphasis added).

9.35 It was also in July 1988 that Chris Walley, who had previously been principal area officer for the Stoke-on-Trent area, was appointed Juvenile Justice Co-Ordinator (the post had originally been called Project Co-Ordinator and was later changed again to Young Persons Service Co-Ordinator). There were three such posts in the county and the one Chris Walley held related to the principal area officers for Leek, Stoke and Newcastle. Leek had no residential units which were to be part of the juvenile justice

scheme, Stoke had two, 100 Chell Heath Road and 245 Hartshill Road, and Newcastle, as the area formerly responsible for 245 Hartshill Road although it was in Stoke-on-Trent, shared 245 Hartshill Road. Pembridge Road also became part of the scheme. The residential units remained the responsibility of the principal area officers at this time, in the case of 245 Hartshill Road this was Elizabeth Brennan.

**9.36** The juvenile justice scheme developments were directly related to the closure of Riverside (community home with education on the premises) as soon as practicable, and with the development of locally based schemes for young offenders which would combine the use of field and residential work resources.

**9.37** Philip Price came back to 245 Hartshill Road as team leader, but because of the juvenile justice scheme was then accountable to Jane Taylor as line manager and also Chris Walley as juvenile justice co-ordinator. Jane Taylor visited 245 Hartshill Road regularly and developed training opportunities for staff, but she did not take the role in family meetings that Tony Latham had. Before Philip Price's return this had been carried out by Peter Nicol-Harper as acting team leader.

**9.38** During September 1988 Tony Latham's responsibilities as Voluntary Projects Co-Ordinator ended and he was appointed a senior assistant (children and families) at headquarters. This brought him formally back into the child care service within the department.

**9.39** A combination of the rundown of Riverside and the lack of alternative resources was leading to difficulties in a number of family centres, one of which was The Alders at Tamworth. During September 1988 it began to experience major problems with a group of teenagers.

**9.40** Throughout 1987 statutory visitors' reports regarding The Alders commented warmly on this homely, clean, tidy, busy and 'child centred' establishment. Few absconders and very few entries of additional measures of control were recorded. Foster parent meetings, day care and day nursery work appeared to be going on in a well-organised manner and in a good atmosphere.

**9.41** During the autumn a group of very difficult teenagers, about eight to ten in particular, began to become unmanageable. The family centre was not especially well staffed; it was carrying out substantial day care for older children and the day nursery occupied a significant part of the premises which were not adapted for family centre purposes. The presence of many tiny children in a centre in which aggressive teenagers were present made it more difficult for the staff to manage a deteriorating situation. A call for help from the family centre to headquarters led to two workers coming from Burton and Stafford to help. They agreed with The Alders' staff that the group of teenagers needed to be split up. Two of them were placed elsewhere for a few weeks but when they returned the difficulties began again. One of the girls, who the centre admitted on little advance information, proved to have been in prison for offences which involved violence. Other young people with very serious problems, including remands awaiting court, had to be admitted because The Alders served the whole Tamworth area and was expected by senior management to cope with its own problems. Staff at the family centre doubled their shifts voluntarily to help each other but became over-tired and demoralised.

**9.42** By October 1988 Philip Price was fully involved in 245 Hartshill Road again. Peter Nicol-Harper had been appointed team leader at The Birches. The statutory visitor's report on 12 October was written by Patrick Phillips. Under the heading of control he noted that two children had absconded together on three occasions since the previous official visit. He then wrote the following: '*A daily record "Loss of Privileges..." is made for each young person placed in the "pin-down" accommodation amounting to 102 entries since 22 August 1988. Otherwise each resident's level of privileges etc. is determined at each case review and recorded on a case sheet, together with special measures of control*' (emphasis added).

**9.43** When this report was presented to the District Advisory Sub-Committee the wording was: 'Control – A strict regime here for young people who have become beyond control of their parents and other residents are also subject to careful programmes of care and control, using family meetings as part of the process.' The general comments said that the establishment was 'in a transitional stage of staffing

and function as a result of the introduction of the new Juvenile Justice System but seems to be coping with a continuing residential group of young people.'

**9.44** From mid-October a few written contracts were made with children and these continued into the following year when a few children from other family centres in difficulties were brought to Pindown at 245 Hartshill Road.

**9.45** The last period of Pindown in The Birches 'other house' ended in November 1988.

**9.46** The measures of control book for 245 Hartshill Road had 752 separate entries for 1988.

**9.47** During 1988, 40 children were subject to Pindown in 245 Hartshill Road.

- The shortest episode was 1 day.
- The longest continuous episode was 64 days.

The total time spent in Pindown in 1988 by each of the 40 children in 245 Hartshill Road was:

Length of time in Pindown	No. of children	No. of episodes
1 day	5	1 each
2 days	3	{ 2 children - 1 each 1 child - 2 episodes
3 days	3	{ 2 children - 1 each 1 child - 2 episodes
4 days	3	{ 1 child - 1 episode 2 children - 2 each
5 days	2	{ 1 child - 1 episode 1 child - 2 episodes
6 days	1	3 episodes
7 days	1	1 episode
8 days	3	{ 2 children - 1 each 1 child - 2 episodes
9 days	2	1 each
13 days	2	{ 1 child - 3 episodes 1 child - 4 episodes
14 days	1	1 episode
16 days	1	2 episodes
19 days	1	5 episodes
20 days	2	4 episodes each
21 days	1	1 episode
22 days	1	3 episodes
24 days	1	4 episodes
25 days	3	{ 1 child - 2 episodes 2 children 3 each
27 days	1	1 episode
44 days	1	5 episodes
55 days	1	5 episodes
64 days	1	1 episode

**9.48** During 1988, 10 children were subject to Pindown in The Birches:

- The shortest episode was 1 day
- The longest continuous episode was 29 days. The total time spent in Pindown in 1988 by each of the 10 children in The Birches was:

Length of time in Pindown	No. of children	No. of episodes
1 day	1	1 episode
2 days	2	1 each
3 days	1	1 episode
4 days	1	1 episode
5 days	1	1 episode
11 days	1	2 episodes
21 days	1	2 episodes
34 days	1	4 episodes
47 days	1	2 episodes

**9.49** 6 of the 10 children who were subject to Pindown at The Birches were also subject to Pindown at 245 Hartshill Road during 1988. They are included as well in the figures for 245 Hartshill Road for those episodes.

#### **(c) County Council Financial Policies**

**9.50** The guidelines set by the county council for the social services committee in its preparation of estimates for 1988/89 did not require savings to be made.

**9.51** The net growth for 1988 was £1.3 million. The social services budget represented 10.34 per cent of the total county council budget compared with 10.15 per cent in the previous year.

#### **(d) Social Services Re-Organisation**

**9.52** Re-organisation was a major issue in social services in 1988.

**9.53** The future of Riverside (a community home with education) was under consideration. A revised form of organisation at Riverside had already been operating since 1 April 1987 when numbers were reduced to 50. There had, however, been substantial problems in the high rate of absconding and threats of violence to staff by young people.

**9.54** The director acknowledged in a confidential report to the social services committee on 12 January 1988 that Riverside was still unsettled following changes made in 1987 and that placing young people on remand in the same groups as other children had caused difficulties of control. Two senior members of staff, Bernard Ramsay and Tony Latham, had been asked to go into Riverside and advise. Meanwhile admissions had been curtailed.

**9.55** A further confidential report 'Alternatives to Care and Custody through Community Social Work' was presented to the Social Services General Sub-Committee by the director on 30 March 1988. The proposals entailed the closure of Riverside and redeployment of its staff, as well as changes of use in some other existing residential establishments.

**9.56** The 'more effective alternative' proposed was to use the staff resources available from closing Riverside in conjunction with intermediate treatment officers and area social workers to create 'teams of community social workers' throughout the county. Three main projects would integrate field and residential workers in North, Mid and South East Staffordshire. Each would have a project co-ordinator who would relate to a senior assistant at headquarters responsible for advice, policy, direction and monitoring. The senior assistant would be responsible to the assistant director (children and family services).

**9.57** The elements within the projects would include an intermediate treatment centre and education unit, a community unit with residential facilities, a support unit providing a 'high degree of residential supervision', fostering placements, independence units and family centres. 'Secure accommodation in

the sense of facilities to lock up young people' would be sought outside the county. The details of the proposals were fully described. It was estimated that overall a net saving of £30,000 could be made.

**9.58** Two of the residential establishments affected by the proposals were 245 Hartshill Road, described in the report as a semi-staffed unit, and 100 Chell Heath Road, a family centre. Both would become 'community units' under this scheme.

**9.59** The proposals were agreed and minuted, and described as 'exciting, decisive and major new initiatives in the development of community social work and crime prevention.' It was also noted that 'in relation to secure accommodation . . . the county council did not, and had never had, any secure accommodation . . . where (it) was required the situation would continue as at present i.e. use would be made of units operated by other local authorities.'

**9.60** The director reported to the Social Services General Sub-Committee on 21 July 1988 on the re-organisation of the YTS scheme and other related activities of the Voluntary Bodies Co-Ordinator. There had been considerable difficulties in consequence of changes in Manpower Services Commission funding and although the scheme and related activities were regarded as valuable the original proposal to absorb the scheme into the social services department might need to be reviewed.

**9.61** The Social Services General Sub-Committee received a further report from the director on 25 November 1988. This dealt with the termination of the Community Programme Scheme and the impact of that on the services managed by the Voluntary Bodies Co-Ordinator.

**9.62** The Employment Training Scheme which had replaced nationally the Community Programme made it impracticable to continue to provide staff for a range of services after Christmas 1988. Those which had to be urgently reviewed included intermediate treatment in the Newcastle area and the Supportive Housing Accommodation Project.

**9.63** The major re-organisation proposals in 1988 were contained in a report to the Social Services General Sub-Committee on 25 November 1988, 'Looking forward to the 1990s - a Design for Service.' The proposals set out by the directors would, he wrote, 'create a structure which will absorb strains, incorporate new requirements and allow growth and flexibility.'

**9.64** The main proposals were:

- (a) to discontinue nine principal area teams;
- (b) to discontinue central management of residential and day care services;
- (c) to establish 19 social services districts with a district manager responsible for residential and day care services, and social work and community care services;
- (d) to group the 19 districts under 3 social services divisions, each of which would have district teams of social workers for hospitals and clinics and team managers at family centres/juvenile justice projects.

**9.65** The advantages of the new structure would be:

- (a) a comprehensive team approach to integrated local services;
- (b) maximum authority for district managers in operational decisions and use of resources;
- (c) freedom of headquarters staff to concentrate on strategic planning, development of services, policy formulation and performance monitoring and control.

**9.66** The director advised that the earliest date for implementation of these proposals would be July 1989.

#### **(e) The Career of Tony Latham**

**9.67** Toward the end of 1987, as indicated above in paragraph 9.54, Tony Latham was carrying out work related to problems of control at Riverside (community home with education). Following the completion

of this work he wrote, at the beginning of 1988, as we understand it, a report for the director of social services making proposals for the future use of Riverside as a county resource.

**9.68** Changes in Manpower Services Commission funding created major problems in supporting a number of the projects during 1988 and subsequently.

**9.69** The work of Tony Latham and his team was warmly acknowledged by the director of social services. When, however, he reported to the social services committee in July 1988 he had to warn them that reductions in funding might lead to the necessity of bringing some schemes to an end.

**9.70** Tony Latham was appointed to post of senior assistant (children and families) at headquarters in September 1988.

**9.71** By November 1988, the Community Programme having ended two months earlier, it was necessary for the director to tell the committee that staff could not be provided for a range of services after Christmas 1988.

**9.72** As a consequence of ending a number of projects because of loss of funding, Fundwell Ltd. no longer had the same justification, and it was agreed that it would be wound up over the next few months.



## Chapter 10: 1989

### ❖ (a) National Events

**10.1** The Children Act 1989, major reforming legislation, received the Royal Assent on 16 November 1989. A few of its provisions are already in force. The remaining provisions of the Act will come into force on 14 October 1991: see The Childrens Act 1989 (Commencement and Transitional Provisions) Order 1991 (S.I. 1991 No.828). Part VI of the Act, sections 53 to 58, deals with community homes. Paragraph 4 of Schedule 4 to the Act empowers the making of regulations in respect of community homes. These may provide, for example, for the 'control and discipline of children in such homes'. (see also chapter 12 paragraph 12.50)

### (b) Staffordshire and its Social Services

**10.2** In 1989 plans for the re-organisation of the management structure of the social services department came to fruition and changes within the child care service also took place, particularly in relation to provision for young offenders and adolescents with special problems.

**10.3** Riverside (community home with education) finally closed in January 1989. This resulted in there being pressure on the family centres to take almost all the children, including those remanded from juvenile courts, who would normally have gone to Riverside.

**10.4** In the north of the county 100 Chell Heath Road and 245 Hartshill Road had been redesignated 'community units' in the juvenile justice re-organisation but their facilities were limited and did not absorb the full impact of the loss of places at Riverside. In Tamworth, after Riverside was closed, the area only had The Alders as residential provision for all purposes.

**10.5** Problems had already been experienced at The Alders during the winter of 1988 and John Spurr, deputy director of social services, had been involved. The statutory visitor on 22 December 1988 had noted that 'teenagers who have recently disrupted the family centre have now been moved and the centre is now back to normality. . . . The day nursery was a hive of activity.' The next statutory visitor a few days later on 6 January 1989, however, thought the overall physical conditions had deteriorated since a previous visit eighteen months earlier.

**10.6** It was not only the lack of places in residential establishments which was a problem in 1989 but also the lack of social work time, continuity and team collaboration. Residential staff were frustrated at not receiving adequate information themselves to do their work effectively, but also complained of having to watch the young people in their care suffer from the uncertainty, anxiety and frustration caused by insufficient information, lack of planning and lack of consultation with them about plans for their future. The residential staff believed that some of the bad behaviour of young people could legitimately be attributed to their anger and fear of the future caused by unco-ordinated and poor quality work on their behalf.

**10.7** There had also been signs of trouble in late 1988 at Heron Cross House, Stoke-on-Trent, due to having to accommodate children from other units on a temporary basis during departmental changes in connection with the juvenile justice re-organisation. Peter Wall, the statutory visitor for November 1988 had attributed difficulties to 'remands from courts and detention centres'. The residents of Scotia House, another residential home, had also temporarily had to be accommodated. The physical environment at Heron Cross House had been deteriorating and the last visitor of the year had used the phrase 'there was no feeling of warmth or happiness'. By 10 February 1989 K. Tempest, another statutory visitor, reported that 'Heron Cross (was) badly in need of repairs following destructive behaviour of offenders recently accommodated at the home. General atmosphere of despondency . . . flat roof, lot of rubbish thrown through windows by children.' Changes were understood to be in hand.

**10.8** Philip Warrilow had been appointed area officer for Tamworth in March 1988 and had been involved in the problems of The Alders as they developed. He told the Inquiry in evidence that he had

been asking for assistance for the home from October 1988, particularly that they might have some redeployed Riverside staff. When Margaret Spooner had been appointed principal area officer in November 1988 he had complained to her about the needs of The Alders and she had communicated with headquarters in the social services department.

**10.9** The juvenile justice co-ordinator responsible for the Tamworth area, Mark Roberts, was not in post until March 1989. Philip Warrilow saw this as another factor in The Alders' problems because not only were the former resources of Riverside no longer available, but the new resources were not either. A group of young people were increasingly challenging staff and acting together to intimidate other children. Six of them had run away after an outburst of aggression on 19 February. They returned on 20 February. Philip Warrilow had a meeting with them and they agreed to stay in and gradually earn back evenings out by good behaviour; but such co-operation was shortlived.

**10.10** Staff at the family centre were being called upon to carry out work for which they had received no training and staffing levels were so poor that they were 'reduced to one at times'. The regular rota sheets which at The Alders were stuck into log books never showed more than two people on duty at a time.

**10.11** The Inquiry was told that when The Alders team leader had telephoned asking for help, a senior manager had responded 'that now we know what Riverside had to put up with'. A letter which a group of staff wrote expressing their concerns was intended to go to central office but they were told they could not send it and were very frustrated.

**10.12** The log book at this period contained entries about incidents inside and outside The Alders which gave cause for serious concern.

**10.13** Various meetings took place about the family centre during March 1989. It is not clear exactly who was involved but by 9 March the team leader at The Alders, Sylvia Dennis, left a message in the log book for '*All Staff. There is a meeting 11 a.m. Monday - with Tony Laytham (sic) and Co.*' - This was to be on 13 March. There is no record of the meeting in the log book, or in any other papers produced for the Inquiry.

**10.14** On 15 March 1989 the log book carried an instruction to staff that if two adolescent girls who had run away, returned they were not to be admitted 'until next week, not for food, washing, are (sic) anything at all. All staff are to stick to this there his (sic) no backing down.' The next day Margaret Spooner, principal area officer, was reported in the log book as having said 'we must let them in they are on care orders and cannot be turned away'.

**10.15** Meetings then took place involving Chris Walley, Tony Latham and Philip Price after Philip Warrilow, area officer, had asked for help. John Spurr was telephoned. A meeting also took place with the team leader at The Alders, Sylvia Dennis. Members of the staff met Tony Latham. It seemed to be commonly agreed that eventually Peter Crockett, deputy director, had asked Tony Latham to go to The Alders 'to assist and advise wherever necessary'. Philip Warrilow who had been working closely with The Alders told the Inquiry he was not part of the decision making process, but was told that Tony Latham was coming.

**10.16** The name Glynis appeared in the margin of the undated log book entries just before 20 March 1989 with no comment. Glynis Mellors had been working at Duke's Lodge, Tony Latham's home and projects centre, during 1988, carrying out administrative office work. By February 1989 she was no longer required there because the enterprises concerned had ceased or been transferred.

**10.17** In her written statement to the Inquiry she said that Tony Latham had been asked to go to Tamworth 'and identify the problems . . . there and he asked Phil Price and myself to form a task force to do this. I spent all my time from March 1989 to July 1989 at the Centre.'

**10.18** The Latham team came in on 20 March 1989 and held a family meeting about a girl who was subsequently put in the Pindown unit they established on the top floor of The Alders. Some of the details

of how the first resident in the unit was handled and how the unit was operated are described in Pindown Profile No. 7 in Chapter 11.

**10.19** The Inquiry received evidence that the staff of The Alders felt pushed on one side by Tony Latham's team. The team were said to have described themselves as 'senior representatives on behalf of headquarters'. The team leader at The Alders told the Inquiry in evidence that it was suggested to her she should go on holiday, but she was not prepared to do that. After a few days she decided, however, that it might be in the children's interests to take them on holiday and took them to Clacton with another member of staff on 23 March for about a week.

**10.20** A specific Pindown log book was started at The Alders on 20 March 1989. It contains records of seven children having been put in the Pindown unit between 20 March and 2 October 1989. Two of them, both boys, absconded within hours of being in the unit and did not return to it. Three boys and one girl were there for four days each. The first girl was in Pindown, apart from two days when she absconded, from 20 March to 12 April 1989.

**10.21** The area social workers were not happy about the Pindown unit. They found that decisions were made about children for whom they were responsible with no consultation and that their role in relation to the children was not taken into account. The social worker for the first girl in the unit found her attempts to visit the girl blocked. Glynis Mellors described her in the log book as 'surly' with the family centre staff concerning a meeting arranged at very short notice about one of the other children on her caseload.

**10.22** One field social worker who had spent a significant amount of time working in The Alders, told the Inquiry that the area social workers were so concerned they tried 'to find out what the rights that prisoners were allowed to have as a basic right for either getting out of a room or having exercises because initially they (the children in Pindown) were there twenty-four hours a day'.

**10.23** Another area social worker told the Inquiry that in March 1989 'we heard from a member of staff that there was going to be such a thing as Pindown introduced because of the behaviour of the children . . . the family team know nothing of what this Pindown was or what it entailed or who it was going to be . . . who was going to be actually in it'. At a team meeting Philip Warrilow had told them it was going to happen. They expressed their concern. He had explained 'this room was going to be used to control the children . . . and (one girl) was going to be put into this room because she was seen to be the culprit, the big trouble causer who led the other children astray'. The room that was used was a former storeroom. When the social worker had worked at The Alders and had asked if it could be converted into another bedroom: 'they said no because the floors were unsafe. . . . There was no fire escape and the only way down was down one set of stairs to the fire exit' on the lower floor. The window was very small and later after the girl who was put into this Pindown room got out of it, it was nailed up with perspex and there was then 'no ventilation . . . and . . . hardly any light.'

**10.24** The family meetings which were held at The Alders were also a cause of concern among the social workers in the Tamworth area. A social worker said that she 'used to go in with butterflies in my stomach and feeling really worried and I really don't know what the child felt.' She described to the Inquiry the role play: 'they would have one person who would play big baddy and would be still carrying on being critical whether the child had done nothing wrong or not . . . another member of the group would play Mr Nice Guy.' She found it 'very difficult not to get angry with the team during the meetings'. This perception was supported by other social workers. One who had worked in a secure unit under another local authority described the family meetings as 'brutal', for parents and children.

**10.25** A further social worker remembered that 'nothing positive was said about the child, all the bad things . . . he had been naughty but every single thing he had done badly was brought up and it was brought up in totally derogatory terms, the language was appalling'. When asked what language was used the example he gave was 'You're fucking useless.' Philip Warrilow confirmed in his evidence that social workers 'did not like some of the language used in meetings.'

**10.26** During March and April 1989 the log books for 245 Hartshill Road and The Birches showed no exceptional events. Fred Hill visited Heron Cross House at the end of March 1989 and reported that the situation was more settled though there were still signs of damage and vandalism.

**10.27** The statutory visitor to The Alders for March 1989 recorded that he spoke to 'Mrs Mellors who is the former manager of the Social Services Youth Training Scheme and *who is helping out at the Centre for a temporary period until she is offered permanent alternative employment*' (emphasis added). The report to the District Advisory Sub-Committee said 'There have been problems of control with some of the children but the staff are working through the difficulties and the Centre is operating satisfactorily'.

**10.28** In April 1989 Laurence Pountney who had been principal officer, child protection, at headquarters since leaving Tamworth in September 1988, was promoted to assistant director (children and families). Elizabeth Brennan was appointed to his former post and left Newcastle after six years as principal area officer. Chris Walley, juvenile justice co-ordinator showed Laurence Pountney round 245 Hartshill Road soon after he was appointed assistant director. During April and May 1989, as far as can be seen from the records, there was only one child at a time in Pindown and for relatively short periods of time.

**10.29** On 5 April 1989 Peter Crockett called in briefly at The Alders in the course of visiting the residential establishment next door which was being used for accommodation of mentally handicapped adults. During April 1989 the area social workers tried on a number of occasions to arrange a meeting with Tony Latham. Meetings were arranged and then cancelled. On one occasion the staff were sitting together waiting when Philip Price told them Tony Latham was not coming as arranged. On 15 April the meeting was cancelled again. There were further cancellations but eventually a meeting took place on 9 May with the area staff, family centre staff and Tony Latham. Staff witnesses recalled the critical attitude taken towards them.

**10.30** In May 1989 Jane Taylor who had been area officer in the Newcastle area was appointed a child protection co-ordinator at headquarters. The statutory visitor for The Birches on 3 May was Fred Hill, senior assistant, who reported that he had had a long discussion with the team leader Peter Nichol-Harper and that the centre was still feeling the effect of withdrawal of the back up facilities formerly provided by Tony Latham's enterprises, particularly transport. The statutory visit reports provided for the Inquiry on 245 Hartshill Road did not include any from October 1988 to April 1989. The report for 12 April 1989 described it as 'a unit . . . for young people on remand or who have recently been through the courts, with some longer term cases.'

**10.31** The statutory visitor for May 1989 at Heron Cross House found there were still signs of damage to furniture and fittings. He commented 'the design of this unit is not conducive to the creation of a homely environment. Rooms are hexagonal, walls are bare, there are too many open passages, and not enough carpeted areas to create a softer 'lived in' atmosphere.'

**10.32** There were gaps in the statutory visits reports produced to the Inquiry for The Alders and there was no report for May 1989. At 245 Hartshill Road an entry on 21 May 1989 records the admission to Pindown of an eleven year old boy. In the handwriting of a member of staff who had been working at the unit for a long period there was a note 'How on earth do we implement Pindown with an 11 yr. old', although children as young as eleven had been there before.

**10.33** On 30 June 1989 the log book at 245 Hartshill Road recorded a note to staff that they would be on strike from midnight one day to midnight the next, although two members 'per session' were exempt, except in relation to manning the office. Glynis Mellers was still at The Alders but there was no record of any child in Pindown. The official visitor at The Alders in June 1989 reported that the children were present when he was there: 'fair relationships with staff were evident . . . efforts had been made to retain a reasonably comfortable physical environment with personalised bedrooms etc. A shortfall of domestic staff was evident . . . staff on duty when I visited appeared weary.'

**10.34** The departmental re-organisation took place in July 1989. Amongst some of the many changes of personnel which took place as well as structural changes, Tony Latham became senior assistant (children and families); Philip Owen became the new divisional manager for the north of Staffordshire; Philip Warrilow, area officer for Tamworth, became district manager for Lichfield; Margaret Spooner, who had been principal area officer in Tamworth since October 1988, became district manager there.

**10.35** Many witnesses heavily criticised the re-organisation which took place. Communication seemed less clear than previously. Small district teams felt isolated and were too small in some instances to be viable. Some people found themselves accountable to more than one line manager.

**10.36** A feature of the re-organisation was that management of all residential facilities devolved to district officer level which, whilst providing local accountability and concern, also meant that as far as children's residential services were concerned, a service in crisis was in the hands of relatively inexperienced managers.

**10.37** In July 1989 we were told that 100 Chell Heath Road 'had a bout of one week where basically anarchy ruled . . . where the residents were totally out of control'. A meeting about the situation then took place attended by amongst others: Peter Crockett (deputy director), Philip Owen (divisional general manager), David Heath (assistant divisional general manager), Laurence Pountney (assistant director), Philip Price and Tony Latham. Philip Price told the Inquiry that before this meeting he had been asked to take on the management of 100 Chell Heath Road; he was at the time managing 245 Hartshill Road. He declined but agreed to 'work alongside' the team leader, Morris Lyons. The meeting then decided that as from 1 August 1989 Philip Price and Glynis Mellors would join the Chell Heath Road Team 'in an effort to resolve some of the problematic areas'.

**10.38** In the event Tony Latham and Glynis Mellors were primarily involved for several weeks during August and early September 1989. The team leader of 100 Chell Heath Road at that time described what happened: 'They operated a way of setting up family meetings, centering these . . . around a powerful personality Chairman'. Those which took place in 100 Chell Heath Road were chaired by Tony Latham and minuted by Glynis Mellors. Morris Lyons, the team leader, thought they were 'conducting a kind of in-service development as they saw it' for him and other staff.

**10.39** The most intense meetings took place in relation to one boy who was moved from 100 Chell Heath Road into Pindown at 245 Hartshill Road where Dave Allen, Glynis Mellors and other staff provided twenty-four hour contact. David Allen, in particular, spent many hours working with this boy whilst he was in Pindown. The boy had a quite different experience from the established pattern because he had so much personal attention.

**10.40** Witnesses from 100 Chell Heath Road acknowledged the value of some new ideas and help from Tony Latham's team in tackling their problems. They did not appreciate the lack of consultation, which they regarded as typical of the department's manner of operation, and they were strongly opposed to Pindown as a method of confronting the problems of young people. We are satisfied that Pindown was never operated at 100 Chell Heath Road. We were told however that it was suggested to staff that they might want to use it. They firmly declined. The Latham team left 100 Chell Heath Road in early September because they apparently had other priorities.

**10.41** During August 1989 Peter Nicol-Harper, who had worked at The Birches and 245 Hartshill Road and trained as a social worker on secondment from Staffordshire, completed his two years subsequent service requirement and went to work elsewhere. Sally Rees had become district manager responsible for The Birches in the re-organisation.

**10.42** On 10 August Philip Price wrote an internal memorandum to Chris Walley, Fred Hill and Dave Heath. He described it as his 'personal views of residential child care practice at the present time'. It was written from a 'constructive viewpoint' and he hoped he would have an opportunity to discuss its contents. Some of the issues raised in the paper were as follows:

- (a) disillusionment through lack of direction in policy and effective gatekeeping;
- (b) no clear statement on development of alternatives to residential care;
- (c) no clear direction for individual units;
- (d) disjointed and individual management approaches in areas;
- (e) little concept of client need.

**10.43** The memorandum urged:

- (a) development of clear structure and line management systems on divisional, not district, bases;
- (b) an effective staffing policy with encouragement of a professional approach;
- (c) management of units in negotiation with clients;
- (d) skills development, especially in handling aggression;
- (e) care plans for individual clients;
- (f) specific management structure for children and residential services.

Currently the service was seen to be expensive but at times counter productive in relation to the client. Major problems were:

- (a) inappropriate distribution of resources;
- (b) inadequate staffing;
- (c) lack of sense of direction;
- (d) no forward plan;
- (e) ill defined management structures;
- (f) poor understanding and acceptance of residential work in the overall social work process.

**10.44** Philip Price wrote that consultation with those responsible for the work was needed and a system of supervision and staff appraisal. He believed that other team leaders shared his views and warned that the department was 'taking a backward step into the 90s under our current structures and that *unless some major change takes place there will be no one left prepared to even go into the 90s*' (emphasis added). It is not known whether any discussion of this paper took place.

**10.45** Heron Cross House was continuing to experience difficulties. A statutory visitor on 30 June 1989 had found that 'at present a group of disruptive children are causing problems, particularly for night staff sleeping in. Staff are woken during the night to deal with problems, resulting in them being exhausted when on duty the next day. . . . Staff morale appeared low.' The report carried a handwritten note by John Spurr saying that urgent assessment and remedy was being sought. The report to the District Advisory Sub-Committee under the heading 'Control' stated 'satisfactory'. On the back of the visitor's report were notes dated 24 July from David Heath, assistant divisional general manager, saying that the problem of waking night staff had been resolved but that disruptive children were causing some problems.

**10.46** The following month the statutory visitor at Heron Cross House was A. Carney. His report went further than the previous report. Five girls had absconded since the last statutory visit and although there were no entries in the measures of control book, two children had recently been transferred to 'support units' (the name for juvenile justice units) one for vandalism, the other for 'uncontrollable' behaviour. In his general comments the visitor reported 'the very poor standards of decoration, furnishing, tidiness and preservation of the interior living space, create a sad and worrying impression of this family centre. Its treatment by past and present residents has been severe and its maintenance and upkeep lacking in urgency. This must have a disconcerting effect on staff morale, and a cumulative effect on vandalism by residents'. The report to the District Advisory Sub-Committee on this occasion indicated that there were considerable problems in this establishment.

**10.47** A residential worker at Heron Cross House told the Inquiry that the closing of Riverside 'was the beginning of the loss of the family centre . . . because we had to take children on remand and they had to mix the children who were there who had problems at home. . . . They had to be in the same building as the boys from Risley (remand centre).'

**10.48** Peter Crockett, a deputy director, after a series of meetings then asked Tony Latham and his colleagues to intervene at Heron Cross House in early September 1989. A witness described what happened when the Latham team arrived: 'They moved everything about and moved into that wing, into what they call a structured unit . . . it may sound funny but they just came in and we were . . . taken over and swamped'.

**10.49** The pattern of intervention by the Latham team seemed to have been similar to the process at 100 Chell Heath Road. Initially there were family meetings, reviews and attempts to confront problems through discussion. We were told that after about two weeks, however, a boy who had been difficult to manage earlier 'was still not conforming . . . and that was when the 'Pindown' unit was set up'. Three children were put in it during the short period it operated. One of them went out to school but when she returned each day changed into night clothes. The Pindown unit operated from 26 September to 2 October 1989.

**10.50** The unit was set up in a wing of the hexagonal building, with an intervening glass panelled door screened with brown paper to prevent children on either side seeing each other. All meals were taken there; there were daily meetings with each child; and the other Pindown rules about bathing, bed times and night clothes, subject to personal variations at staff discretion, were carried out. No education was provided by a teacher but some occupation was allowed and the general atmosphere of the unit appeared to have been more relaxed than at 245 Hartshill Road.

**10.51** A girl at Heron Cross House refused to co-operate, or to stay at Heron Cross House. In consequence she was taken to 245 Hartshill Road where she jumped out of a window. She became a ward of court.

**10.52** While the Latham team was working in Heron Cross House in September 1989 social workers in the Tamworth area were drawing attention to the 'dangerously low level of social work cover presently in operation'. Seven members of the area team jointly signed a letter to Margaret Spooner on 21 September headed 'Staffing levels in Children and Families Team, Tamworth'. They identified the following problems:

(a) for several months no social workers had been able to be allocated to children on matrimonial supervision orders, some care orders, or voluntary supervision preventive work;

(b) because no ongoing support was possible crises were more severe leading to avoidable family breakdown;

(c) there was no time for planning long term for children or for assessment.

Team members were exhausted, were 'lurching from one crisis to another' and there was a real danger of grave mistakes being made.

**10.53** Staffing levels in the Tamworth area team had been reduced from the full time equivalent of 9 posts on 1 January 1989 to 5 on 18 September 1989. At this level 'the team is barely functioning', the letter said. Professional standards in report writing, reviews, preparation of care proceedings, assessments, counselling, spending time with children and parents were having to be lowered. On 6 October 1989 two more staff were to be lost. Details were provided of the impact of these losses and it was made clear that the directive to involve members of other teams was impossible to act upon in Tamworth since there was only one other qualified worker, 'dangerously overloaded', in the building. The letter ended with an appeal to management to recognise.

(a) that Tamworth was a high risk area on a par with Birmingham and Telford; and

(b) that there was a serious staffing problem.

**10.54** Margaret Spooner sent this letter to Reg Saunders, divisional general manager, on 21 September 1989. On 16 October she wrote again requesting an early reply. She referred to more losses in staffing, to telephone calls explaining their difficulties and ended by saying 'this level of service is hardly carrying out the Director's aim which, I understand, was to provide better services for the local community. *At no time*

*in my social work career have I been in such a situation for disaster* (emphasis added). I would welcome your views.'

**10.55** Subsequently, a senior social worker and a senior colleague wrote to Barry O'Neill saying that a service was not being offered to Tamworth because staff were not available to provide it. The response to that, the senior social worker told the Inquiry, was that a meeting took place with the social workers and decisions were made on what cases they should close, and what work did not need doing. The social workers did not support a number of the judgments made. Since then the situation had, in their view, deteriorated.

**10.56** After the Latham team had left The Alders, Tamworth, in August 1989 Tony Latham had had a meeting with the staff and children asking for information as part of the background to providing the director of social services with a report on the team's intervention at The Alders. The final report was signed by Tony Latham on 12 September 1989: see appendix F, document 7. In evidence Tony Latham told the Inquiry that he handed the report to senior management shortly after 12 September 1989. Nobody could recall seeing it until at least October 1989.

**10.57** This long report broadly dealt with:

- (a) an analysis of problems leading up to the use of Pindown at The Alders;
- (b) problems and issues identified in meetings in March 1989 with residents and in meetings with staff members before and after the presence of the headquarters team at The Alders;
- (c) recommendations for improving the role of team manager at The Alders;
- (d) individual care plans and programmes for residents and available resources to promote family centre concepts;
- (e) individual children's reviews and client centred approaches;
- (f) the use of 'the special unit';;
- (g) supervision of family centre workers.

**10.58** During September and October 1989, 100 Chell Heath Road reverted to being a family centre; Heron Cross House ceased to be a family centre; 245 Hartshill Road ceased to be a community unit and began to become a centre for child protection and fostering. Also in September 'juvenile justice schemes' were renamed 'services for young people'.

**10.59** On 28 September 1989 the statutory visitor for The Birches noted under the heading of 'Control' that there were 'numerous recorded instances of minor punishments' since the last statutory visit; 40 in all. This number was without precedent in the measure of control book for ten years. At 245 Hartshill Road the statutory visitor for 5 October 1989 recorded that six young people had absconded on a total of ten occasions. There were also numerous entries in the measures of control book 'but none refer to any breach of discipline. This record is more in keeping with maintaining a record of privileges earned and there is no conventional measures of control book.' At The Alders although the central office team had departed, the measures of control book records for 25 September 1989 one boy on 'full Pindown' for continually absconding from the centre. The only other Pindown entry was in the special log book from 28 September to 1 October when a girl was in the Pindown room following a number of incidents involving alcohol. An official visitor in September expressed concern at staff shortages and pressure on staff, but found them to be giving 'the loving care to the children for which they are noted.'

**10.60** The end of Pindown came in early October 1989. On 2 October as noted already in Chapter 1, paragraph 1.1, while John Spurr was in the Newcastle divisional office a local solicitor, Kevin Williams, telephoned to say that he had been appearing in court on behalf of a girl in care about whom he was very concerned. She had been in Pindown. He was proposing to take wardship proceedings. Over the course of 3 and 4 October further discussions took place between John Spurr and Kevin Williams and it became clear that the Pindown unit was seen by Kevin Williams to be 'a matter of public concern'. John Spurr had already heard from the director of social services that the chairman of the social services committee knew of Kevin Williams' concern about the unit.



**10.61** There was a meeting of the North Staffordshire divisional management group on 4 October 1989. The minutes of this meeting, Minute 14(b) recorded that 'Mr Owen (divisional director) said that with effect from last night (3rd October) there is no 'pin down' facility at Hartshill Road and Heron Cross'. Subsequently the girl who was the subject of Kevin Williams' telephone call on 2 October and a boy were made wards of court and High Court injunctions were obtained on 13 October to prevent any further use of Pindown and any employment of a child in care of school age in school hours other than in circumstances agreed in consultation with the Education Welfare Service.

**10.62** On 13 October 1989 the 245 Hartshill Road log book contains the following communication from Philip Price: 'Note to all staff pending meeting – High Court on Friday. – Will discuss in more detail at special staff meeting with C. Walley A.S.A.P.

1. No more Pindown operations to take place on any child.
2. Normal regulations within Community Home Regs 10
3. Restriction of Liberty not to take place outside such regulations
4. Children working with Bill not allowed without approval of Education Welfare Service as from today
5. Bill's role to be defined
6. Other issues but mainly of a legal nature

Will hold a group meeting on Monday when all children are here.

Well done everyone for working through this, I am confident at the end of the day an official approval and improved staffing regime throughout residential will come out of this. Phil.'

**10.63** Two further documents relating to Pindown were produced during the period October/November 1989. The first was entitled 'Principles behind the use of the Time Out Unit at 245 Hartshill Road'. It appears in Appendix F document 3, at page 223. The origin of the document was a request to Chris Walley, Juvenile Justice Co-Ordinator responsible in that capacity for 245 Hartshill Road, by a member of the legal department to provide information for the court in the wardship applications in October 1989 about the principles and practice of the special unit. It gave a description of the unit, the philosophy behind the concept of 'Pindown', the alternatives, and the framework of operations which included information about 'sanctions and rewards', confrontation methods, meetings, and the routine of bathing, knocking on a door to obtain exit, wearing of night clothes, meals in the young persons room, tasks, and earning of privileges. It concluded with a note about family meetings and the role play of negative and positive relationships. At the end of the document the words 'by Chris Walley' appeared but they were not in his writing. A note against the item of information on wearing of night clothes said 'specifically not allowed' and was identified by Chris Walley as his writing, as were two other words correcting the typing of the draft document.

**10.64** The other document (see appendix F, document 8) was written by Tony Latham and much of it is identical in wording with the Time Out document referred to in paragraph 10.63.

**10.65** At the meeting of the Social Services General Sub-Committee on 30 November 1989 the director presented a report on 245 Hartshill Road. It was minuted under exempt minutes. It reported on the court cases concerning two young people and 'a system, developed within the home as a means of responding to and dealing with young people in care who were not amenable to ordinarily accepted means of control. The system was to use part of the unit as a crisis intervention unit, variously described as a "time-out unit" or a "pin down unit"'. The main weakness of the project was said to be that it had never been incorporated into the department's approved practices i.e. as an additional means of control under the Community Home Regulations 1972. The system, the Committee was told, had been discontinued at the beginning of October 1989 having been operating since 1983. The director stated that in his view 'it has not been harshly repressive and has not entailed ill-treatment. It has been aimed solely and directly for the good of the young person.'

**10.66** Barry O'Neill, the director of social services, also on 30 November 1989, wrote to Philip Owen, divisional general manager for North Staffordshire. The letter was headed 'Department's involvement with Fundwell and Skip Hire'. Referring to past 'legitimate involvement of the department with these companies', he made the policy for the future clear. This was that:

(a) staff should not be involved in any capacity with private commercial enterprises during working hours, and only outside working hours with the consent of the chief officer;

(b) children in care or under supervision should not be involved with the private sector, unless they were on approved training schemes;

(c) Mrs Mellor and Mr Tomlinson, formerly legitimately involved in the companies were no longer authorized to be so involved and placement of young people was also no longer approved.

The divisional general manager was asked to monitor the situation and advise the director accordingly.

**10.67** During 1989, 18 children were subject to Pindown in 245 Hartshill Road. (No children were put in Pindown at The Birches.)

– The shortest episode was 1 day

– The longest continuous episode was 27 days.

The total time spent by each of the 18 children in Pindown at 245 Hartshill Road was:

Length of time in Pindown	No. of children	No. of episodes
1 day	4	1 each
2 days	1	1 episode
4 days	5	{ 4 children – 1 each 1 child – 2 episodes
5 days	1	1 episode
6 days	1	1 episode
9 days	1	1 episode
11 days	1	1 episode
14 days	1	1 episode
17 days	1	3 episodes
21 days	1	3 episodes
27 days	1	1 episode

**10.68** During 1989, 7 children were subject to Pindown in The Alders.

– 2 children were in for a few hours and then absconded

– The longest continuous episode was 21 days

The total time spent by each of the 7 children in Pindown at The Alders was:

Length of time in Pindown	No. of children	No. of episodes
1 day	2	1 each
4 days	4	1 each
21 days	1	1 episode

**10.69** During 1989, 3 children were subject to Pindown at Heron Cross House

– The shortest episode was 4 days

– The longest continuous episode was 8 days

The total time spent by each of the 3 children in Pindown at Heron Cross House was:

Length of time in Pindown	No. of children	No. of episodes
4 days	1	1 episode
8 days	2	1 each

One of the 3 children was also subject to Pindown at 245 Hartshill Road during 1989. The child is also included in the figures for 245 Hartshill Road for that episode.

### **(c) County Council Financial Policies**

**10.70** The revised revenue estimates for 1988/89 and the draft estimates for 1989/90 were again presented to the committee in a joint report of the director of social services and the county treasurer. Over the whole social services department in 1989/90 there was a growth of £2.3 million, savings of £1.3 million and net growth therefore of £1 million.

**10.71** We were given information that indicated that the county council were aware that additional income was likely to be generated by transferring residents in homes for the mentally handicapped to hostel benefit status rather than Part III minimum charge status and this accounted for the bulk of the savings in this year.

**10.72** The social services net budget for 1989/90 was £50.3 million. This represented 10.94 per cent of the whole county council budget compared with 10.34 per cent in the previous year 1988/89. A comparison of Staffordshire's net spending on social services per head of the population with the average for shire counties showed Staffordshire spent £48.73 against an estimated average for other counties of £57.05 and ranked 32 out of 39 counties. Expenditure on children within the social services budget as estimated for 1989/90 showed that English counties on average spent 15 per cent of the social services budget on children. Staffordshire spent on average 11.6 per cent.

**10.73** Within the Audit Commission's 'family group' the 'family' average spending on personal social services was £67.20; Staffordshire's was £48.70. Spending on children by the 'family group' averaged £11.80; Staffordshire spent £6.70, 56.8 per cent of the 'family' average.

### **(d) Social Services Re-Organisation**

**10.74** There had been fears in 1988 that national changes in funding for the YTS schemes due to the change from the Manpower Services Commission to the Training Agency might lead to the schemes having to be discontinued.

**10.75** On 10 January 1989 Barry O'Neill, the director of social services, put a report to the committee 'Review of the Youth Training Scheme'. He explained that, in spite of negotiations, the MSC, later to be replaced by the Training Agency, would not be able to assist the Staffordshire County Council YTS scheme to continue; that the social services department would not be offered an opportunity to run an Initial Training Scheme; and that while the MSC would welcome social services assistance in YTS Initial Training Schemes because their skills and knowledge were recognised, they would not be able to contribute toward the cost of such involvement.

**10.76** At the Social Services General Sub-Committee meeting on 2 May 1989 the director of social services recommended a change of use of the Voluntary Bodies Co-Ordinator's post. The Social Services YTS Scheme had ended in February 1989 and the complementary voluntary initiatives managed by Tony Latham, the post holder, had been run down or were being managed by the social services department. The director therefore proposed that in view of Tony Latham's previous experience and the 'very positive comments about the Newcastle-under-Lyme family centre' made by the Social Services Inspectorate in their study of family centres, he should be re-designated Senior Assistant to work in the children and families headquarters section. There he could 'help to plan and monitor the development of the family centres and the . . . juvenile justice packages/intermediate treatment.' This was agreed and Tony Latham's new post commenced from 1 July 1989.

**10.77** The director also reported to the General Sub-Committee on 2 May 1989 on the report of the Social Services Inspectorate's survey of family centres 'A Change of Name or a Change of Practice.' The inspection of The Birches and The Alders had taken place in December 1987. A short version of the national report had been placed in the members' library.

**10.78** On 1 July 1989 the new departmental structure was put into operation. There were two deputy directors: Peter Crockett, responsible for research, development and monitoring at headquarters, and John Spurr, for operational services in three divisions. Audrey Williams, formerly assistant director

(children and family services) at headquarters, retired and was replaced by Laurence Pountney. In each division there were two or three assistant divisional general managers, each with special responsibilities. District officers had team managers accountable for client group teams of social workers. Each division also had a principal administrative officer, a juvenile justice co-ordinator and a child protection co-ordinator.

**10.79** At a meeting of the Social Services General Sub-Committee on 30 November 1989 exempt minutes of a meeting on 29 September were confirmed. They contained the following decisions:

(a) that following questions from a member of the committee the director gave assurances that secure accommodation in other local authorities would be used when needed and that *disruptive children would not be deprived of education*; (emphasis added).

(b) that the term juvenile justice be discontinued and be replaced by the term 'services for young people';

(c) that 100 Chell Heath Road, Stoke-on-Trent, cease to be a 12 place community unit in the juvenile justice system and revert to being a 15 place family centre;

(d) that Heron Cross House, Stoke-on-Trent, cease to be a 15 place family centre and become a 15 place County Young People's Centre from 1 April 1990;

(e) that the staff of 245 Hartshill Road and Heron Cross House be redeployed at the new Heron Cross House establishment;

(f) that arrangements be made with the district health authority for psychiatric and psychological input and the Chief Educational Officer for educational services including teachers for Heron Cross House; and

(g) that 245 Hartshill Road cease to operate as a 10 place community unit and become the base for the North Staffordshire Child Protection Unit and Family Placement Unit.

**10.80** The report contained two other matters affecting organisation of services. One was a major review of boarding out allowances and payments for placements of 'particularly disturbed adolescents'. The other was the official end of Pindown. It was minuted as follows: '245 Hartshill Road, Stoke-on-Trent - Care and Control: criticisms were recently made in the course of legal proceedings about the form of care received by two young people resident at 245 Hartshill Road, Stoke-on-Trent. *The system which has operated since 1983 but has now been discontinued was introduced as a method of making an impression and getting a positive response from young people who are normally hard to reach and influence*' (emphasis added).

**10.81** Related to the decisions above was a report to the committee entitled 'Review of residential services for children and young people'. This examined the county provision in considerable detail. Important points for the future of child care residential work were:

(a) family centres would continue but would mainly accommodate children up to the age of thirteen years;

(b) long stay homes would be kept to a minimum;

(c) the new unit at Heron Cross House would be the main resource for young people requiring specialised care;

(d) it would also be expected to provide an advisory and support service to units elsewhere in the county.

#### **(e) The Career of Tony Latham**

**10.82** During 1989 Tony Latham was asked by Peter Crockett, deputy director of social services, to intervene in three residential establishments which were experiencing problems in controlling young people in care. These were: The Alders at Tamworth, 100 Chell Heath Road and Heron Cross House at Stoke-on-Trent. In each instance Tony Latham was assisted by Philip Price and Glynis Mellors. A Pindown unit was established in The Alders and Heron Cross House but not at 100 Chell Heath Road.

**10.83** From the late autumn of 1989 Tony Latham was on extended sick leave from his employment with Staffordshire County Council.

## **PART 3: The Pindown Experience**

### **Chapter 11**

#### **Pindown Profiles**

**11.1** The following seven individual accounts cover children, both boys and girls, of differing ages, who came into care for varying reasons, but who all experienced the rigours of Pindown. They have each been given a pseudonym. Though the details are not exhaustive, the essential features of their Pindown experience are identified.

##### **(1) Jane**

**11.2** Jane was born in 1972. She is the youngest of a family of four children, having an older brother and two sisters. Each of her parents suffered from a psychiatric illness. When Jane was almost three years old, all four children went into the care of Staffordshire County Council because the parents were unable to look after them. All were subsequently made the subject of care orders granted by a juvenile court and remained in care until the age of 18.

**11.3** Initially Jane was placed with one of her sisters at a nursery. The other two children were placed in a children's home. Eventually the four children were re-united and remained in the same foster home between 1976 and 1983.

**11.4** In 1983 as a result of serious difficulties in the relationship between the foster parents and Jane's brother, he was moved elsewhere. Ultimately an adoption application by the foster parents in respect of the three girls was not pursued and the children were moved to a new foster placement when Jane was 11. She told the Inquiry that she was given no warning or explanation of the move. She was deeply affected by it.

**11.5** About 18 months later in 1985 Jane's eldest sister, who was then 15 years old, was moved after disagreements with the foster mother. Jane was very unhappy in the foster home and in particular missed her sister. She told the Inquiry that she ran away from the foster home one night wearing only her nightdress. She attempted to cut her wrists. The police returned her to the foster home. A doctor was called and she received sedation.

**11.6** The following day she was moved to 245 Hartshill Road and put straight into Pindown. She was then aged 13. She was given a nightdress to wear and her clothes and shoes were taken away in a black plastic bag. She was placed in the back Pindown room which had in it a bed, a table and a wardrobe. She was told not to go out of the room and if she wanted anything she had to knock on the door. This included wanting to go to the toilet. The room overlooked a first floor flat next door.

**11.7** The morning after her admission to Pindown she was taken out of the room to a meeting with three residential workers. In her own words: 'I was informed that I had done wrong by running away from my foster parents and that I had lost all my privileges. To regain these privileges I had to prove that I could be good by doing what the staff told me. I had to sign a "contract" that I would keep it, if I disobeyed anyone on this contract a privilege would be taken away'. She was then placed back in the Pindown room.

**11.8** On admission to the unit the programme written for Jane in the 'Intensive Training Unit' programme book included the following: 'foster breakdown – very loose programme'. She was to attend school and 'allowed visitors/phone calls/letters'. She was to rise at 7-15 a.m. and have a bath. Her bedtime after a bath was 9 p.m.

**11.9** A month later the programme recorded: 'to reside in back room crash pad'. She was to be up at 7 a.m. and have a bath. Her bedtime was altered to 7-30 p.m., after a bath. There was to be 'no contact . . .

Pindown scheme but not to be nasty to her – sympathetic pindown’. There was added ‘close supervision against self abuse – schooling in room for one week’.

**11.10** Five days later the programme stated: ‘Remains on pindown . . . no clothes . . . work programme in Unit over weekend period.’

**11.11** Four days later the entry in the ‘Intensive Training Unit’ book included: – ‘Allowed school. Bedtime 8 p.m., allowed visitors – family only. No nights out. Chores as usual. Weekend work programme’.

**11.12** Because records were inadequately kept or missing it is not possible to follow through what precisely happened to Jane. In addition her social work file is incomplete and in disarray. She thought that she was actually in the Pindown room for about 4 weeks. The programme clearly varied over a period of 3 months and for a part of her time her isolation was broken by being ‘allowed’ attendance at school, being permitted to go out of 245 Hartshill Road, and by receiving visitors. She also ran away on occasions. Her view of what happened to her is that ‘it was a degrading experience . . . I ran away a lot because I got so frustrated at not being allowed to see anyone and not being allowed to talk to anyone, my only friend in (there) was a woman who lived in the flats by the side of 245, I could look into her kitchen from the back Pindown unit. After either going back to 245 or being taken back by the police you were put back into the Pindown room and told to write what you’d done . . . I remember being really upset one night and going out of the Pindown room because I needed to talk and I got dragged back in.’

**11.13** During some of the times that Jane was allowed out of the Pindown room she would be given her clothes back and have a meal with the other children. After the meal she was returned to the Pindown room and her clothes were taken away from her and put back in a black plastic bag. She was given back her nightdress.

**11.14** Jane said that ‘After I’d worked my way out of the Pindown room, I was so depressed, and frustrated that I took an overdose. I was taken to hospital semi-conscious . . . I mean that’s the only way I got out of 245, if I hadn’t of done that I’d of probably still be in there.’ Jane was detained in hospital overnight. Staff also recorded removing a razor blade from her possessions. It was noted that ‘she keeps a razor . . . in case of emergencies . . . because she hates it here.’ Jane told the Inquiry that the Pindown system had a very destructive and negative effect on her life: ‘when I was in Pindown I was really messed up, after being in (there), I was in trouble with the cops and had tried to kill myself, I meant it did more harm than good.’

**11.15** Jane added that she had felt frightened when she was in Pindown. She had had no exercise and the only conversation she had with anyone was when her meal was brought. She had no books or magazines, and no television or radio. The door was not locked. Outside the door a chair was put next to it or pots and pans hung on the door handle: ‘It made you feel everyone was against you, you were always in the wrong, no-one would listen, it made me very depressed. It makes you hard, a loner, I don’t trust people anymore, it makes you distrust all sorts of authority.’

**11.16** Jane moved from 245 Hartshill Road to another children’s home and eventually moved into independent accommodation when she was 17.

## **(2) Susan**

**11.17** Susan, who was born in 1976, was put into Pindown when she was 9 years old.

**11.18** At the beginning of 1986 Susan, her half-sister aged 13, and her mother were living with the maternal grandfather. Her half-sister is the child of her mother’s former marriage. Susan’s father was one of her mother’s subsequent boyfriends.

**11.19** Over a period of about a month, in early 1986, the mother contacted Staffordshire social services on a number of occasions requesting help with coping with Susan’s behaviour. Susan was said to be mixing

with older girls and smoking, stealing and upsetting her grandfather who did not want her to remain in his home.

**11.20** Susan was then received into care and placed at 245 Hartshill Road.

**11.21** She went straight into Pindown. The first entry in the log book was as follows: '(Susan) admitted – *very basic programme be very nasty to her*' (emphasis added).

**11.22** Susan was required to wear pyjamas and kept in a sparsely furnished room. She was not allowed contact with other children or non-Pindown staff and was not permitted to attend school. She was required to knock on the door before going to the toilet. She remained in Pindown for a week and then returned home. Subsequently five 'family reviews' were held at The Birches at about weekly intervals before social services contact with the family ceased and the case was closed.

**11.23** Immediately after Susan's admission to Pindown an entry in the log book at 245 Hartshill Road recorded a residential worker's conversation with her headmaster: he was concerned that she was in care because she was no trouble at all in school being a good attender, well-behaved, and a hard worker. She was also in his view very bright.

**11.24** Further entries in the log book during her week in Pindown included:

- 'wants to go to the toilet a lot, soon put a stop to that. Had harsh words twice. Once for calling through the bedroom wall (to another child in Pindown).'

- 'will try anything to get out of her room, after several tellings offs (sic) she stopped trying.'

- 'she thinks I'm room service, hasn't anyone told her its not an hotel.'

- 'the little knocker has not knocked so much tonight, when I go in I usually look for a tip as I feel like a waiter.'

**11.25** On the evening of Susan's third day in Pindown a 'review' was held. Neither the log book nor the social services file on Susan records who was present. 'Susan's problems' were 'highlighted'. It was noted that the grandfather would not allow her back and her mother was prepared to move out of his home. It was 'agreed that (Susan) remain in care'. It was recorded in the log book that 'mother saw her 2 mins. Cried a little. Then later cried wanting to go home. Was her mother still here. Explained review system. Spoke to her about contract and may well come back if she breaks rules. Bath, bed. Toilet a lot still. First sign of hope for her, maybe!!!'

**11.26** Susan is twice recorded in the log book as 'working hard'. What she was doing in the Pindown room is not specified.

**11.27** A further 'review' was held after Susan had been in Pindown for 7 days. It was agreed that she should 'return home' on various conditions, one of which was that she should write a letter of apology to her grandfather.

**11.28** Susan returned to the home of her grandfather. Soon afterwards she and her mother and half-sister were re-housed.

**11.29** Just over a year later, the mother again brought Susan, then aged 10, to the social services office. She said that she had been having problems with Susan's behaviour for some considerable time. She would not do what she was told, called her mother unpleasant names and embarrassed her in public. The mother said that she had eventually lost her temper and attempted 'to strangle' Susan. She could not look at Susan without wanting to attack her and Susan was unrepentant about her behaviour. There were also problems with the mother's boyfriend who was living in their home and about whom Susan complained.

**11.30** Susan was again received into care and placed into Pindown. The entry in the log book at 245 Hartshill Road records that '(Susan) admitted to pindown after family meeting . . . she is an extremely naughty and manipulative little girl: so much so that she has driven her mother to the point of violence. *Basic Pindown – plenty of schoolwork.*' Later on the day of admission to Pindown it is recorded that 'if she knocked on the door once, she knocked ten thousand times. Other than that *no* problems, she did *not* eat much tea, had a bath at 6-30 tucked up in bed 7 p.m.'

**11.31** Three days later the following entry was made in the log book: '(Susan) reviewed this afternoon. She fully expected to go home. When she realised that this wasn't going to happen she became very upset. Cried off and on until 8-30 – at times becoming hysterical. She will go to school on Monday; she understands that this is a privilege and is the only one she will be given for some time to come.'

**11.32** After ten days of Pindown it was noted by the child's social worker in the social services file that 'there are no complaints about (Susan's) behaviour at Hartshill Road but she is in no position to misbehave as she is restricted'.

**11.33** Subsequently the mother recognised that 'problems can only be resolved at home' and Susan spent some of her time at home and some in Pindown at 245 Hartshill Road. It would seem that she actually spent some 20 days in Pindown before being transferred to The Birches.

**11.34** After spending about 3 months at The Birches during which time she spent regular weekends at home, Susan was moved to another children's home. She eventually went home at the beginning of 1988, some six months after being received into care for the second time. More recently further problems occurred and Susan was placed in a foster home.

**11.35** Susan at 9 years of age was one of the youngest children placed in Pindown. During her two spells in care in 1986 and 1987 she spent at least 27 days in the unit.

### **(3) Michael**

**11.36** Michael first went into Pindown in 1984 when he was 11 years old. He then had further spells in the unit on at least two occasions in each of the next four years. In total he was in Pindown on not less than twelve occasions and for about ten weeks in all.

**11.37** He was born in 1972. His mother had herself been brought up in residential care from the age of 8. In 1975 she gave birth to twin boys. In the following year social services were notified that Michael's behaviour was uncontrollable. At the time his mother was suffering from post natal depression and his father working away from home. Michael's behaviour subsequently improved for a time but there were further referrals to social services in the next four years.

**11.38** There were reports of violence between Michael's parents which were witnessed by him. In one incident his nose was broken. A psychiatric report on Michael at the age of 9 suggested a placement at a school for maladjusted children. This appears not to have been followed up. His parents separated and both remarried. Michael and his twin brothers remained with their mother. A half-brother was born in 1981. Michael's relationship with his mother and step-father deteriorated and eventually in 1983, when he was 10 years old, he was received into care by Staffordshire County Council and placed at The Birches. The previous day he had run away from home and his mother had refused to have him back.

**11.39** Within hours of coming into care he absconded and went to his father. The following day he was returned to The Birches. At the beginning of 1984 there were problems with Michael's behaviour at school. He was taken from school in February 1984 by a residential worker from 245 Hartshill Road and shown over the Pindown unit. He was threatened with admission to Pindown if his behaviour did not improve.

**11.40** He subsequently lived with his father and step-mother for a short time but then ran away to his mother who kept him overnight but was not prepared to offer him a home. As a consequence he was



admitted to 245 Hartshill Road and to the Intensive Training Unit. The reason recorded for his entry into Pindown was that it was 'an attempt to work through a few of his feelings and his understanding of the current situation.'

**11.41** Michael told the Inquiry that he was taken up to the back Pindown room and told to remove his clothes. He refused to do so. He was then held down on a bed in the room and stripped. He was made to have a bath and given a pair of pyjamas to wear. In addition to the bed the room contained a table and a chair. There were no reading or writing materials. He was not allowed to communicate with any other children. The worst aspect of Pindown, in his view, was the boredom and the isolation: 'it was doing my head in.' Michael spent ten days in the unit before being returned home to his father and step-mother with an arrangement for weekly review meetings at 245 Hartshill Road.

**11.42** Later in 1984 he moved to live with his mother and step-father. He was subject to a matrimonial supervision order to Staffordshire County Council. His behaviour varied over the next year. Regular 'reviews' were held at 245 Hartshill Road. One review in mid-1985 decided that there had been no improvement after a spell of bad behaviour. Michael's parents were asked to leave the review and Michael under protest was made 'to write down all the misdemeanours he was involved in over the past weeks.' This process apparently took over three hours.

**11.43** A refusal to co-operate with an 'evening care programme' at 245 Hartshill Road led to Michael being taken from his mother's home and being admitted to care in August 1985 at 245 Hartshill Road, where he remained in Pindown for three weeks. He was then re-admitted in September for about nine days. He was permitted to attend school, but otherwise confined to his room. He went to bed at 7-30 p.m.

**11.44** In October 1985 he was again re-admitted to Pindown because he was beyond his mother's control. It was said by staff that 'he needed a spell at 245'. He absconded and went to his father's home. He was subsequently returned to 245 Hartshill Road by the police. He was then put on what was recorded as a basic Pindown Programme for some six days. He was required to work at Duke's Lodge, the home of Tony Latham, during the programme. He again absconded, got into trouble with the police and was rejected by his parents. He was returned and put into Pindown: 'reside in front bedroom crash pad. Full PIN-DOWN; 7 a.m. up bath; 7 p.m. bath, 7-30 p.m. bed; no communication, no family contact; To go to D/L (Duke's Lodge) or schooling in room. No cloths (sic) allowed.' Five days later the programme was amended to 'Remains on Pin-Down; allowed clothes; allowed work based program (sic) over the Top Landing (when other kids are out); During Wk/End to remain in room; school program; allowed to speak to family on the phone; no phone calls out; T.V., radio etc; family may visit; Bed 7 p.m. – Rise 7 a.m.; Bath morning and evening.' A few days later he was found in a state of collapse on the floor of his room. He was taken to hospital where no obvious cause for his condition was found. It was suggested that what had happened to him may have been stress related.

**11.45** In December 1985 Michael returned to live with his mother at her request although apparently against the advice of the residential staff. He was back in residential care in April 1986. He was suspended from school on a number of occasions before being permanently excluded. He committed a number of criminal offences and spent a period in a Detention Centre. He continued in residential care until 1989. After April 1986 he went into Pindown on at least seven further occasions for a total period of about four weeks. He absconded from care between 1986 and 1989 on not less than fourteen occasions. He was known to associate with experienced criminals. He was heavily involved in solvent abuse. Between 1983 and 1988 social work records disclose over fifty 'reviews' or 'meetings' concerning Michael. There are few actual records of these occasions or of any expert help sought or details of any decisions taken. He is now unemployed, has an extensive criminal record and moves between various addresses. As the unfortunate victim originally of a broken family, he told the Inquiry that the care system 'has messed my life up.'

#### **(4) Simon**

**11.46** Simon at 9 years of age was one of the youngest boys put into Pindown. He went into the unit on two separate occasions in 1986 for a total period of not less than eight days and probably much longer.

**11.47** He was born in 1976 the third of four illegitimate children. His mother had become pregnant for the first time at the age of 17 whilst in care herself. By the age of 5 Simon had been received into care on a number of occasions at the request of his mother who experienced continual difficulties in coping with the children.

**11.48** At the beginning of 1982 Simon was again received into care and eventually placed at The Birches. He was described as a difficult child to control being extremely active, mischievous and accident prone. He also displayed very aggressive behaviour towards other children.

**11.49** Simon returned home at the end of 1983. Despite frequent co-operation between his school and social services his behaviour deteriorated further. He was excluded from school on a number of occasions. Special teaching was provided for him. He failed, however, to respond to special teaching programmes provided by an educational psychologist. He regularly bullied other children and was accused of assaults of a sexual nature against both boys and girls. He also indecently exposed himself on a number of occasions.

**11.50** In 1985 a programme was organised at 245 Hartshill Road to provide evening and weekend care. It had only limited success. It involved Simon being picked up daily from school by a member of staff of 245 Hartshill Road and being put in a form of Pindown until 8-30 p.m. when he was returned home having had a bath and worn pyjamas in the residential home. At weekends he would remain at 245 Hartshill Road between 10 a.m. and 8-30 p.m. each day.

**11.51** The programme for Simon outlined in the log book at 245 Hartshill Road provided for 'a totally negative approach to be adopted . . . plenty of stern looks and tellings off to make him glad to go home . . . He will be based in the back pindown room and will eat in there . . . under no circumstances is he to communicate with other children . . . he is to perform tasks . . . of a negative kind . . . if it appears that he is enjoying a task stop him and make him do something else.'

**11.52** In February 1986 Simon was sent to The Birches from school after being involved in fighting and swearing at the teachers. At The Birches, in the late afternoon, he was told to put his pyjamas on. He was then taken outside and put in a van. He was wearing underpants, pyjamas and slippers. He was not told what was happening or where he was going. His clothes were put in a black bag in the front of the van. He was driven to 245 Hartshill Road. On arrival he was put in a room, which he thought was then locked, and his slippers and pyjama trousers were taken away. The room contained a chair, a desk and a bed with a mattress, a sheet and a blanket. There were no books or writing materials in the room. He was told that he had to stay in the room because he had been 'pratting around' at school. After knocking on the door he was allowed out only to go to the toilet and to have a bath. During his stay in Pindown meals were brought to his room and he was not allowed contact with other children.

**11.53** Soon after being put in the Pindown room he was allowed to go to the toilet and he opened a window in the bathroom, climbed out on to the roof and down a drain pipe and ran off in his underpants and a pyjama jacket. He was not wearing any footwear.

**11.54** After being returned to Pindown the regime appears to have been gradually relaxed and he was given some schoolwork of a basic kind and eventually allowed to watch television. He was then returned to The Birches. Whilst in the Pindown unit he had been very frightened after seeing another boy from an adjoining room who had just slashed his wrists.

**11.55** It would seem from the records that Simon spent a further short spell in Pindown towards the end of 1986. Social work records contain comments that the use of Pindown produced no positive results and that, if anything, his behaviour became worse. Ultimately, he was transferred to a special school.

## **(5) Sophie**

**11.56** Sophie, who was born in 1971, is one of six children. Her father is a Nigerian who returned to

Africa some years ago. Her mother is English. From the age of 8 Sophie lived with her maternal grandmother and two of her half-sisters and a half-brother. Sophie had behavioural problems from an early age. By the age of 11 she was said to have been stealing from neighbours and to have made a false allegation that she had been raped and had become pregnant. At the request of her grandmother she was received into care in 1982.

**11.57** Sophie was placed in a children's home. About six months later she absconded and went to her grandmother who, against social work advice, discharged her from care.

**11.58** Towards the end of 1983 the grandmother had a stroke and was hospitalised. Sophie's behaviour deteriorated rapidly and she had to be admitted to an adolescent psychiatric unit. Opinions varied: she was described as having an identity crisis based on a traumatic childhood and was said to be obsessed with babies. Another view was that she was a gross hysteric having little appreciation of the boundaries of fantasy and reality. On discharge from the unit Sophie, aged 12, came into care and was admitted to The Birches. She absconded on several occasions from The Birches and was excluded from school. She was again recorded as claiming to be pregnant.

**11.59** Whilst away from The Birches Sophie located her mother and they both expressed the wish that Sophie should be discharged from care and live with her. The view was taken that the mother had major problems which precluded the possibility of rehabilitation. Around the middle of 1984, Sophie was admitted to the Intensive Training Unit at 245 Hartshill Road after having again absconded. She was recorded in the log book as having been admitted and 'off all privileges (sic)'. Her clothes were taken away and she was given a nightdress.

**11.60** The following morning she tried to abscond. A residential worker recorded that 'somehow she had obtained some of her clothes . . . I went straight away to (Sophie) and asked her to take her clothes off and get back into her nightdress. She refused to do this so I started to undress her.' Sophie then took off her clothes but locked herself in the bathroom. The door was forced and she was told to get into bed. Her mother was then allowed to visit her. Later in the day 'a review' was held and it was decided that in respect of Sophie it was 'no change pindown situation'. Four days later she is again recorded as being 'in pindown situation'. She then absconded. The police were informed and they returned her the following day. She told the police that she had been having intercourse and was pregnant. This was later confirmed by a doctor.

**11.61** After 10 days in Pindown Sophie was transferred to The Birches. She was, however, re-admitted to the Intensive Training Unit a fortnight later. Within two hours she had absconded and gone to stay with her mother. The following day the police brought her back to 245 Hartshill Road. Five days later she absconded again.

**11.62** In the period of three months after she was first put into Pindown Sophie absconded on about nine occasions. Confusing and often contradictory records preclude a wholly accurate picture from emerging. Entries in the relevant records, however, point to her having spent a total of 58 days in Pindown in four separate spells during the three months. At the end of the period she had just turned 13.

**11.63** Sophie was eventually transferred to another establishment from which she absconded on a number of occasions. She was also found guilty by a juvenile court of a number of offences of dishonesty. Ultimately she was placed in an (authorised) secure unit outside Staffordshire. Her pregnancy had ended in a miscarriage. After being in the secure unit she was transferred to an open unit from which she absconded. For almost all of 1986 her whereabouts were unknown. She was eventually found living with her mother and again pregnant. After a further miscarriage she again went missing.

**11.64** In 1987 Sophie aged 15 was arrested for shoplifting and remanded into the care of Staffordshire County Council. She was again placed at 245 Hartshill Road but not put into Pindown. Subsequently she was sentenced to a period of youth custody.

**11.65** Sophie told the Inquiry that she was put into Pindown originally because she kept running away. When she arrived at the unit her clothes were taken away and she had to wear a vest and pants. She made no mention of a nightdress. She was in the back Pindown room. She had to knock on the door if she wanted to go to the toilet. It often 'took ages' before someone came along. The room only contained a bed, a table and a chair. She had to do schoolwork every day. She was not allowed out of the room except to go to the toilet and also to have a bath. She thought that she was initially in Pindown for about 4 weeks and a review was held each week. She was not allowed to attend but was told what had been decided. On the second occasion and subsequently when she went into Pindown she was allowed to wear a dressing gown as well as her vest and pants. She thought that she had been locked into the Pindown room because she had to knock on the door.

**11.66** Sophie told the Inquiry that she has 'always thought that Pindown should never have been allowed'. She added that 'the only person I was hurting by running away was myself because I could easily have been murdered or anything, running through country lanes. I never thought of that because wherever I am running to is better than what I am running from.' She now lives in a flat with her baby daughter.

#### **(6) Peter**

**11.67** Peter was one of the first three boys to be put into Pindown in 1983.

**11.68** He was born in 1967. Together with his older brother and younger sister he was taken into care by Staffordshire County Council in 1971 when his mother, who was separated from his father, said that she was unable to cope with the children. Subsequently a juvenile court granted care orders despite the mother's objection at that time. In the following months the mother twice unsuccessfully tried to revoke the orders.

**11.69** After ten months in care the three children were returned to the mother. Two months later the family became homeless and Peter was placed in a foster home with his sister. The placement quickly broke down and Peter lived in a succession of children's homes. He remained in contact with his mother and grandmother. At the age of 11 he became involved together with his brother in a number of episodes of petty theft. In the following two years Peter had contact with various relatives but none of them were able to provide a suitable home for him.

**11.70** Peter was moved to The Birches when he was 15. He was already glue sniffing, truanting from school and involved again in stealing. He told the Inquiry that 'I was skiving school and usually that turned into us running away. I didn't run away much and we ran away this one time and they caught us, the Old Bill caught us and they took us back to The Birches and we went into the front room and then we were undressed'. This occurred at the beginning of November 1983.

**11.71** Peter told the Inquiry what happened next. Together with two other boys both aged 14 he was taken to 245 Hartshill Road. Each was wearing only his underpants and no footwear. Peter was terrified; he did not know where he was going or what was happening.

**11.72** When the boys arrived at 245 Hartshill Road they were told to try and break through a locked door into the part of the house where they were to stay. A key to the door was then found and the boys were all put into a room together. They moved a table and chairs into the room and then had to take a cold shower and do some 'keep fit' exercises. Later they were moved into another room and slept on mattresses on the floor with no other bedding. A residential worker was also sleeping in the room. The log book recorded that they were to have 'no privileges'.

**11.73** The following morning the boys were required to do 'bunny hops' around a concrete square outside the building in their underwear for about twenty minutes. Peter described what happened: 'we were bunny hopping round and (a residential worker) had a stick and he was standing there in the middle and we had nothing on, just our underpants still, nothing on our feet, and we were bunny hopping around and he was saying move over and he was whipping us, he is mad, but I was laughing, so I was getting it and

he was taking it worse because I was laughing'. He added that some 'Fundwell workers' were watching what was happening and 'they thought it was hilarious.' The residential worker has denied hitting him.

**11.74** On the third day Peter was returned to The Birches 'to see how he performs', according to the log book. During his stay in the 'Special Unit' at 245 Hartshill Road he had been kept isolated from everyone else except the other two boys. They were, however, stopped from speaking to each other after 6 p.m. For part of the time they were occupied doing schoolwork, moving furniture and being made to do physical exercises.

**11.75** Peter was returned to the unit three weeks later after having been excluded from school. He remained at 245 Hartshill Road for a further eleven days in all.

**11.76** Peter remained in care until he was a few months short of his eighteenth birthday. A report in his social work file observes that his 'spell in the intensive unit was a clear failure'. He now has a serious drink problem and has served a term of imprisonment. He is married and in contact with his family.

#### **(7) Sheraz**

**11.77** When Sheraz went into Pindown in March 1989 at The Alders in Tamworth she was aged 15, having been born in October 1973.

**11.78** Her father is of Bangladeshi origin and her mother English. She is the only girl in a family of four children. Her father left the matrimonial home some years ago and then had no contact with the children. One child was adopted and Sheraz' mother remarried in 1983.

**11.79** The family has been well-known to social services for many years. In June 1988, when she was 14, Sheraz was committed into the care of Staffordshire County Council in care proceedings. The Juvenile Court found that she was beyond the control of her parents. She had run away from home on two occasions. She was placed at The Alders family centre. Initially she is reported to have settled down, with no wish to return home.

**11.80** After a few months her behaviour began to deteriorate. She is noted as having been abusive to staff, truanting, and absconding for short periods. She was then suspended from school.

**11.81** General control problems developed at The Alders and events eventually came to a head with a serious disturbance in which Sheraz was alleged to have taken part and threatened a member of staff with a weapon. As a consequence she was transferred to another children's home for about a month, returning to The Alders just after Christmas 1988.

**11.82** During the next three months some of the residents continued to cause trouble and the staff had considerable difficulty in managing the situation. In March 1989 Tony Latham, Philip Price and Glynis Mellors arrived at The Alders in order to attempt to restore order. They introduced a Pindown unit to achieve their aim. They were known at this time as 'The Hit Squad' or 'The A Team'.

**11.83** Sheraz was put into the newly established Pindown unit: a room at the top of the house approached by a winding staircase. Apart from absconding on two occasions for brief periods, she remained in the unit for about three weeks.

**11.84** Sheraz told the Inquiry about her introduction into the unit. She had absconded from the home and then telephoned in order to talk to the staff. Sheraz was then picked up in a car which contained her mother and brother and a residential worker. When they returned to The Alders she was taken into a meeting. At about 4-15 p.m. she was told that, apparently with the agreement of her mother and brother, she was going to be put into Pindown. The log book records what happened next: 'very reluctant to stay at F/C (Family Centre). Physically and verbally abusive to staff - had to be escorted by several staff to bathroom, where she was stripped of clothing and placed into the bath - kicking, screaming and lashing

out at staff . . . Eventually got into pyjamas and escorted to top floor pin down. Refused tea initially but decided to eat later – had nothing to eat during the day. A little stropky at times but no untoward behaviour at this point. Gave her a pen and paper to write down what she sees in her future and what she needs to achieve to “get out of here”.’

**11.85** Sheraz was placed in the Pindown room which contained a bed, a table, a chair and a small electric wall heater. There was a portaloo in a cupboard. She was later allowed to go to the toilet after knocking on the door. The two windows had been boarded up. At 9 p.m her mother was allowed to visit her for a short time. A residential worker recorded that ‘Sheraz initially resentful to Mum but later changed to pleading with her to take her home for the night and to bring her back tomorrow. Mother did not relent. Sheraz threatening to kill herself and/or jump through the window . . . started to shout . . . attempted to take wood from window.’

**11.86** The following morning the log book record is as follows: ‘(Sheraz) refused to get up when called at 7 a.m. Woke up stropky got stropky attitude back – tipped out of bed and bed covers removed. Said ‘I *want* some clothes I’m freezing. I’m not staying in here all day waiting for those bastards to come.’ (Sheraz) asked if she wanted breakfast – she said she didn’t so she didn’t get anything. No food to be given until lunch time at 12-30. Because of (S’s) stropky attitude heavier tactics needed – i.e. please/thank you/may I’s etc. otherwise nothing to be given . . . upstairs rooms and landing is cold. Fuse has been taken out of fire in (S’s) bedroom. Perhaps consideration for this to be returned after this afternoons meeting.’

**11.87** Two days later Sheraz was again tipped out of bed and the bed covers removed. The residential worker recorded that she ‘became very angry and she thumped me by left eye (upper). So was restrained . . . mattress removed.’ Fifteen minutes later Sheraz ‘pulled the boarding off the window went out on to the roof across the roof and down the fire exit and ran off. Collected by police . . . returned to unit. Kicking and shouting put into the opposite room until window can be board(ed) up again.’ Later it is recorded that she was ‘in her old room window closed. One staff sat in room with her another in hallway.’ Then ‘work’ was set for her.

**11.88** On the fourth day in Pindown in respect of a visit by Sheraz’ mother, it was noted in the log book that ‘Mum totally abided by rules of pindown and has said that she has welcomed this intervention. (Sheraz) also feels that though the initial response was aggression she is beginning to see and understand the reasons for this exercise.’

**11.89** On the ninth day in Pindown Sheraz, suffering from an ear infection, was taken to see a local GP. A residential worker recorded that she was ‘very well behaved I think she thought it strange seeing daylight, maybe she realises the freedom she was having and hopes to have again soon (sic).’

**11.90** After fourteen days Sheraz absconded with another girl. Two days later they were picked up by the police and returned to the home at 8 p.m. Sheraz ‘went quietly to Pin Down Unit, and straight to bed and lights out’.

**11.91** During Sheraz’ third week in Pindown, a residential worker assessed the ‘written work’ Sheraz had been given: ‘Having read through all the “guff” (Sheraz) has produced what do we know that we did not know before? O.K. she’s got nice handwriting, is articulate and can use the written word as a useful form of communication. However what are we trying to achieve? Sure it occupies her time and keeps her quiet, she is not a management problem – so what?’

**11.92** After three weeks Sheraz was allowed into the main part of the house and to see and talk to other children. She told the Inquiry that she hated Pindown because she had no-one to talk to unless her mother visited. She thought that Pindown was simply a punishment. She regarded being forced to write about herself as upsetting and futile. She thought that her experience of Pindown had probably made her worse. Soon after leaving Pindown her social worker found her a foster placement.

## **PART 4: Analysis**

### **Chapter 12**

#### **Pindown**

**12.1** We have traced in earlier chapters the pre-November 1983 influences and events which, in our view, contributed to some extent to the general conditions that permitted the appearance of Pindown. In addition we have set out in some detail the history of its practice before it was summarily terminated at the beginning of October 1989. In the last chapter the seven profiles of children who underwent the 'Pindown Experience' are an attempt to encapsulate its reality in human terms. We consider now the specific matters that we have to deal with in the light of the Terms of Reference<sup>23</sup> and in particular paragraphs 1, 4 and 8.

#### **The Nature of Pindown**

**12.2** When considering events in the past the bonus of having a wealth of contemporary documents is considerable. In the case of the practice of Pindown there is available, amongst other documentation, almost a complete set of log books and measures of control books together with Pindown unit books (under various titles) and books of so-called programmes. In addition the main practitioners of Pindown, Tony Latham and Philip Price, together with Glynis Mellors who played a significant part, have set out at various times between 1983 and 1989 their accounts of the 'philosophy' and practice of Pindown.<sup>24</sup> There are also contributions by others which, for example, refer in detail to the 'rules' of Pindown. In respect of the various books of records kept in the residential units there is, as will have been noted from the numerous quotations in earlier chapters which speak for themselves, an extraordinary frankness and clarity in the vast majority of the entries relating to Pindown and the children who were put into the various units.

**12.3** We also have had the advantage of hearing evidence from very many witnesses who could throw considerable light on the true nature of what took place over a period of almost six years. These included: children, adults who as children were in Pindown, parents, social workers, residential workers, managers, politicians, members of the public who lived near to residential units, and a number of distinguished experts. We also had the benefit of written evidence put in by many people. Our views based on the extensive evidence we received are set out below.

#### **Documentation**

**12.4** The true nature of Pindown, in our view, emerges clearly from the writings of its practitioners. Prior to August 1984, Tony Latham and Philip Price produced 'Routine of the Intensive Training Unit'. This is set out in appendix F as document 2 and has been considered in detail earlier in Chapter 5, paragraphs 5.49 to 5.55. The message, in our view, is crystallised in the words 'DO AS IS TOLD' and in the observation on page 2 of the document, 'the philosophy behing (sic) the Intensive Training Unit is undermined if the "Rules of the Establishment" are not strictly adhered to'. It is made clear that 'privileges are to be earned through co-operation with staff and decided upon at specified review times. Failure to sustain co-operation will automatically lose the right for privileges and the basic programme will again be enforced.' One notes that throughout the Pindown era such matters as communicating with other children and/or the staff, going to school, taking exercise, having reading and writing materials, wearing ordinary clothing as opposed to night wear, being allowed to have visits, and going out of a room to go to the toilet without knocking on the door first and being given permission, are categorised and treated as 'privileges' which have to be earned.

<sup>23</sup> See appendix B.

<sup>24</sup> See appendix F, documents 1-8

**12.5** About two years later, some time after July 1986, Glynis Mellors (then Bonnici) produced 'Intermediate Treatment in Newcastle Staffordshire Evaluation Report'. Parts of the document appear in appendix F as document 4 and we describe the Report at length in Chapter 7, paragraphs 7.23 to 7.35. Tony Latham approved the document which we were told was sent to Elizabeth Brennan, the principal area officer, who could not herself recall seeing it. Under a heading 'Intermediate Treatment – Preventative and Rehabilitation Work' Glynis Mellors wrote that, 'a unit was set up detached from the main part of the residential building based at 245 Hartshill Road. In those days it was referred to as the 'special unit' (currently, known as the Intensive Training Unit). This section of the building soon became recognised as the place where problematical children were placed. Being totally isolated and self-contained it enabled its residents to be observed, assessed, appraised and programmes developed. *Above all, it enabled at times hard line punishment and reward tactics to be adopted without influence, prejudice or inconsistency*' (emphasis added). Glynis Mellors referred to the unit as having this 'so called "radical" practice of preventative and rehabilitation work'. Some attempts were made at the Inquiry to persuade us that the words quoted did not reflect the reality of the practice. We have, however, no doubt after considering the totality of the evidence that in the vast majority of cases the children perceived Pindown with its supposed panoply of meetings, reviews, contracts and attempts to establish a structure of understanding and trust, as a narrow, punitive and harshly restrictive experience. We think that their perceptions were correct.

**12.6** On page 6 of her document Glynis Mellors wrote that 'care is presented as a totally negative experience'. What she referred to as 'negative I.T.' (Intermediate Treatment) was 'ensuring the participant clearly identifies, comes to terms with and works through his problems and is not allowed to take the easy way out'. On page 8 of the document, Glynis Mellors referred to a girl whose 'programme was structured on what was called a "heavy pin down", her only privilege being that of being allowed to attend school'. It should be noted that, as far as we are aware from the evidence, no contact was ever made with the relevant education department in respect of the use as a sanction of preventing children in care from attending school.

**12.7** At the beginning of 1988, nearly two years after Glynis Mellors' Report, a set of 'rules' of Pindown was written down on the front cover of the 'Pindown – Other House' log book at The Birches (see appendix F, document 5 and Chapter 9, paragraph 9.15). The 'rules' are in the handwriting of Louise Doherty, a residential worker, who was acting on the instructions of Peter Nicol-Harper, who was in charge of The Birches. Four years after it commenced Pindown in its traditional form is documented again: removal of clothes and personal possessions on admission; baths; wearing of night wear, underwear and dressing gown and 'no footwear of any description'; meals in the room; knocking on the door for permission to 'impart information' or go to the bathroom; no communication with other residents; no television, music, magazines, cigarettes or telephone calls; visits from social workers or parents are permitted 'by arrangement with team leader'; during the day any school work set should be completed and 'all books and writing materials should be removed after 4 o'clock; and rising at 7 a.m., bed 7 p.m. after having a bath'. The 'rules' are headed by the instruction 'it is essential that each child is made aware of these rules at the time of their admission'.

**12.8** In the middle of 1988, after returning from a training course, Philip Price renewed the Pindown documentation (see appendix F, document 6, and Chapter 9, paragraph 9.33). Some awareness of the legal implications and the basic nature of Pindown is apparent from the opening words 'while I recognise that most people working in the arena of Social Work may have difficulty in coming to terms with the working practices of a pin down unit i.e. possible infringements of rights, civil liberties etc. it has become necessary to devise such a unit within the structure of the 245 Community unit'.

**12.9** Tony Latham after leaving The Alders, Tamworth, in August 1989 produced a report on the establishment (see appendix F, document 7 and Chapter 10, paragraph 10.56). It eventually came into the hands of senior management. It was dated 12 September 1989 and dealt with the use of Pindown. On pages 12 and 13 of the document, Tony Latham wrote as follows: 'following the successful introduction some years ago of a specialised unit at 245 Hartshill Road, the profound problems being created by certain youngsters at Tamworth promoted an introduction of this case in Tamworth. Special unit with all



its mystiques basically challenges the concept of positive care ideals and consequently is often misinterpreted and has been quoted as a lock up job!

## Basic Philosophies

**12.10** Tony Latham then described the 'basic philosophies' of the special unit: 'The isolation of a young person to a room away from the main care of the building, where loss of privileges are asserted. The young person is supervised 24 hours a day under a contract basis whereby issues, problems and relationships can be confronted. Care is presented as a totally negative experience initially ensuring that the participant can clearly identify their problems, come to terms with them through counselling and time out sessions with appointed staff, and is encouraged to work through the problems by not being allowed to take the easy way out. To ensure that work with the children on these lines is planned and clearly structured, it needs to include family contact, participation and agreement to the sanctions employed (where applicable) and the opportunity for the child to learn how privileges are earned and how co-operation brings rewards.'

**12.11** In respect of the unit's use, Tony Latham wrote that the *'special unit should seldom be used. It should be a last resort and not be used liberally to exert heavy handed discipline or sanctions to children. Family Centre staff have worked with its philosophies and have seen what rewards and changes it brings in children when all else fails. Area Office Social Workers generally do not agree with its operation but are unable to offer alternatives, save secure units'* (emphasis added).

**12.12** The actual use of Pindown, in our view, wandered far from its so-called 'philosophy'. Whilst a very few children who were in Pindown for a very short time were said to have benefitted from it, almost all who were in Pindown over the years suffered in varying degrees the despair and the potentially damaging effects of isolation, the humiliation of having to wear night clothes, knock on the door in order to 'impart information' as it was termed, and of having all their personal possessions removed; and the intense frustration and boredom from the lack of communication, companionship with others and recreation. To many Pindown must undoubtedly have appeared as 'heavy handed discipline'. It is not insignificant, in our view, that at the beginning of November 1983 when one of the first children was transferred from The Birches to 245 Hartshill Road to go into Pindown, the entry in the log book stated: 'R is at the secure unit at Hartshill'. Later on the 9 November 1983 John Aston recorded in the Hartshill log book: *'Tony please note . . . to keep the impression of a specail (sic) /secure unit going means no allowance of preveleges (sic) as it would defeat our "face" to other members of The Birches'*. When Peter Nicol-Harper, who was an experienced practitioner of Pindown and who had tried to introduce a 'positive' form of it in early 1988 at The Birches, gave evidence he expressed the view that the Pindown unit had been used, at least on some occasions, as secure accommodation.

**12.13** There are many references in the records to children being 'detained in the special unit' and to 'solitary confinement'. One particular example, noted in an earlier chapter, is not, in our view, unrepresentative. A boy, just fifteen years old, had 'absconded' from school and was put in the unit in early 1985 in 245 Hartshill Road. A log book entry states: *'another week of solitary confinement* for (P.E.) has had some rather peculiar effects. He is talking to himself a great deal and we had tears several times during the course of the week. Sleeping in staff also report incidents of (P.E.) talking in his sleep' (emphasis added).

## Definition

**12.14** Pindown is referred to in many different ways in the documentation we received. The following is a list of some of the descriptions: 'Basic Pindown'; 'Total Pindown'; 'Full Pindown'; 'Heavy Pindown'; 'Strict Pindown'; 'Negative Pindown'; 'Nasty Pindown'; 'B-Plan Pindown'; 'Stage 2 Pindown'; 'Semi-Pindown'; 'Partial Pindown'; 'Relaxed Pindown'; 'Sympathetic Pindown'; 'Positive Pindown'; 'Therapeutic Pindown'; and 'Maisie'.

**12.15** With some exceptions, the names in the main give a clue as to the approach used in the practice of Pindown. What, however, are the minimum criteria which qualify the practice as Pindown? It is almost

impossible to be absolutely precise but we decided that four features were usually present: firstly, isolation for part of the time in a part of a children's home cordoned off as a 'special' or Pindown unit; secondly, removal of ordinary clothing for part of the time and the enforced wearing of shorts or night clothes; thirdly, being told of having to earn 'privileges'; and fourthly being allowed to attend school or a 'school room' in the unit, and changing back into shorts or night clothes after returning from school.

**12.16** 'Full' or 'Total' Pindown, in our view, must have the following features: firstly, persistent isolation in a part of a children's home cordoned off as a special or Pindown unit; secondly removal of ordinary clothing for lengthy periods and the enforced wearing of shorts or night clothes; thirdly, persistent loss of all 'privileges'; fourthly, having to knock on the door to 'impart information', for example, a wish to visit the bathroom; and fifthly, non-attendance at school, no writing or reading materials, no television, radio, cigarettes or visits.

**12.17** The place in which Pindown was practised was variously called, 'the special unit', 'the Intensive Training Unit'; 'the structured unit'; the 'sculptured unit', the 'secure unit'; the 'time out area'; or 'the crash pad'.

**12.18** As noted in chapter 1, the origin of the word 'Pindown' was said to be the use by Tony Latham of the words, 'we must pin down the problem' whilst he gestured with his forefinger pointing towards the floor. The children began to speak of 'being in Pindown'.

### **The Regime**

**12.19** Tony Latham informed the Inquiry that 'the regime of Pindown which developed was based on the principle that we were re-establishing control of the young person. By taking away all privileges from that person for a short period we felt that we would firstly force the young person to face up to his or her difficulties, and secondly provide the mechanism for negotiation with that person since by taking responsibility for their actions they could earn the privileges previously denied to them, and by active participation in family meetings could have a say in their future'. He added that 'the Pindown unit was designed to concentrate on the specific issues to be addressed. The time spent in the unit, however, was seen as a very small part of a much wider process of formulating and developing care plans or contracts with each young person'. He pointed out that 'when the regime was first used it was a form of crisis intervention to deal with three particularly difficult youngsters at The Birches. However in order to avoid the intake of children coming into care inappropriately the model increasingly evolved into a preventative mode. . . . This model of intervention was never envisaged as a punishment to young people but merely a method of containment for disruptive youngsters.' Tony Latham further indicated that 'the model was never a deliberate attempt to damage the children in any way or to restrict their liberty. No doors (were) ever locked, and the young people were always free to walk out of the building if that is what they chose to do albeit we would have tried to dissuade them from doing so.'

**12.20** We were informed by Tony Latham that the review meeting 'was undoubtedly the most crucial element in the programme and they were often heated and charged with emotion by the young person and his or her family'. He encouraged accountability for everybody who attended the meeting. He acknowledged that 'by forcing people in a confrontational way to keep their part of any contract, I was not terribly popular amongst some of the area social workers'. Tony Latham chaired the meetings until September 1987. He also 'encouraged positive and negative role play with the idea that by creating conflict, people start saying what they think'.

**12.21** A number of witnesses at the Inquiry told us that in their view the family meetings were an ordeal not only for parents and children but also for the social workers. They were centred on 'a powerful personality chairman' and one social worker, as noted in Chapter 10, told us that she 'used to go in with butterflies in my stomach and feeling really worried and I really don't know what the child felt'. Others were offended by the bad language deliberately used. A child, for example, was told 'you are fucking useless'. Overall we formed a critical view of what we heard of the meetings. No proper documentation was apparently produced for the meeting and in the main no proper or any record kept of it. A great deal

of play-acting by the Pindown practitioners appeared to be the order of the day. Additionally we heard that children often attended in their night clothes and girls who were wearing short night dresses felt very embarrassed and humiliated. Regarding 'contracts' and 'programmes', those produced to the Inquiry appeared to be extremely basic. Meetings in the early days of Pindown took place apparently once a week. Later at 245 Hartshill Road it would seem that they were not as frequent or as regular. At Heron Cross House and The Alders, however, during the short existence of Pindown in those establishments, there were frequent meetings.

## **12.22 Staff Contact and Nature of Engagement**

Lack of sufficient staff and lack of qualified and experienced people dictated the kind and quality of the contact with children in Pindown. The laudable aim of saturating the child with attention was in effect a pipe-dream. We formed the view that in the main staff in fact spent very little time with the Pindown residents. Complaints about the excruciating boredom of being alone without any means of recreation were legion. Other complaints related to being given such tasks as writing out a telephone directory or answering in writing very personal and difficult questions. Many examples are recorded in the log books of the occasions and the manner in which staff rebuffed attempts by the children to communicate with them. The instruction to staff in very many cases was 'strictly isolated no contact at all'. There were examples, however, of staff who literally took pity on the isolated child and broke the rules to speak to him or her. Our impression was that this was very much the exception rather than the rule. For those permitted some contact, some members of the staff seem to have made efforts to build up a kind of relationship with the child. The log books, however, are littered with examples of disparaging remarks by staff about individual children. One example catches the flavour of many: 'this little runt' wrote one residential worker.

## **Variation in the practice of Pindown**

**12.23** Pindown was in existence at 245 Hartshill Road, Stoke-on-Trent between November 1983 and October 1989; at The Birches in 1988; and at The Alders, Tamworth and Heron Cross House, Stoke-on-Trent in 1989. We set out the precise dates below. We are of the view that over the period of almost six years there was no real variation in Pindown. In May 1988 an attempt was made to introduce, in the words of Peter Nicol-Harper, 'a positive version of the negative Pindown, in other words all the extra resources, without the taking away of children's rights'. It was called 'Maisie' which was short for maisonette 'because there's a maisonette opposite part of 245, basically a flat, in which we theoretically wanted to set up a . . . therapeutic community for the children using positive re-inforcement'. Peter Nicol-Harper, as noted already in Chapter 9, paragraph 9.24, pointed out that 'the problems were that whereas Pindown can be operated by one member of staff, "Maisie" needed three members of staff on shift'. 'Maisie' could not be pursued.

**12.24** Philip Price, an enthusiastic supporter of Pindown, returned from a training course in July 1988 to 245 Hartshill Road. He told the Inquiry that he was uneasy about what Pindown had become and the way it was used as a matter of course 'contrary to how it had originally been envisaged'. He also thought it was different from when he left it in September 1986 because it was not being used solely as 'a single element in a planned programme' and 'it did not invariably follow family meetings and involvement. It had become a practice for youngsters to be admitted to the unit either from police custody, remand or another family centre'. Having had the benefit of carefully sifting the evidence concerning Pindown over the period of almost six years we differ from his views. The application of Pindown, in our view, had already become almost a matter of administrative routine before 1986 and was not dependent in many cases upon being part of a wider programme or being used after a family meeting or involvement.

## **Places and Periods over which Pindown used**

### **Places**

**12.25** As we have indicated above, we are quite satisfied that Pindown was used at four Staffordshire residential establishments: 245 Hartshill Road, Stoke-on-Trent; The Birches, Newcastle-under-Lyme;

The Alders, Tamworth and Heron Cross House, Stoke-on-Trent. (Photographs appear in appendix J)

**12.26** The evidence for the above view is overwhelming. Amongst other matters there are contemporary documents recording the practice of Pindown and oral and written evidence about Pindown from numerous witnesses who carried out the practice or witnessed it in action.

**12.27** We considered also the following establishments: Pembridge Road, Wood Street, and 100 Chell Heath Road, all in Stoke-on-Trent; Moorview, Leek; Riverside which closed at the beginning of 1989; and Lymewood, scene of some YTS activities. We received evidence in respect of each of these establishments. Pindown, in our view, was never in existence at any of them. We were initially concerned about the position at 100 Chell Heath Road because Tony Latham and Glynis Mellors had gone there in August 1989 immediately after using Pindown at The Alders. Later, in early September, they went on to Heron Cross House where they also used Pindown. After hearing witnesses, including some from 100 Chell Heath Road, considering the documentation and visiting the unit, we reached the conclusion that Pindown was not introduced there in any of its manifestations. One boy for whom Pindown was prescribed by the Latham team was sent to the unit at 245 Hartshill Road.

**12.28** The precise locations in the establishments were as follows:

– **245 Hartshill Road**

It would appear that Pindown began in a former staff flat on the second floor of the establishment. It contained two rooms, and a bathroom and toilet. The two rooms were used for Pindown. What eventually became known as 'Back Pindown' was a room overlooking an adjacent block of flats. 'Front Pindown' was a room overlooking the main road. The back room measured approximately 11 feet by 9 feet and the front room 11 feet by 11 feet. Within a year the practice of Pindown in the 'special unit' had been transferred to what was described as 'the integral ex-staff maisonette' on the other side of the building. It was partly on the first floor and partly on the second floor. It consisted of two bedrooms, a kitchen, a sitting/dining room and a bathroom/toilet. The bedrooms on the second floor were used for Pindown. They measured 8 feet by 11 feet and 10 feet by 12 feet respectively. Eventually Pindown was transferred back to the original site of the former staff flat.

– **The Birches**

Pindown was used in a house in the grounds of The Birches called 'The Laurels', but known also as the 'other house' or the 'little house'. Two bedrooms, as we understand it, were used for Pindown.

– **The Alders**

The Pindown room was on the top floor of the establishment in a former storeroom approached by a winding staircase. The room measured approximately 14 feet by 16 feet but wide shelves reduced the size of it. It had a small window.

– **Heron Cross House**

The Pindown unit was set up in a wing of the hexagonal building which contained two bedrooms, a bathroom and a toilet.

**12.29 Periods of Time over which Pindown used**

– **245 Hartshill Road:** Pindown commenced on 3 November 1983 and ceased on 2 October 1989. The use of Pindown was not continuous and an indication as to the gaps in its use can be gleaned from the earlier chapters tracing the history in some detail. There was, for example, no use of Pindown between 9 November 1985 and 14 January 1986, and between 26 February 1987 and 21 April 1987.

– **The Birches:** Pindown was used at The Birches only in 1988 in the following periods: 1 February to 28 March; 29 May to 7 June; and 8 November to 28 November.

– **The Alders:** Pindown was used at The Alders for one period only between 20 March 1989 and 2 October 1989.

– **Heron Cross House:** Pindown was used at Heron Cross House for one period only between 26 September 1989 and 2 October 1989.

### **12.30 Advice concerning the practice of Pindown**

No psychiatric, psychological or educational advice of any kind was obtained before or after Pindown was brought into existence. In addition no formal legal advice was sought at any time regarding Pindown. We consider the legal context below.

### **12.31 Written Procedures**

No consistent written procedures were specifically applicable to Pindown as such. Log books and measures of control books were completed in the normal way and some 'programmes' relating to Pindown were recorded in a separate book. A separate Pindown log book came into existence spasmodically alongside the normal log book. Specific documents relating to the 'philosophies' and practice of Pindown which have been referred to above and in earlier chapters, are set out in appendix F as documents 1 to 8. These include references to the 'rules' of Pindown to be followed: see, for example, document 5.

### **12.32 Children subject to Pindown**

Using all the sources of evidence available to us, we are of the view that not less than 132 children went into Pindown between 3 November 1983 and 2 October 1989. This is probably a conservative figure. The records available leave a great deal to be desired in many cases and we have erred, if at all, on the cautious side. Figures concerning the children are set out on a yearly basis at the end of each chapter from chapters 4 to 10 inclusive. The following summarises the position:

- Total children: 132
- Boys: 81
- Girls 51
- Longest continuous period: 84 days
- Longest overall period: 129 days (4 episodes)
- Most times in Pindown: 12 (a girl between the ages of 11 and 14)
- Youngest boy: 9 years
- Youngest girl: 9 years
- Oldest boy: 17 years
- Oldest girl: 17 years
- It should be noted that some children experienced Pindown in more than one establishment and were in Pindown in more than one individual year. Therefore the yearly totals at the end of each chapter (chapters 4 to 10) will add up to more than 132.

### **Impact of Pindown**

**12.33** There is no doubt that Pindown was intended to have an impact on the children subjected to its regime. In Tony Latham's words, as noted above in paragraph 12.19 '(Pindown) was based on the principle that we were re-establishing control'. The whole approach, including the meetings, was confrontational and intended to cause conflict because then 'people start saying what they think'. As we have indicated above, no professional advice was taken either before or after the introduction of Pindown. The following list of the apparent reactions of children in Pindown is taken from numerous entries in the log books of the establishments: 'anger', 'depression', 'weeping', 'sobbing', 'anxiety', 'talking in sleep', 'talking to self', 'staring into space', 'lost confidence in people', 'frustrated', 'bored', 'banging on wall', 'loneliness', 'desperation', 'despair', 'could not eat', 'frantic attempts to get out', 'temper tantrums', and 'absconding'. In addition there were incidents of wrist-slashing and the taking of overdoses.

**12.34** The extent, if any, to which the reactions listed above, and indeed any long term effects, were triggered wholly or partly by Pindown may well be the subject of debate in each particular case. A commonsense approach, however, in our view, can only point to the likely negative effects of the use of a

regime intrinsically dependent on elements of isolation, humiliation and confrontation. The absence of professional advice in dealing with many children who were disturbed, depressed and in despair can only be described as inexplicable. More than one consultant psychiatrist later told us of the risks of some children suffering from post traumatic stress disorder.

### **Opinions on Pindown**

**12.35** We were greatly assisted by a number of recognised experts in various fields who assessed the practice of Pindown. We also received most helpful evidence from a number of organisations and individuals. We were particularly helped by submissions from the Official Solicitor to the Supreme Court. It has to be said that the evidence was all one way: it amounted to varying degrees of criticism. Some extracts are set out below.

**12.36 Professor Norman Tutt** has a formidable range of experience to draw on from having been variously a psychologist, a civil servant, a professor of applied social studies, and being presently a director of social services. We asked for his views on a range of topics concerning Pindown. He was surprised that as Pindown developed 'there did not seem to be any differentiation between the children, in terms of the reasons they came into care. Everybody got treated the same, even though some of the children had obviously come in for non-criminal behaviour, or, indeed behaviour that was not of their making but their family and their parents making . . . it seemed to apply a blanket regime to the children, without any regard to their reasons for admission to care, their legal status, even age and understanding. Having said that, my next impression was that there are two explanations. One was that this was a rather malevolently intended regime and I dismissed that, and assumed that it was more likely to be a very naive implementation of an ill-digested understanding of behavioural psychology . . . I could not discern any very clear theoretical basis for this. It seemed to me that somebody had understood that you needed control, and then implemented it in a very rigid, inflexible, unthought-through way, with some elements of behavioural psychology in the language, but none of the conceptual understanding behind it'.

**12.37** With regard to the Pindown 'rules', Professor Tutt was 'appalled that there were children coming into residential care and being given a bath immediately. The implications of that are actually quite serious. Stripping the child of their identity. The implication that they are bringing in filth from their own home.'

**12.38** Professor Tutt considered that Pindown was in effect a case of 'hidden custody'. It 'had all the makings of a secure unit, without the physical design for a secure unit and the oversight by the proper bodies'.

**12.39 Dr David Foreman**, a consultant and Senior Research Fellow in child and adolescent psychiatry, was unable to recognise any clear theoretical framework for Pindown. He told us that 'it appears to include elements of the "time out" system of stimulus reduction in behaviour therapy, the "seclusion" of difficult patients in hospital, and the "anamnestic" approach to offenders used in secure therapeutic communities, where offenders are encouraged to describe in detail their offences. However Pindown differed from "time-out" in that it was used to forestall rather than respond to behaviour, and in its extremely long duration. It differed from hospital based "seclusion" in that the criteria of "dangerous" (to staff, self or others) did not appear to be included in the assessment criteria, and that the decision to remove a child to Pindown did not appear to be the subject of continued frequent review while in Pindown. It differed from 'anamnestic' therapy in that, though the child was required to write down the reasons that brought (him or her) into the home, these were not discussed with the child until after the end of Pindown.'

**12.40** Dr Foreman thought the possible harmful effects of Pindown were that: firstly the child might become fearful of admission to a children's home; secondly, the child might develop an adversarial relationship to some or all members of social services; and thirdly, the child might develop a post traumatic stress disorder showing itself either as a deterioration in already existing difficulties, or the appearance of new problems. He thought that aside from Pindown being potentially harmful, 'the manner of its implementation and supervision, if employed in a medical setting, would be regarded both

as bad professional practice and as unethical'. Dr Foreman told us that Pindown 'managed to combine the dangerous aspects of almost all the groups of therapies they have drawn on without including any of the safeguards in any of them'.

**12.41 Dr Edna Irwin**, a distinguished and highly qualified retired NHS consultant psychiatrist told us that a child who had been in Pindown might develop anxiety symptoms which could best be described as an irrational fear of being alone in a sparsely furnished room. In addition a child's trust in social workers might be dented or further dented. To what extent the presence of anxiety symptoms would handicap a child in the future would depend to a large degree on the nature of the stresses encountered over the following few years.

**12.42 The British Association of Social Workers ('BASW')** put in written evidence and Gail Tucker, its Advice and Representation Officer, and Christopher Andrews, a member of its Children and Families panel and a former General Secretary of the Association, gave oral evidence. It was pointed out to us that in recent years 'there had been a massive run-down of residential care facilities for young people. More and more of them are either placed with families or are kept out of care altogether. The residue left in residential care tend to be the most difficult and disruptive, and even in small numbers they are extremely difficult to control . . . Staff in children's homes therefore face a daunting task. Violence in some establishments is endemic, staff can feel terrorised, and the balance of power between residents and staff can quite easily be tipped in favour of the residents. And yet residential care staff tend to be unqualified and under-trained, to lack support and professional supervision, and to be thin on the ground'.

**12.43** Nevertheless BASW noted that 'those who embarked on developing Pindown as a front line strategy for dealing with young people displaying extreme difficulties must have been aware of the power they were exercising and of the potential for abuse'. It was regrettable in the view of BASW that 'they did not construct a system of independent review, both for individual young people and for the operation of the system as a whole'.

**12.44** BASW added that 'the system might be said to be based upon a behaviourist philosophy, but "conditioning" which is grounded upon such a negative and punitive approach can never be called therapeutic. The worst elements of institutionalism (baths, special clothing, strict routine, segregation, humiliation and depersonalising practices, bed-times appropriate to a much younger age-group etc.) seem to have been introduced, apparently in direct contravention of the stated objectives of individualised programming and of developing life and social skills'.

**12.45 Michael Hurley**, a national development worker with the National Association of Young People in Care (NAYPIC) put in a written submission to the Inquiry and gave oral evidence. He wrote that 'I look at "Pindown" in one way. It is a repressive regime of control'.

**12.46 The National Association for the Care and Resettlement of Offenders (NACRO)** put in a written submission to the Inquiry. NACRO's view was that Pindown 'appears to be based loosely upon a form of behaviour modification but the main focus is on control. The formal process outlined in the (Pindown Documents) suggests a deliberate effort to "depersonalize individuals". Admission procedures, compulsory bathing, the changing of clothes, lack of communication with others, and the earning of privileges are all examples of institutional control. There is little evidence that these approaches are effective and they run counter to generally accepted child care practice'.

**12.47 The Official Solicitor to the Supreme Court** represents a small number of children who have been made wards of court as a result of having been in Pindown. He put before us full written submissions and Michael Nicholls, a solicitor in his department, attended the Inquiry to assist us with legal and other aspects. He helpfully drew our attention, in particular, to The Naval Detention Quarters rules 1973 (S.I. 1973, No. 270) and The Imprisonment and Detention (Army) Rules 1979 (S.I. 1979, No. 1456). Aspects of Pindown: the lack of medical supervision, the wearing of night clothes, the control on communication with staff and other children and the placing of children in the equivalent of 'close confinement' compare

unfavourably with military measures. We consider further the submissions of the Official Solicitor under the heading 'The Legal Context' below. Overall the Official Solicitor considered the general nature of the regime of Pindown to be 'harsh and oppressive'. It could not in his view 'have benefitted the children who were subjected to it'.

### The Legal Context

**12.48** During the period Pindown was in existence, 3 November 1983 to 2 October 1989, the care of children in community homes was governed by the Community Homes Regulations 1972 (S.I. 1972 No. 319).<sup>25</sup> Regulation 10 was concerned with measures of control. Regulation 10(1) specified that control in a community home 'must be maintained on the basis of good personal and professional relationships' between the staff and the resident children. Regulation 10(2) provided that additional measures of control could be used only if approved by the local authority on the basis that it considered them necessary for the maintenance of control in the home. The conditions under which the measures could be used had also to be approved by the local authority. Regulation 10(3) specified that any approval had to be given in writing and regulation 10(4) provided that full particulars of any measures used and the circumstances in which they were used had to be recorded in a permanent form by the person in charge of the home and the record kept at the home.

**12.49** Regulation 10 was revoked by regulation 3(3) of the Children's Homes (Control and Discipline) Regulations 1990 which came into force some four months after Pindown ceased. Regulation 2 ('Control and discipline') replaced regulation 10 of the 1972 Regulations. It is interesting to note that it is expressed in different language: 'The responsible body shall ensure that control of the home is maintained in accordance with sound management, good professional practice and on the basis of good personal relationships with the children in the home': (regn 2(1)). Regulation 2(2) provides a list of prohibited sanctions. Included in the list is 'any restriction or refusal of any facility for a child to receive visits and communications from and to communicate by telephone or post with': (amongst others) his parents, his relatives, a statutory visitor, his or her social worker, or any solicitor acting for the child or whom the child wishes to instruct. A further prohibited sanction is 'requiring a child to wear distinctive or inappropriate clothes'. In respect of the recording of sanctions, the particulars must now include 'the individual circumstances in which a sanction is used': regulation 9A of the 1972 Regulations inserted by regulation 3(2) of the 1990 Regulations.

**12.50** The advent of the Children Act 1989 means that a further set of regulations will be made: see paragraph 4 of Schedule 4 to the 1989 Act. It is understood that these will be published shortly.

**12.51** As indicated above, the 1972 Regulations applied during the whole of the period covered by the Inquiry. DHSS Circular No. 78/1972 provided guidance when the Regulations first appeared. Under 'Control' it was indicated that regulation 10 was concerned with 'the maintenance of control in the community home, and not with punishment as such'. Regarding the actual wording of regulation 10 the Circular stated that '*in the nature of things, good personal relationships in the home will come from respect for the individuality of the children in it; while good professional relationships will involve the application of those special skills which enable the staff to cope with the problems associated with the child's removal from home*, whether by recognising and dealing sympathetically with behaviour attributable directly to the child's separation from his family, or by supplying a degree of support and encouragement, and where necessary control, which is in the best interests of the child and the community' (emphasis added). It was hoped that 'in the great majority of community homes the need to have recourse to additional measures will rarely arise'.

**12.52** Commentators criticised some of the wording of regulation 10 as being vague and the boundary between what constituted good personal and professional relationships and what was an additional measure of control as uncertain (see the reports of Committees of Inquiry into Besford House, Salop 1976 and Moorfield, Salford 1977; and paragraphs 37 and 129 of 'Control and Discipline in Community

<sup>25</sup> See appendix L



Homes', DHSS 1981). Underpinning regulation 10, in our view, was the application of good child care practice which may, of course, be a matter for reasonable disagreement in some areas.

**12.53** Staffordshire was not approved by the Secretary of State to use secure accommodation. Under regulation 2 of the Secure Accommodation (No. 2) Regulations 1983 secure accommodation is defined as 'accommodation provided for the purpose of restricting the liberty of children'. DHSS Circular LAC (83) 18 relating to the 1983 Regulations provides guidance (in paragraph 4 of Annex B) as to the definition of restriction of liberty of children in care. It states that 'control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty, though control should always be imposed or implied in a manner consistent with good child care practice.'

**12.54** Staffordshire social services committee reviewed its measures of control in 1982 and 1986. Following both reviews it was pointed out to staff by way of circulars that 'penalties can be applied, with the prior agreement of the Officer-in-Charge, in the form of the temporary denial of privileges or the imposition of an unwelcome chore.'

### **Conclusions regarding the Legal Context**

**12.55** Pindown, in our view, whether 'Total Pindown' or 'Sympathetic Pindown' involved elements of isolation, humiliation and confrontation to varying degrees. There was no satisfactory evidence before the Inquiry that doors were actually locked when children were in a Pindown room, although we accept that on at least one occasion at 245 Hartshill Road a door handle was probably removed and placed in an office drawer over night. We are quite satisfied, however, that saucepans and other objects were put on door handles as a warning signal; that staff remained and slept outside rooms in order to deter children from coming out; and very many children simply accepted that their liberty was restricted in that they had to knock on the door and make a request to leave the room. Some clearly demonstrated their understanding of the restraint by jumping out of the window of a Pindown room or attempting to do so. We have no doubt that children were humiliated in many ways, by, for example, being made to wear night clothes all the time, having their personal possessions removed and being denied any normal recreation. In addition during confrontational 'meetings' numerous children were harangued and referred to in grossly abusive terms.

**12.56** Whilst one must, of course, be cautious about applying the same standard to all of the 132 children who experienced Pindown because of their varying experiences, we nevertheless are firmly of the view that Pindown in all its many manifestations was intrinsically unethical, unprofessional and unacceptable. It falls, in our opinion, decisively outside anything that could be considered good child care practice. Accordingly we consider that it was used in breach of regulation 10 of the 1972 Regulations. It is implicit in our view, of course, that it could not lawfully have amounted to an additional measure of control.

**12.57** Rachel Hodgkin, on behalf of the Children's Legal Centre, submitted to us that if a child was prevented from leaving a room, not by locks or bolts, but by, for example, a staff presence outside the room, that could amount to a restriction of liberty. Accordingly if a child was confined for hours or days against their will, as opposed to a purely temporary restraint, this would bring the accommodation used within the provisions relating to secure accommodation. The situation, in her view, would not be within the definition given by way of guidance in Annex B to Circular LAC (83) 18 (see paragraph 12.53 above): 'control imposed or implied by staff . . . will not be considered to constitute the restriction of liberty, though control should always be imposed or implied in a manner consistent with good child care practice.'

**12.58** The Official Solicitor supported this view. He pointed out that the test is not whether the door is locked, but whether liberty is restricted. Pindown, in his submission, constituted placing children in accommodation provided for the restriction of their liberty and could only be regarded as a method of 'control' subject to the secure accommodation provisions (see section 21A of the Child Care Act 1980).

**12.59** It was argued, in particular, on behalf of Tony Latham, Philip Price and Glynis Mellors that the definition in Annex B to Circular LAC (83) 18 should be 'interpreted narrowly'. It was said that it was

provided to make clear that only the worst abuses should be caught and 'it was not intended to apply to marginal cases'. We have considered carefully the full written and oral submissions made to us.

**12.60** We agree with the submissions of the Children's Legal Centre and the Official Solicitor. Pindown involved the cordoning off of parts of children's homes and the imposition of a regime within a particular unit designed to confine and control a child for significant periods. It did not involve merely momentary or purely temporary restraint. It could not, as we have indicated earlier in this chapter, amount in our view, to good child care practice. Consequently the secure accommodation provisions applied. Staffordshire did not have the necessary approval of the Secretary of State to provide such accommodation.

**12.61** It seems to us that the law regarding 'control' of children in residential homes needs some further clarification. It is not satisfactory, in our view, that crucial decisions upon whether or not a child's liberty has been restricted should have to rest on a definition in a circular giving guidance rather than being spelt out in clear language in a statute or in accompanying regulations.

#### **12.62 Police Investigations**

Staffordshire police, as we understand it, conducted a full investigation into allegations concerning various residential homes. Ultimately, on the 25 February 1991, it was announced that 'it is the opinion of the Director of Public Prosecutions . . . that there is no evidence to warrant proceedings against anyone.'

#### **12.63 Civil Claims**

Regarding possible claims that may arise out of events relating to Pindown, we were informed that at least one writ had been issued. It is anticipated apparently that more writs will be issued in due course. In the circumstances we consider it inappropriate to survey the wider legal position. It is, in our view, a matter properly left to the respective civil court if and when the claim or claims proceed.

**12.64** We should add that we heard in evidence some allegations of assault made against a few members of the staff of residential homes. The allegations were strongly denied and were, as we understand the position, looked into during the police investigation. Having carefully considered the likelihood of possible claims it would, in our view, be unwise to offer any comments.

#### **The Professional and Managerial Oversight of Pindown**

**12.65** As we indicated above no psychiatric, psychological or educational advice was obtained either before Pindown was first used or during its active life. In addition no legal advice of any kind was sought at any time.

**12.66** During 1984 and part of 1985 the social services department at the instigation of Fred Hill, a senior assistant, actually focussed on the running of the 'special unit' or 'Intensive Training Unit' at 245 Hartshill Road (see Chapter 5, paragraphs 5.22 to 5.25, and paragraphs 5.70 to 5.80) Fred Hill expressed the view that certain practices were apparently in contravention of the Community Homes Regulations 1972 on control. Some months later he thought that the department was 'obviously sailing close to the wind'. Even allowing for the benefit of hindsight, we can only register our surprise that the very senior members of the department who were appraised of the situation never sought any legal advice then or thereafter.

**12.67** Pindown received no professional oversight.

**12.68** Managerial oversight has to be considered at three levels. Firstly those in charge of the day-to-day running of Pindown; secondly middle management; and thirdly, senior management.

**12.69** Those who ran Pindown in the main gave it their uncritical attention and enthusiasm. Peter Nicol-Harper, with the assistance of Jane Taylor, in May 1988 attempted unsuccessfully to introduce a

'positive' form of Pindown (see Chapter 9, paragraph 9.24) because of a concern with the normal 'negative' Pindown. Others provided no oversight or evaluation whatsoever of Pindown. When the Latham team went into The Alders and Heron Cross House in 1989 they, in our view, unceremoniously pushed aside the regular staff.

**12.70** Tony Latham as area officer from 1983 until September 1987 was the architect and prime practitioner of Pindown. He was wholly and uncritically, in our view, involved in it. Jane Taylor succeeded him and, whilst having reservations and attempting to introduce 'positive' Pindown, permitted the regime to continue. Elizabeth Brennan, as principal area officer during the major periods of Pindown exercised, in our view, no critical faculty and accepted in evidence that she should have visited the unit more often.

**12.71** Senior management was informed about the special unit, as noted above, in 1984 and exercised some oversight. However it is clear from the documentation available that the early interest shown petered out and major potential issues were unresolved. Both deputy directors, Peter Crockett and John Spurr, approved the sending of the Latham team into The Alders and Heron Cross House in 1989. If they were in fact unaware of the nature of Pindown, as they claim, then it seems to us that that fact itself is a serious indictment of senior management. Indeed John Spurr accepted in evidence that ignorance of Pindown over six years could only reflect a serious flaw in managerial oversight.

### **Statutory Visits**

**12.72** Regulation 3(2) of the Community Homes Regulations 1972 provides for statutory visits of inspection to residential child care establishments. A group of senior managers visited in rotation 245 Hartshill Road, The Birches, The Alders, and Heron Cross House. Even though oddities about the measures of control books were noted and occasional questions raised about the care and treatment of children, the system, in our view, wholly failed to bring to light the practice of Pindown and the very serious failings associated with it. We noted that on occasions critical comments made by a statutory visitor on the forms used would be missing from or couched in more anodyne language in the report which was later sent to the district advisory sub-committees.

**12.73** The forms used by the statutory visitor appear in appendix K. We consider that they should be amended to highlight the question of 'control' and to allow for specific and detailed comments in respect of the subject.

### **Social Services Inspectorate Visit**

**12.74** It was put to us in evidence by Tony Latham and others that when the Social Services Inspectorate visited Staffordshire in December 1987 they in effect gave the 'green light' to Pindown (see Chapter 8, paragraphs 8.39 to 8.45). This, it was said, followed because the Inspectors visited 245 Hartshill Road and said nothing about Pindown in their eventual report. We heard from the Inspectors and from Jaime Rodriguez who showed them round the establishment. Jaime Rodriguez helpfully attended at the Inquiry on three occasions altogether so that all the points arising could be clarified.

**12.75** We are quite satisfied that the Inspectors were not told about Pindown and its workings or shown a unit in action. Had they been told we cannot believe that they would not have investigated further and fully reported on the Pindown unit. With hindsight it is clear that there were a number of clues available, particularly in log books and measures of control books, to alert them to something out of the ordinary. The nature of their visit, however, as part of a general survey of family centres did not involve the level of detailed inspection normally carried out.

## **RECOMMENDATIONS**

**12.76** Arising out of the matters considered in this chapter we make the following recommendations.

**12.77 We recommend** that social services departments regularly scrutinise the measures of control used in residential child care establishments.

**12.78 We recommend** that those appointed in social services departments to monitor regularly the measures of control used in residential child care establishments should liaise closely with the legal department of the local authority.

**12.79 We recommend** that social services departments ensure that log books in residential child care establishments are completed in such a way (a) that they disclose who is on duty on the day on which entries are made; (b) that all entries are written in appropriate and clear language; (c) that all entries are signed with the name of the signatory clearly identified; and (d) that all entries are clearly dated.

**12.80 We recommend** that social services departments ensure that measures of control books in residential child care establishments are completed properly in compliance with the relevant Regulations and that entries are dated and signed with the name of the signatory clearly identified.

**12.81 We recommend** that the forms used by statutory visitors to residential child care establishments should highlight the question of 'control' and direct the visitor to make specific comments regarding measures of control used.

**12.82 We recommend** that prior to a visit to a child care establishment by a statutory visitor, there is made available to him or her the previous visitors' completed forms over a period of at least six months.

**12.83 We recommend** that statutory visitors' reports should go unaltered to the appropriate committee.

**12.84 We recommend** that statutory visits should be made without advance notice being given to the residential home.

**12.85 We recommend** that the law regarding the 'control and discipline' of children in residential establishments is amended so that definitions of the circumstances which amount to the restriction of a child's liberty appear in legislative provisions and are not left to the language of guidance in circulars.

## **Chapter 13:**

### **Fundwell**

**13.1** We were asked to consider five specific areas in relation to the participation of children in the activities of undertakings known as Fundwell. The five areas were:

- (a) the nature and extent of the organisations;
- (b) the nature and extent of the children's participation;
- (c) the number of children involved;
- (d) the benefits or disadvantages of the children's participation;
- (e) the managerial and professional oversight of the children's participation.

#### **The Nature and Extent of the Organisations**

**13.2** From the mid-1970s until 1987 Tony Latham set up and developed a network of voluntary organisations and private companies which in some instances contracted their services directly back to the social services department and in other instances were concerned with intermediate treatment and other activities in which children and young people were involved in a variety of ways: see Chapter 3, paragraphs 3.47 to 3.56.

**13.3** The network was constantly changing and developing and parts of it were significantly shaped by the availability of financial resources from the Manpower Services Commission through the Community Project and the Youth Training Schemes (YTS). Tony Latham continued to be the mainspring of the organisations after he became area officer in Newcastle-under-Lyme in 1983 and later area officer (children and families) in 1985. By 1986 it was becoming clear that the responsibilities of his Staffordshire County Council appointment and the organisations he had set up were too much for one person: see Chapter 7, paragraphs 7.68 to 7.76.

**13.4** Barry O'Neill, who became director of social services in 1985 following the retirement of Paul Hudson, indicated in his written submission that he was 'horrified by the range of things that had developed' and recognised 'there were potential conflicts in (Tony Latham's) joint role'. He decided that the situation had to be changed. Subsequently Tony Latham was appointed as Voluntary Bodies Co-ordinator in September 1987. 'Fundwell Ltd.' was formed at approximately the same time to draw together and rationalise the many organisations and activities.

**13.5** In his written submission to the Inquiry and in his evidence, Tony Latham gave information about the organisations and activities in which children and young people in care were involved and which had been known as Fundwell. In addition the Inquiry took evidence from a number of witnesses, including young people who had been in care, and examined log books and other documentation.

**13.6** Precise records were not kept about much of what took place and it is not possible over such a long period of time and with the involvement of so many different adults and children to give an exact picture of the nature and extent of the activities of the Fundwell organisations. Philip Price told us in evidence that the YTS and intermediate treatment and young people in care 'are all so inter-linked even I can't actually break them apart'. Tony Latham himself told us 'there is absolutely no way I could give any figure or indication or proportion'. His legal adviser added 'we are not able to give you a clear . . . list that might have given you . . . a starting point'. It was said in evidence that it was 'extremely difficult to untangle one group of children from another'. Tony Latham did, however, provide valuable material which has contributed to our findings.

**13.7** The following is a list compiled within the limits explained above of organisations and activities which involved children in care, in some instances as recipients of a service, in some as people involved in providing a service and in others as people carrying out various kinds of work:

- (a) North Staffs Resource Co. Ltd. – involved young children in activities and provided some intermediate treatment opportunities for older children and young people;
- (b) Playbus – provided a service for children under 5, while young people in YTS, some of whom may have been in care, assisted as part of their training;
- (c) North Staffs Activities Project – young people in care were occasionally involved in delivering equipment etc.;
- (d) Voluntary Youth Project – was an approved unit for intermediate treatment;
- (e) Community Social Services YTS Ltd. – amongst the many young people involved were some who were in care;
- (f) Forest Enterprises (including the animal project) – involved young people in YTS or intermediate treatment, or because of general interest. Some would have been in care;
- (g) Vehicle repairs and maintenance – young people in YTS and intermediate treatment. Some were in care;
- (h) Gardening and allotment – most young people in YTS, some in intermediate treatment. Some were in care;
- (i) Woodwork (including construction and maintenance) – young people in YTS and some in intermediate treatment. Some would have been in care;
- (j) Community Warehouse – mainly young people in YTS, some in intermediate treatment. Some were in care;
- (k) Painting and decorating – mainly young people in YTS, some of whom were in care;
- (l) Transport, which included a number of Land Rovers and minibuses – these were driven by Community Project adults, volunteers and staff but young people often participated in an activity and some were in care;
- (m) Skip hire, which was for a time part of Transport and Fundwell – young people in YTS and intermediate treatment assisted with the Skip hire and some were in care;
- (n) North Staffs Voluntary Projects Ltd. (including day centres for elderly people) – young people in YTS and in intermediate treatment, some of whom were in care;
- (o) SHAP (Supportive Housing Accommodation Project) – young people in YTS and some who were in care were involved in decorating and preparing houses, as well as in some instances living in them;
- (p) Cycle and motor cycle building – young people from various sources, some of whom were in care;
- (q) Practical jobs at Duke's Lodge – part time work and activities, often involving young people in care, sometimes for pocket money, sometimes for activity purposes only.

**13.8** Some of the locations in which these activities and organisations operated included a number of day centres for elderly people, a former hospital building called Lymewood, 245 Hartshill Road, Stoke-on-Trent, The Birches, Newcastle-under-Lyme, a garage at Pittsburgh House, Hilverston Hall gardens, Olditch fishing club, an allotment, Duke's Lodge and a number of houses which were within the SHAP scheme. This list is not exhaustive. Some activities, such as the collection and delivery of furniture and skips, took place on the move and on a supply and demand basis.

### **The Nature and Extent of the Children's Participation**

**13.9** Some children and young people were involved as recipients of services in, for example, the Playbus for under fives and traditional intermediate treatment activities such as outings and play schemes for older children. YTS work, intermediate treatment and work or activities outside of YTS and intermediate treatment were difficult, if not impossible, to differentiate precisely as can be seen from the list outlined in paragraph 13.7 above. YTS schemes in which young people in care were involved contained various forms of work which were accompanied by some teaching and other educational opportunities. Intermediate treatment was intended to be preventive in relation particularly to juvenile offending, but official policy encouraged local authorities and others to interpret it widely and flexibly. In Staffordshire almost everything involved in the organisations and activities outlined above seemed to have been, at some time, deemed to be intermediate treatment. There was, however, also a range of

activities in which a number of children in care were involved when they were in Pindown. These were sometimes identified as intermediate treatment but were often part of the programmes designed for the children by the staff, particularly at 245 Hartshill Road. The log books indicated that these activities at Duke's Lodge were also, at times, a way of circumventing staff shortages at 245 Hartshill Road.

**13.10** The young people in YTS schemes, whether in care or not, were registered within those schemes as YTS trainees and received payments on a national scale. They also received the education which the schemes supplied. The schemes were subject to inspection and monitoring by officials of the Manpower Services Commission who visited the sponsors, such as Tony Latham, and also the sites and personnel where the young people were employed. The Inquiry took evidence from two of these officials.

**13.11** A number of the young people in care had experienced more than one YTS scheme and in some cases, because of their personal difficulties and their school history, were not able to benefit from more conventional, achievement oriented YTS schemes. The scheme which Tony Latham sponsored, which later became part of Staffordshire social services, had been organised, and clearly identified by the MSC to cater for young people who found work and achievement more difficult than some of their contemporaries. The young people in it participated in the Fundwell organisations as well and the two concepts were, in practice, interlocked.

**13.12** The kinds of activities in which young people, some of whom were of school age, were engaged included the following list, which is not exhaustive but is based on the records which were presented to the Inquiry and the evidence of both former young people in care and adults who were concerned with them:

- (a) work on the allotment and cleaning yards;
- (b) growing plants and selling them;
- (c) selling fruit and vegetables;
- (d) feeding chickens, collecting and washing eggs and selling them and doing cleaning jobs;
- (e) feeding ducks and rabbits and exercising a goat;
- (f) mowing lawns;
- (g) cutting up, splitting and chopping logs (some from railway sleepers);
- (h) bagging, distributing and selling logs;
- (i) removals from house to house and collection of furniture, clothes and other gifts from the public;
- (j) breaking up furniture;
- (k) keeping the furnace at Duke's Lodge going;
- (l) fence repairing;
- (m) ditch digging;
- (n) woodwork;
- (o) building work;
- (p) helping with skip hire and collection;
- (q) working in day centres for older people;
- (r) serving at a snack bar at Duke's Lodge;
- (s) serving at a hot dog stall at Duke's Lodge.

**13.13** The young people in care who were living in SHAP houses were apparently licencees and not tenants. The financial aspects of the use of SHAP houses were amongst the matters which the District Auditor agreed to investigate. Young people in care at various times lived, usually with one or two other young people in care, in any one of nineteen different houses. These houses were situated in Staffordshire in Hanley, Cobridge, Longbridge Hayes, Etruria, Northwood, Tunstall, Fenton and Lichfield.

**13.14** The great majority of children who participated in the organisations which were the subject of the Inquiry, did so either as recipients of a service, as employees, as trainees, for the purpose of gaining work experience, or as licencees in SHAP houses. There were also a small number of children who, in our view, on the evidence, were required to carry out certain tasks, usually at Duke's Lodge, associated with the overall programmes in Pindown. There is little doubt that some of the children considered that they were being punished.

### **13.15 Listing all the Children**

It is quite impossible to compile a list of the children because there are no records on which such a list could reliably be based. In relation to the YTS scheme alone, as Tony Latham put it 'we are talking about huge number of youngsters . . . not necessarily . . . all in care.' He added, concerning the children as a whole, 'we are scanning a very large period of time and it's almost impossible for me to identify age or anything else'.

### **The Benefits or Disadvantages of the Children's Participation.**

**13.16** The former manager of programmes for the Manpower Services Commission in the Staffordshire area gave evidence to the Inquiry. He made it clear that for some young people it was necessary for there to be a 'considerable degree of rehabilitation before training was embarked on' in a YTS scheme. The YTS scheme which was later associated with Fundwell was, as we understand it, well regarded by the MSC though it had a considerable element of manual labour and was seen more as an introduction to work than specific work training.

**13.17** The scheme was under relatively close supervision by the MSC although selection of staff was the scheme's own responsibility. We understand that if any complaints had been made to the MSC they would have investigated them. Because of subsequent re-organisations and changes, no records were available so as to be able to check whether complaints were made or not.

**13.18** Some of the witnesses at the Inquiry were very critical of the arrangements made for training on the YTS scheme. Specific complaints included: inadequate attention to health and safety at work matters such as safety boots, non slip ladder feet, scaffolding, other protective clothing and safety of woodworking machinery; lack of shelter on open work sites such as the allotment and ditch digging; inadequately heated premises at Lymewood Centre for YTS; lack of educational materials and tools; no budget to buy teaching materials; lack of planning and precision in activities; unsafe and unsuitable locations for teaching such as garages and open sites. Minutes of staff meetings at Lymewood YTS centre showed clearly that working conditions were a cause for complaint.

**13.19** Tony Latham in evidence said that advice and guidance was sought from the Health and Safety Executive inspectors and a copy of the Woodworking Machinery Regulations was available at Duke's Lodge where the woodworking machinery was kept and used. We were told that protective clothing was purchased from time to time, that no young person was allowed to operate power driven woodworking machinery and that scaffolding was scarcely ever used and when it was, that it conformed to safety requirements. Concerning open sites, at times a caravan was available for shelter and at the allotment there was a hut from which we were told the young people had been banned because of bad behaviour. They then used a motor vehicle for shelter. The premises at Lymewood had been standing empty for a long time and young people helped in getting them ready for use by the YTS scheme. Tony Latham stated that there was some heating on these premises. Regarding educational materials and tools, for example, we understand that the budget was always limited and it was not unusual for workmen to have to use their own tools and for teachers to provide some of their own materials in schools.

**13.20** A number of the arrangements made for the YTS scheme were, in our view, likely to have been very makeshift and lacking in the careful organisation, planning and provision which might have been desirable. On the other hand we also recognise that the young people for whom the scheme was provided presented, in some cases, difficult educational and disciplinary problems. The MSC staff felt that staff on the scheme needed and often had special understanding of the young people's problems.

**13.21** Our view that the scheme suffered a number of disadvantages was supported by the fact that when the terms of reference of the YTS schemes changed and schemes had to apply for accredited training status in about 1986, this presented difficulties to the scheme for which Tony Latham had been responsible. In depth monitoring found the scheme wanting. Although initially it obtained provisional



approval, it was later re-monitored and, after the social services department had stepped in in 1987/1988, it did not achieve accredited training status. Eventually as a result of this and changes in national funding for YTS schemes, the Staffordshire social services YTS scheme closed down.

**13.22** It was put to us that the children benefitted from their involvement in Fundwell activities because they had an introduction to work and learned certain simple skills such as the planning of collections and deliveries, receiving money and giving change, and looking after animals. The wide variety of activities was also, it was said, an opportunity to try different types of occupational experience. It must be recognised, however, in our view, that a number of children were engaged in repetitive labour which sometimes had an element of risk and was often quite heavy and at times unpleasant work. Some children had to work during the evening and at weekends. This was on occasions for small sums of pocket money, £2 or £3, and sometimes for nothing.

**13.23** Some of the children were still of school age and worked at Duke's Lodge during school hours as well as working there at other times of the day. We were told in evidence by Bill Tomlinson who worked at Duke's Lodge as works manager that 'the youngsters that came there were probably in the last few months of school . . . probably kicked school into touch . . . rejected it'. Some had been excluded from school. The Inquiry was told by the Chief Education Officer of Staffordshire that the social services department had not asked for permission to occupy children excluded from school in this way, and that in fact it was not permissible save in exceptional circumstances. Occasionally a boy or girl who had been excluded from school in Staffordshire was allowed, for individual reasons, to enrol at a college of further education, but the employment of school age children was governed by Staffordshire County Council Education Committee Byelaws (see appendix N).

**13.24** Glynis Mellors who was managerially responsible for the YTS at Lymewood and who also worked at Duke's Lodge and in a number of other capacities in relation to children in care, said in evidence that some school age children worked at Duke's Lodge. She referred to 'one or two that were school refusers . . . some youngsters wanted to do part-time work who technically should have been at school and I actually got a copy of the byelaws'. She thought one or two might have been involved after discussion with an official from the education welfare department, but 'obviously there were employment regulations for anyone at school . . . I was aware of this.'

**13.25** Some of the children in care who worked in the organisations and activities listed in paragraph 13.7 may, of course, have benefitted from their involvement and enjoyed it. This seemed to be true of children, usually in YTS, who worked, for example, in day centres for older people. In 1988 when the director of social services was making proposals about the future of the YTS scheme, he was anxious that the committee should appreciate its value, and drew attention to the fact that at that time amongst the trainees were 17 on care orders, 2 in voluntary care, 7 on supervision or probation orders, 2 on remand and 2 on voluntary supervision. He also stated that the scheme provided support in a variety of ways for young people excluded from school and for whom day care in a family centre may not have been appropriate. The work of 'Mr Latham and his team' was warmly acknowledged in the director's report.

**13.26** A number of other children however, including some of school age and above school leaving age, either did not wish to be involved in work activities or actively resisted involvement. The evidence from log books, as well as personal evidence from children and other witnesses, clearly indicated that while some who did not wish to take part did not have to, there were others who were required to go. The level of pressure was such that in one or two instances the word coerced is not too strong.

**13.27** Duke's Lodge was being used a great deal, for example, in the autumn period of 1985. An entry in the log book at 245 Hartshill Road indicated that a boy, C. I., came back 'very dirty and smelly after his day at Duke's Lodge'. On 14 October 1985 another boy, P., did not want to go to Duke's Lodge, partly because he had 'backache'. He later had hospital treatment for this condition. The next day John Aston passed on a message which was recorded in the log book that 'P. MUST ATTEND DUKE'S LODGE tonight . . . unless he is dying!' A girl was also recorded as not wanting to go, but had to go. A boy who

was recorded as having refused to go to Duke's Lodge, was then put in Pindown for the rest of the weekend. Another boy was recorded as having barricaded himself behind the boiler room door at 245 Hartshill Road in order to avoid going to Duke's Lodge. The doors were broken through and he was taken to Duke's Lodge. The log book recorded 'No Choice'.

**13.28** Much of the work, in our view, was not educational or generally beneficial in other respects. Some of the young people who were interviewed by the Inquiry resented being used as a 'general dogsbody' and working very hard for little or no reward and without any choice.

### **The Managerial and Professional Oversight of the Children's Participation.**

**13.29** The organisations and activities which Tony Latham created and developed were widely known in the social services department to involve children.

**13.30** The former director of social services, Barry O'Neill in his written submission to the Inquiry in relation to the 'Latham enterprises' said that 'up until my appointment as director there was a clear policy decision to let him (Tony Latham) get on with it and not to interfere as long as he "produced the goods"'. There were many ways in which the interests of Tony Latham and people involved with him were known to be associated with what was later called Fundwell. These included printed letter heads, and accounts submitted to the county treasurer's department from other parts of the social services department. It was clear, however, from the evidence presented that a number of staff and councillors were not fully aware of the status of the activities and the interests of Tony Latham and others in them. In our judgment that was less his fault than failure of communication at a variety of levels within the social services department and the county council as a whole.

**13.31** Elizabeth Brennan, principal area officer for the Newcastle-under-Lyme area, was Tony Latham's line manager from 1 April 1983 to September 1987 when he became Voluntary Bodies Co-ordinator at headquarters. During that time she wrote to Peter Crockett, deputy director, about the conflict between Tony Latham's job as area officer and the demands of the many organisations he was running (see Chapter 7, paragraphs 7.68-7.72).

**13.32** Elizabeth Brennan gave some additional impetus to the winding down of some of the organisations from 1987 onwards. Barry O'Neill in his written submission acknowledged some of the problems in managing Tony Latham. He said that 'I have no doubt . . . that his responsibility for Fundwell, together with his unique commitment, energy and undoubted talent in working with young adults in an innovative way, made him a difficult and unusual member of staff to supervise'.

**13.33** Tony Latham and Glynis Mellors, who worked alongside him in much of the work related to the organisations and activities known latterly as 'Fundwell', both worked extremely long hours and with enthusiastic commitment. Tony Latham also involved his own home in the activities going on at Duke's Lodge in a way which was unusual. They were both involved in a wide range of activities. From the children's point of view this sometimes meant that there was scarcely any aspect of their lives which was not under the control of Tony Latham and those working closely with him.

**13.34** There was, in our view, no adequate supervision by senior management of what happened in relation to children and Fundwell as distinct from supervision of accounts and some other financial matters. Recruitment of staff appeared to be mainly left to Tony Latham and Glynis Mellors and although a number of the staff recruited for YTS were qualified teachers, for example, some other staff recruited first as volunteers or social aides or community project workers and then promoted to be unqualified social workers, seemed to us to be less happy choices. We were told in evidence that Tony Latham did not often make use of such limited training opportunities as there were to provide staff with the important development of knowledge and skills. Training was, we were told, regarded as unnecessary and irrelevant. The former director, Barry O'Neill, confirmed that training had a very low priority in the department as a whole.

**13.35** The education department appears not to have been consulted about the legal and educational aspects of school age children involved in Fundwell activities. The situation in relation to other professional oversight was the same as with Pindown. There was none.

**13.36** Some of the conditions in which people, including children, worked were so unfavourable that as noted earlier, Glynis Mellors asked to be transferred elsewhere (see Chapter 7, paragraph 7.44). Apart from the official visits of MSC personnel and a visit on one occasion by Elizabeth Brennan to Duke's Lodge no evidence was presented of any other managerial or professional oversight of Fundwell.

**13.37** Arising out of our consideration of Fundwell we make the following recommendations.

**13.38** We recommend that there should be a named person at senior management level with responsibility (a) for ensuring that care and attention is given to the education, career development and working life of children in care, and (b) for the consideration of any policy or practice issues.

**13.39** We recommend that the named person referred to in paragraph 13.38 should provide an annual report on the matters for which he has responsibility giving particular attention to:

- (a) educational achievements of children in care;
- (b) changes in the schools they attend as a consequence of care placement;
- (c) special educational needs;
- (d) involvement in further education;
- (e) work undertaken by school children; and
- (f) the employment of children above school age.



## **Part 5: The Protection of Children**

### **Chapter 14:**

#### **Residential Establishments and the Protection of Children**

**14.1** On 5 October 1990 our Terms of Reference were amended by the addition of the following:

‘To consider whether children and young persons in Staffordshire child care establishments were appropriately protected, as may have been required, from any of the individuals who were subsequently convicted in the summer and autumn of 1989 of sexual offences against children and young persons; and to make any appropriate recommendations.’

**14.2** The matter of the protection of children referred to above is totally separate from our investigation and consideration of Pindown.

#### **Concerns**

**14.3** In July and November 1989 a number of men were sentenced at Worcester and Stafford Crown Courts respectively for their part in what has been described as a gay sex circle preying on young boys. We were told in evidence that there were concerns that some of the men had, before they were arrested, been visiting Staffordshire children’s residential homes and taking out children from them, or arranging to meet the children, for sexual purposes. In addition there was concern that some social work staff may have been aware of what was occurring. As part of the Inquiry we heard a number of witnesses relating to these concerns and we considered such relevant documentation as exists.

#### **Visits**

**14.4** We were satisfied from the evidence we received that two of the men who were sentenced had each quite separately visited on various occasions a children’s residential establishment in Staffordshire, though not the same one. In the case of the first man we heard evidence that he had visited Riverside, a community home, on a number of occasions. He confirmed in writing to the Inquiry that he had been to Riverside on about six or seven occasions in the company of the parents of a boy who was residing in the home. The purpose was to visit the boy or take him out for the day with the parents. We have concluded on the totality of the evidence that we took into account that the concerns referred to in the previous paragraph have not been substantiated in respect of this man.

**14.5** We do not think that the concerns have been substantiated either in respect of the second man. His name appears on a number of occasions in a log book at a residential establishment at 245 Hartshill Road, Stoke-on-Trent in the period between October 1988 and January 1989. He indicated in writing to the Inquiry that he had visited the establishment because he knew one of the residents. Because of the particular circumstances relating to this man, we trace his movements in some detail in the next chapter and make some recommendations arising out of his contacts with the residents and the staff.

### **Chapter 16**

**14.6** In Chapter 16 we consider the quite distinct matter of safeguards relating to the provision of accommodation by members of the public for children in care. This arises as a result of our discovery during the Inquiry of what we consider an unfortunate state of affairs concerning some children in care in Staffordshire and a particular convicted sex offender who was not, however, connected in any way with the sex circle referred to in paragraph 14.3 above.

## **Identities**

**14.7** We consider it of importance that the identities of the children involved in the matters we have considered are not revealed. As a consequence it is inappropriate to identify the men mentioned above and in the following two chapters. We are well able to consider whether the children were appropriately protected and make recommendations without the necessity of revealing identities. As elsewhere in the report we have defined 'children' as being anyone under 18 years of age.

## **Chapter 15:**

### **The Visitor to 245 Hartshill Road**

**15.1** In July 1989, X, then aged 31, was convicted of various offences including buggery and indecent assault and sentenced to a term of imprisonment. Prior to these convictions X had a number of other convictions recorded against him including ones for indecency with children, indecent assault and burglary.

**15.2** We are satisfied that for a short time at the end of 1988 he was known to some of the staff at the children's residential home at 245 Hartshill Road, Stoke-on-Trent as a visitor to the premises and to a specific resident.

**15.3** As we indicated in the last chapter, in paragraph 14.5, we are satisfied on the evidence we received that X was not visiting the establishment in order to involve any of the residents in sexual activities. We are of the view, however, that he is not the sort of person in any event who should have been permitted access to the establishment. His movements in regard to 245 Hartshill Road in October and November 1988 highlight some of the problems relating to the regulation of a residential establishment and the protection of the residents in it. We make a number of recommendations at the end of this chapter.

#### **245 Hartshill Road**

**15.4** At the end of October 1988, from the somewhat imprecise records kept it would appear that 245 Hartshill Road had 10 children, 4 boys and 6 girls, resident on the premises. One of the boys was C, then 16 years of age.

**15.5** Regarding the circumstances of X's visits to the home, we heard evidence from a number of members of the staff and we were able to examine entries in the relevant log book for the period in question. X wrote to the Inquiry in answer to a questionnaire sent to him. In addition he spoke to a member of the Inquiry team on terms of confidentiality. C, who was resident at 245 Hartshill Road, was also interviewed.

#### **Log Book Entries**

**15.6** We found entries referring to X in a log book from the home. There are two entries in October 1988 and thirteen in the following month. There are further entries on 19 December 1988 and 1 January 1989. No further entries appear afterwards. On the 11 January 1989 X was arrested and kept in custody. As noted above he was eventually sentenced to imprisonment in July 1989. His name is linked in the log book to C, the 16 year old resident.

**15.7** From the oral and documentary evidence we received the following facts emerge. On 26 October 1988, it is recorded in the log book that a parent telephoned the home to say that his son had absconded from home with two other boys, one of whom was C, and that they were in the company of a man, X, who was a child molester. This information, it was noted in the log book, was passed on to the police. Prior to 31 October C returned to 245 Hartshill Road.

**15.8** On 31 October 1988, a member of the staff, Graham Toplass, recorded in the log book: 'C – a most unsavoury character visited him tonight, lots of whispering going on (I could not hear a thing I was most annoyed)'. On the following day he added in the log book, 'C – his new found friend's name is (X)'.

**15.9** When Graham Toplass first set eyes on X he was 'sneaking into the back door of Hartshill Road'. Graham Toplass left Wade Rogers, another member of staff who had just come on duty, to deal with him. Wade Rogers saw him downstairs in the maisonette in the home and noted that he was much older than the residents and 'he was extremely scruffy . . . he was talking about breaking into various places.' Wade Rogers told us that, 'my immediate response to X horrified me in terms of he just looked not the sort of

person C ought to be communicating to . . . we didn't have a policy, I don't think, of keeping out adults . . . because sometimes they would offer a resource . . . but it was clear that this guy was not going to be a de facto foster parent.' Eventually he told X that he did not want him in the building. He thought that he would be a bad influence on C. He told us that he would have no control over C outside the building because he would just do whatever he wanted. On 1 November 1988 Wade Rogers made the following entry in the log book: 'Spoke to X said he was to (sic) old to visit our kids – if he wanted to continue he must see Phil Price and pass (sic) fill in clearance form. He said O.K. Have said to (C) if he visit (sic) he must do so outside on the forecourt'. Philip Price, the officer in charge of the home, was on leave until the 7 November.

### Further Entries

**15.10** The following entries then appear in the log book:

1 November 1988: '(S) entertained . . . C and X in maisonette. . . .'

3 November 1988: 'C – a peculiar evening for C. His "friend" phoned early evening. At about 8 p.m. the doorbell rang, C went to answer it and disappeared. Returned an hour later.'

4 November 1988: '. . . allowed visit of X + 2 friends. All sat in lounge. . . . Pleasant evening. X – IS ON A MEGA EGO TRIP.'

5 November 1988: 'Allowed X to visit (C), I did it to find out what the relationship is between them. I'm sorry to say its beyond me. Says he's got nothing to do.'

6 November 1988: (three entries)

'X here, keeping all the children fully occupied mending cars. Working their little "cotton socks" off . . .'

'Police called for any news. X passed on all info he knew on (S).'

'. . . C.I.D. called to speak to X re (H.) thought he was resident!! . . .'

### The Video

**15.11** Also on 6 November 1988 X appeared on a video made by one of the residents inside the home. He appears to have got into the home with C and a video camera, which was used quite frequently by staff and residents, was used to record him 'laughing along with the kids', according to a member of staff.

### Return of Philip Price

**15.12** On 7 November 1988, Philip Price returned to duty after ten days leave. No one person deputised for him in his absence. The senior person on duty each day was considered apparently to be in charge of the home. Philip Price told us that he noted what had been happening and decided that X would not be allowed to visit. In addition he said that he spoke to C and told him of his decision and pointed out to him that if X wanted to visit he would have to come and see him and be cleared as 'a volunteer' with 'medical clearances, police references and other references because we couldn't allow him to have access to the building'. Wade Rogers also, it would appear, returned from leave at this time and telephoned a contact in the police force to check up on X. He was told that, 'he's done a bit of time . . . he's all right, he's okay, he's not that bad.' The 'bit of time', according to the police officer, had been done for burglary. There was no reference to any sexual matters.

**15.13** X did not go and see Philip Price. On the day of Philip Price's return to duty, 7 November, the following entry appears in the handwriting of a member of staff, Louise Doherty: '(C) – Phil permission for night out 7-10 p.m. X collected him . . .'. When asked about this during her evidence to the Inquiry, Louise Doherty said that she was aware of the position regarding X but she was unable to stop him collecting C.

### Enquiries

**15.14** Louise Doherty had herself made some thorough enquiries about X. She tracked down his probation officer and learnt that he had a conviction for indecent assault and was the associate of two men



who had recently been convicted of serious sexual assaults. She related this information to Philip Price and entered it in capital letters in green ink in the log book on 8 November 1988 under the heading 'important'. The context made it clear that X was not to be allowed on the premises.

**15.15** Further entries then appear as follows:

16 November 1988: 'Very loud noise of car horn outside announced arrival of X (C) and S were down the stairs and outside before I could protest, they spoke to him briefly from *just* inside the building, he remained in his car outside. Just in case we ever need it the reg. no. is (it is set out) . . .'

17 November 1988: '(C) waiting patiently for his chum (Mr X) who did not turn up . . .'

**15.16** On the 21 November 1988, C absconded from the home and was missing until the 10 January 1989 when he was arrested by police and apparently admitted twelve offences. X's name appears twice more in the log book on 19 December 1988 and 1 January 1989. Both are passing references in the context of C's continued absence.

**15.17** X in response to a request wrote to the Inquiry that he had visited 245 Hartshill Road in 1988-89 because C was there. He added, 'I pick him up on meny time (sic) and we ended up in court for theft and burglary.'

### **Staff Evidence**

**15.18** A number of members of staff from the home gave evidence to the Inquiry. It was pointed out to us that X was picked out at once as being an undesirable visitor; that it was impossible to control entry to the building because of the numerous entrances and exits; that he was supervised as far as possible; that he was very popular with the young people because he promised them money and rides in his car and it was not easy without causing a disturbance to get him out of the building; that his appearance on the video was entirely innocent; that the police saw him at the home and sought information from him; and that nothing could be done to stop C associating with him outside the home. In addition we were informed that the social services department provided no guidance on the overall problem of undesirable contacts and it was just left to individual initiative: Wade Rogers and Louise Doherty, for example, had made some enquiries about X.

**15.19** We were also told that in October and November 1988 X frequently telephoned the home. We have no reason to doubt that this was so.

### **Conclusion**

**15.20** Having carefully considered all the evidence given to the Inquiry, we have formed the view that X's specific purpose in visiting 245 Hartshill Road was not to involve the residents in sexual activities. There was no evidence of any such activities. The facts point, if anything, on the balance of probabilities to X's aim being to take C out for the purpose of burglary. This is, of course, hardly a happy situation in any event. There is no question, in our view, of any member of the staff having been in any way a party to X's activities. It would be unrealistic, of course, to dismiss entirely the element of risk to the children from X's presence in view of his character.

### **Concerns**

**15.21** It is necessary to consider the concerns that arise from the above events in a little detail. They are matters that are not necessarily restricted to Hartshill Road or Staffordshire but may well have a much wider application.

**15.22** Once X was spotted as an undesirable character there was, to use the words of Philip Price's legal representative, 'a muddled approach to the situation'. He added that, 'it is, perhaps, no coincidence that this occurred whilst the manager was away'. It should also be noted that Staffordshire social services had not issued any written material concerning access to children in care. In the words of Barry O'Neill, the

then director, to the Inquiry, 'reliance has been placed on the promotion of good practice by the managers of the children's homes.' We understand that a draft document is now in existence for consultation and discussion. We were also informed that the Department of Health does not provide specific guidance on the vetting of general visitors to residential homes but, in the light of events in Staffordshire, they are now going to consider the matter.

## **Protection**

**15.23** It is trite to observe that the residents of a children's home are entitled to protection against those who seek to harm them, whether for sexual purposes or otherwise by, for example, involving them in criminal activities. We consider that, included in the measures taken by way of providing protection, some written guidance on this important topic should be provided to the staff of establishments by the social services department. This should encompass such matters as: the regulation and vetting of visitors to the premises; the maintenance of reasonable control of entries and exits in the residential units; the availability of reliable information concerning antecedents in respect of those who are reasonably suspected to be possible sex offenders and a danger to children; and the keeping of proper records concerning visits to the residential establishment.

**15.24** Arising from the matters we have considered in this chapter, we make the following recommendations:

## **Recommendations**

**15.25** We recommend that in any residential unit for children someone on the staff should be designated to deputise in the absence of the officer in charge. Wherever possible this should be the same person each time and this responsibility should be clearly defined in their job description and recognised financially.

**15.26** We recommend that a record should be made each day of all visitors to the children in a residential unit. This record should be available to be seen by all members of staff, for example, by being contained in the daily log or diary.

**15.27** We recommend that there should be a method available for social services staff who may need information about possible sex offenders to check with a designated source at any time.

**15.28** We recommend that social services and the police should reach agreement and reduce into writing the following:

(a) that members of social services staff who may need information about possible sex offenders who pose a risk to the children for whom they are responsible may telephone or otherwise contact a designated police information source at any time; and

(b) that social services will specify the staff who, save for exceptional circumstances, will be actually communicating with the police information source: for example, the officer in charge of a residential establishment or the designated deputy.

**15.29** We recommend that consideration should be given by social services, if appropriate in conjunction with the fire service, to the best means of maintaining reasonable control over entrances and exits in residential units for children; and that clear instructions in writing should then be circulated to the relevant staff.

**15.30** We recommend that social services departments should issue written guidance to staff dealing with the topic of the protection of children in residential establishments and, in particular, covering the regulation and vetting of general visitors to such establishments.

## **Chapter 16:**

### **The Sex Offender as Landlord**

**16.1** In early 1989, G a boy then aged 16 was charged with offences of dishonesty and remanded on bail to a local authority residential home in Stoke-on-Trent. He was assigned a trainee social worker by social services. He had in the past been in the care of Staffordshire County Council and there was an existing supervision order in force. He was admitted to the residential home and recorded as having been of no fixed abode.

**16.2** The following day a number of social workers attended a meeting to discuss G's situation. It was decided that G should be encouraged to take up a YTS scheme and should be found outside bed and breakfast accommodation. A residential worker at the meeting suggested the local address, telephone number and name of a landlord who could provide such accommodation. He said that this accommodation had been used in the past when children in the care of the local authority had been placed in the community.

**16.3** On the same day as the meeting had taken place G and the trainee social worker went to the accommodation, a large house divided into 'flats' and 'bed-sitters', and met the landlord, a man in his fifties. He did not impress the social worker. She found him to be 'creepy' and contrary to what he had said previously over the telephone, the room was not a single one but a shared twin bedded room. G was keen, however, to move in and duly did so. The landlord resided on the premises.

#### **Reservations**

**16.4** The trainee social worker reported her reservations to the residential worker and to her senior. Later her senior had her own serious reservations after being told by a probation officer that the landlord had a conviction for a Schedule 1 offence (Schedule 1 of the Children and Young Persons Act 1933 contains details of offences against children and young persons with respect to which Special Provisions of the Act apply). G was offered alternative accommodation but chose to remain where he was. Within two months the landlord committed buggery in respect of G and was subsequently convicted of the offence and sentenced to a substantial period of immediate imprisonment. It emerged that one of the landlord's previous convictions was also for buggery of a teenage boy some years before. For that offence he had received a non-custodial sentence.

**16.5** No one in social services inquired into how his accommodation had become acceptable to the local authority. We thought it of sufficient importance to initiate an investigation ourselves at the Inquiry. We had become aware of the matter when we were looking, for a different reason, at G's spell in care previously. As we indicated in Chapter 14, paragraph 14.6, the landlord had no connection with the members of the so-called sex circle.

#### **The Background**

**16.6** From the evidence we subsequently received the following facts emerged. In about 1985 the landlord offered his accommodation to the Probation Service in Staffordshire. He was interviewed by an accommodation officer and some ex-prisoners were subsequently placed at his house. The referrals, however, ceased quite soon when there was dissatisfaction with conditions in the accommodation and the landlord's involvement in criminal matters. No record exists of any formal check by Staffordshire social services with the Probation Service as to the suitability of the accommodation for social services clients.

**16.7** It would appear on the balance of probabilities that the landlord was approached about the accommodation by a member of the social services department by telephone during the period between 1986 and 1988. At the end of 1988 the staff at 245 Hartshill Road were looking for accommodation for a teenage boy. We were told by Graham Toplass, a member of the staff, that 'Pembroke Road (a residential unit) had forwarded this address of (the landlord)'. He added that 'Phil Price (the officer in

charge of 245 Hartshill Road) gave me the address and he said, "this has come from Pembridge Road . . . and (they) have told me they've used it and I do believe Probation have used it as well".

**16.8** Graham Toplass told the Inquiry that 'I went to view the accommodation with this young lad but it was unsuitable inasmuch as it was too far away (for him) . . . it was just a bed-sit. It wasn't too bad, you know, considering some of the accommodation I've viewed with kids.' He said that if it had been suitable, 'my next step, I would have had it checked (to see) if it had been police cleared . . . Pembridge had said they had used it.' He would have gone to his line manager, Philip Price, to see if it had been cleared also by the social services department.

**16.9** At the beginning of January 1989 Wade Rogers, another member of the staff at 245 Hartshill Road, was looking for accommodation for a girl who would shortly reach her eighteenth birthday. He was given the landlord's address by Graham Toplass who told him about his recent visit to it. The girl moved in about a week before the care order in respect of her ceased to have effect. An entry in the log book at 245 Hartshill Road refers to her new landlord as 'a little strange'.

**16.10** Philip Price said that he had got the landlord's address from the team manager at Pembridge Road who he thought had got it from a list at the social services office at Unity House in Hanley. Philip Price had viewed the premises himself. He described it as 'not brilliant but it was passable.' He added that 'basically the normal procedure would be that in placing anybody in accommodation in the past we've always gone through a vetting process, which is again not dissimilar to, I suppose, a volunteer process. Well, having received the address from another unit having had that address given to them from Unity House with . . . an assumption that youngsters had been placed there before: . . . my assumption was that this address was a legitimate address'. As far as the girl approaching eighteen was concerned, he thought that she 'could make her own decisions'.

**16.11** On 17th March 1989, as indicated above in paragraph 16.2, Philip Price produced, at the meeting at Pembridge Road, the landlord's address again as a suggestion for accommodation for G. After meeting the landlord on the same day, Elaine Goodier, G's trainee social worker, reported her reservations about him and the proposed arrangements to a senior social worker, Susan Swinhoe, who was supervising her at the time. She also expressed reservations to Philip Price. She told the Inquiry that she did not feel that the landlord was a trustworthy, responsible person.

**16.12** Co-incidentally, on 17 March 1989 the landlord wrote to the Director of Social Services complaining about money owing to him by the girl who was placed by Wade Rogers in his premises. Eventually, he was paid a sum of money by the girl which was sent to him in April 1989 by Philip Price.

**16.13** Subsequently, the senior social worker, Susan Swinhoe spoke to a probation officer who told her that the landlord had a Schedule 1 conviction and that he had reservations about him acting as a landlord for young people. About the same time another social worker, Michael Thomas, who was preparing a court report on G, visited his accommodation and formed a very unfavourable view of the landlord.

**16.14** Susan Swinhoe spoke to her area officer, Jane Taylor, about the situation. As G was insisting on remaining at the accommodation they considered applying for a Place of Safety Order, which in Susan Swinhoe's view was the only action open to them; Jane Taylor had no recollection of the events. No action was taken.

## **The Report**

**16.15** G appeared in the Juvenile Court at the beginning of May 1989 in regard to the outstanding charges of dishonesty. A report from Michael Thomas was before the Court. He referred to the supervision order being in force. Regarding accommodation, he wrote 'he shares his present address with a number of young men. . . . He states that he is quite satisfied in these lodgings and refuses to consider suggestions of alternative accommodation at present.' We note with some surprise the absence of any mention of the information in the hands of the social workers and their concern. Michael Thomas

said in evidence that it might have assisted matters if the court had been aware of the actual situation.

**16.16** Shortly after the court appearance it would appear that the landlord's offence against G came to light and he was moved to a residential home.

### **The Approved List**

**16.17** We were unable to discover from the social services department the circumstances in which the landlord's accommodation had got on to an approved list in the first place. We saw the details written on an accommodation card kept at Pembridge Road. We were told eventually that the details may have come from a card kept at social services offices at Bradeley. We heard from Jill Edge who had been a part-time accommodation officer based at Bradeley between 1 March and December 1989. She told us that 'I started the job and I felt like, I'm on my own, I've got to find these names and addresses from out of fresh air, . . . and I looked in the newspapers, I asked other agencies. There was a woman who had done this sort of work as a side line before and she had got a list but most of them were "do not use under any circumstances", names of places, but you know, as far as teenage accommodation goes . . . there's nothing worth sending any teenager to.' She recalled visiting the landlord's house. She told the Inquiry that later she used it as a means of deterring a teenager from having his own accommodation. She said that the landlord's 'creepy, the place is cold, it's cluttered, they are all in and out of each others bedrooms and it is not a pleasant place at all.'

**16.18** The details of the accommodation were already on a social services list at Pembridge Road well before Jill Edge took up her job. She thought that she had visited the premises in April 1989 or later. It is perhaps a sign of the disarray concerning accommodation that firstly, at about or around the time the matters concerning G were proceeding, two quite separate and unco-ordinated parts of the social services department, one being the actual accommodation officer, were considering the landlord; and secondly, until the Inquiry over a year later, no investigation of any kind had been contemplated or carried out into the disturbing sequence of events.

**16.19** We were not surprised to hear from one social services witness that 'I am still, even now . . . unclear if there is a policy on accommodation and vetting or whether there isn't. Since I have been to this Inquiry and various other people have been to this Inquiry there is certainly a lot of searching for a policy.'

**16.20** A senior member of the social services department, asked to investigate by the director of social services, informed the Inquiry that the finding of lodgings for children in the care of the local authority is 'a sub facet of boarding out. As such the Department's advice, policy and guidance to social workers is based on the Boarding Out Regulations.' He added, 'local practice (regarding approved lodgings) in relation to police checks have, over a period of time, varied. In many cases the check has simply been contact with the local police station to gather knowledge on the informal network which clearly exists in relation to this kind of matter. This appears to represent the majority of people on the various lists of approved lodgings of localities within the County . . . *other people have appeared on the list from sources that I am not fully able to track down, but who appear to be people who have been vetted by other agencies and particularly by the Probation Service*' (emphasis added). We were told that future policy will be based on the boarding out procedure.

**16.21** Social services, as noted above, were unable to explain the circumstances in which the landlord's accommodation found its way on to an accommodation list. Three social workers, Elaine Goodier (a trainee), Susan Swinhoe and Michael Thomas, each held serious reservations about the landlord but no decisive action was taken regarding G. An opportunity to enlist the assistance of the Juvenile Court who had granted G bail on conditions was ignored. No formal check at any time was attempted regarding the landlord's antecedents. In the light of these facts we would hope that the social services department will speedily develop a policy and a practice towards accommodation of the kind which G was placed into that is clear, efficient and well-known and co-ordinated with police practice where necessary.

## Police Checks

**16.22** The matter of police checks raises some difficulties. There is no specific reference in Home Office Circular 101/1988 (Protection of Children: Disclosure of Criminal Background of those with access to children) or in the later circular 58/1989 to persons offering 'supported lodgings'. It is not easy to bring a resident landlord in the private sector within any of the groups of people connected with the local authority as suggested in the circular: 'directly engaged individuals, whether employees, or paid or unpaid volunteers who have substantial access to children'. We would hope that the Home Office and the Department of Health would clarify or extend, if necessary, the present arrangements so that a local authority considering an agreement with a private sector landlord would be able without difficulty to make an appropriate police check. In addition the consent of the person subject to the check is required. It was pointed out that checks take time and the accommodation may no longer be available by the time the result is known.

**16.23** We recognise that a distinction may have to be made between a landlord resident on the premises and a non-resident one. In respect of the time taken for police checks, we were interested to note that in a Home Office survey of Police Force areas in 1988, Staffordshire Police reported a response time of only 5 days to local authority requests and that initial difficulties in the administration of the procedures had been overcome.

**16.24** Arising out of the sequence of events regarding G, we make the following recommendations.

## Recommendations

**16.25** We recommend that in respect of the placing of children in care in lodgings or similar accommodation, social services should in all cases ensure that:

- (1) there is circulated a clear written procedure covering the vetting of such premises;
- (2) the premises are inspected and a written record made in respect of them;
- (3) the landlord is interviewed where practicable and always in the case of a resident landlord, and a written record made;
- (4) where appropriate, and always in the case of a resident landlord, the landlord's agreement is obtained to make a police check (and such further checks as may be considered prudent);
- (5) the relevant information obtained and any further facts about the premises, and the respective sources of the data, be recorded in an accommodation register.

**16.26** We recommend that the Home Office and the Department of Health clarify or extend, if necessary, the present arrangements concerning the disclosure of the criminal background of those with access to children, so that a local authority, considering an agreement with a private sector landlord in respect of a child in care, is able without difficulty to make an appropriate police check.

## Schedule 1 Offenders

**16.27** During the course of our consideration of the events concerning G and the landlord we looked at the present arrangements for local authorities to be notified about the movements of Schedule 1 offenders (see paragraph 16.4 above). The landlord received a non-custodial sentence in respect of his earlier conviction for buggery of a teenage boy (a Schedule 1 offence) and would not therefore be within these arrangements: see Department of Health circular, LAC(78)22, which relates to '*Release of Prisoners convicted of offences against children in the home*' (emphasis added). He did not serve a prison sentence or a 'young offender' custodial sentence and in addition his offence was not in the home. Consequently the local authority would not have been informed after the earlier offence of his whereabouts if he had in fact been returning to or moving to Staffordshire.

**16.28** From 1965 arrangements existed under which prison authorities notified local authority social services departments of the release of men convicted of incest. These arrangements were extended in 1975 to the release on parole of men and women convicted of offences against children in the home. Later

in the same year the Report of the Committee of Inquiry into the Provision and Co-Ordination of Services to the Family of John George Auckland (H.M.S.O.) recommended (paragraph 251) that 'where a prisoner is discharged who has been serving a sentence for an offence against a child . . . more information (should be) passed to agencies outside the prison so that they may be aware of any potential risk and take steps to guard against it.' This recommendation and others were implemented in circular LAC(78)22 from the DHSS in 1978. It defined offences against children 'in the home' as being 'in or of the family home or place of residence'.

**16.29** The arrangements, therefore, have meant that local authorities have not been alerted by any formal means to the possible or impending discharge to their area of a prisoner convicted of offences against children which were not committed in the prisoner's home or place of residence.

**16.30** This situation, in our view, cannot now be justified in the light of local authorities' statutory duties regarding the protection of children, and the guidance given to them.

**16.31** We consider that the arrangements should be further widened to include all those convicted of offences against children irrespective of how they were dealt with by the court. The argument that the risks are limited to those who have received an immediate custodial sentence is, in our view, unsustainable. Local authorities should be notified of all convictions occurring of those who are resident or intending to reside in their area. We appreciate that this will involve a considerable increase in administrative action. We believe, however, that it is fully justified in the interests of the protection of children. We think that the one agency involved consistently and with experience of such a process, the Crown Prosecution Service, should be responsible for the notification rather than the court convicting the person.

**16.32** We are very aware of the sensitive issues arising out of the notification we propose to local authorities. We would hope that the Department of Health will consider it appropriate to issue some guidance on civil liberties and other relevant issues relating to the discretionary use by the local authority of the information.

### **Recommendations**

**16.33** We recommend that revised arrangements are made for local authority social services departments to be notified of all convictions occurring for offences against children by persons residing or intending to reside in their area, irrespective of where the offences were committed and the nature of the disposal by the court.

**16.34** We recommend that the notification to local authority social services departments of all convictions occurring for offences against children by persons residing or intending to reside in their area, be undertaken by the Crown Prosecution Service.





## **Part 6: Professional Issues**

### **Chapter 17:**

#### **Management**

**17.1** Staffordshire social services department in the 1980s was providing services of many kinds to a population of over a million people. By 1989 its budget was £57,000,000 and it employed over 4,000 paid staff. It spent over £6,000,000 on children's services, though this figure was well below the average for the 'family' of local authorities assessed by the Audit Commission.

**17.2** Between 1983 and 1989, the period covered by the Inquiry, there were three major re-organisations which affected the child care service. These were in 1983, 1985 and 1989. Management within the social services department thus had to address the additional problems which re-organisation, however desirable, always creates. Financial policies over the years from 1983 to 1987 also required economies which were a major part of the reasons for re-organisation.

**17.3** To operate effectively within such dimensions, particularly when resources were traditionally lower than many other local authorities provided, good management was essential at all levels. During the Inquiry we received evidence from witnesses at all levels of management, and from county councillors and the chief executive. We also received evidence from witnesses who were being managed. Amongst them were field and residential social workers and staff in non social work posts.

**17.4** From the comprehensive evidence presented to us we are firmly of the view that management in the social services in Staffordshire was inadequate for its task and lacked many of the essential characteristics required to ensure good services to the public.

**17.5** We found that there were many staff at all levels who worked extremely hard, in some cases much harder than was desirable for them or for the people they were serving. Vision, leadership, commitment to quality services, and recognition of the need for adequate knowledge, training and skill in the care of children were all seriously lacking.

#### **Senior Managers**

**17.6** In a large organisation the most senior managers cannot and should not be involved with day to day affairs which have been properly delegated to the next level of senior managers and to the middle and line managers accountable in turn to them. It is important, however, that staff at all levels know who the most senior managers are, their roles in relation to each other and other managers, and that they convey their overall aims and objectives clearly to staff who need to feel valued within the whole organisation. The evidence we received portrayed the most senior managers, including the director, as remote, seen only when, as one witness put it, 'something very, very bad had gone wrong and when somebody had to do some telling off, or . . . had a big complaint'. One member of staff graphically described the director's situation as being behind 'double glazing' which filtered the noise outside.

**17.7** Witnesses said that they perceived the most senior managers as neither involved with staff nor with people who needed services. There was a sense of lack of support for staff from the top levels of management. Councillor Beech, a management consultant, said that 'there seemed a lack of . . . management support . . . everything seemed to happen at a great distance . . . no dynamic management'. He said that, with reference to residential staff in particular, they 'don't . . . get the management support in communication and direction'.

**17.8** The most senior management was perceived as making decisions in isolation, without adequate consultation or information gathering either inside the department or outside. In consequence they were ill-informed about the likely effects of their policy decisions. The closure of Riverside (community home

with education) without adequate research was seen as one example and the 1989 re-organisation as another.

**17.9** The failure to consult was described by one witness as 'the Staffordshire way' which led to managers having responsibilities and tasks 'imposed' upon them and they in turn 'imposing' responsibilities and tasks upon those accountable to them.

**17.10** Barry O'Neill, the former director, looking at the situation in Staffordshire from his own perspective, told us in evidence that he felt let down by middle management. Other witnesses, however, made it clear that they thought that there was a need for clear definition of roles at all levels. They did not know of any procedure for making special reports to higher management.

**17.11** John Spurr, deputy director responsible for operations, had weekly meetings with divisional directors, but they also met separately, weekly, with the director. Peter Crockett, the other deputy director, had similar meetings with assistant directors and there were occasional meetings with district managers and team managers. John Spurr had been surprised when eighteen team managers had written on 5 November 1990 to the director of social services. The letter, a copy of which was sent to the Inquiry, listed as areas of great concern:

- (a) lack of structure, direction or any coherent philosophy within the department;
- (b) inability to follow child protection procedures because of insufficient staffing;
- (c) lack of resources to carry out effective work with families;
- (d) apparent lack of communication at senior management level;
- (e) inadequate training offered to staff dealing with 'this complex area of work';
- (f) 'extremely low level of morale . . . across all districts/disciplines. Staff are left feeling totally unsupported by our senior managers.'

**17.12** The letter concluded: 'The Team Managers wish to express their complete lack of confidence in the senior managers of the department'.

## **Communication**

**17.13** The director and John Spurr met the staff subsequently. During the course of the Inquiry we were told of similar communications from social workers and others which had been sent to the director and to senior staff at operational level. The responses had, we were told, not been positive and had not, from the staff's point of view, dealt adequately with the problems articulated.

**17.14** There was a strongly expressed feeling based on experience, and voiced not only by staff, that it was almost impossible to get through the layer of middle management to communicate with top management. When communications were sent upwards, there was often no response, at least in writing. Correspondence presented to us by NALGO witnesses indicated considerable difficulty in obtaining a response from the director of social services in relation to issues arising from the Cleveland Inquiry. A letter dated 21 December 1988 had been followed up without success and was eventually referred to the chief executive in November 1990.

## **Complaints Procedure**

**17.15** The absence of a complaints procedure was raised by a number of witnesses and also by the director of social services in his submission to the Inquiry. Until September 1988 there had been no written guidance available in the department. The director stated that until then it was part of the work of social workers and carers to respond to complaints from children or others on their behalf. If they were unable to do so adequately the complaint might proceed to district or area level, and to headquarters if the nature of the complaint exceeded the scope of the more local staff. There was no regular procedure, however, for recording complaints nor were they filed separately from case files unless they were referred by county councillors, MPs or the Ombudsman.

**17.16** A written general complaints procedure was considered by the social services committee in September 1988 and approved subject to discussion with the trade unions. At the meeting, however, the committee considered the language in which the children's procedure was written was not appropriate for their use. A small working party was set up and a revised version submitted in November 1989. That was approved but not implemented until July 1990 because further deliberations about its suitability were going on. Team managers had been asked to discuss the procedure with staff and children. The effectiveness of the document was to be further reviewed towards the end of 1990 or beginning of 1991.

**17.17** In his original paper to the committee the director envisaged that complaints might be about staff attitudes, manner or abuse; alleged harassment or discrimination; a decision by a member of staff or panel; a committee policy; an assessment; provision of a service due to lack of resources, ineffective management or professional judgment; failure to deliver a service, or to provide information. In spite of these possible complaints it was not proposed that anyone external to the department should be involved in hearing or deciding on a complaint or helping the complainant.

### **Management Failure**

**17.18** Management of the social services department was seen by a number of witnesses to have failed both children and staff by their response to identification of poor physical standards, lack of essential resources, and shortage of staff, and by their unwillingness to confront the reality of unmet need. One witness referred to 'sticking plaster' financial policies. We heard that staff who articulated these issues were told to manage their affairs the best way they could and were seen to be ineffective managers if they persisted in speaking out. The problem of inability to allocate cases through lack of staff to allocate them to, was met with a negative response. Unqualified social workers were carrying not only heavy caseloads but also a high proportion of cases such as child abuse, or adoptions, which required a much higher level of skill than they possessed. There was no departmental guidance on workload management. One manager said in evidence that 'the ethos is if you have problems you are not managing properly. So you (stand) back and evaluate your own management style and maybe you reach the view that its not you but something outside'.

**17.19** A number of examples have been referred to in Chapters 4 to 10 of problems such as: very low staffing ratios; buildings which were not adapted for the new tasks they had to accommodate; staff who were not trained for new, or any other, tasks; lack of written objectives or guidelines; and unrealistic expectations. In addition there seemed, at times, to be no real sense of client commitment and a willingness to leave staff to cope with no support, often no information, and totally inadequate resources.

**17.20** The Social Services Inspectorate had carried out inspections in 1987 of family centres at The Alders, Tamworth and The Birches, Newcastle-under-Lyme which included a visit to 245 Hartshill Road, Stoke-on-Trent. In their report, 'Family Centres, a Change of Name or a Change of Practice', they were critical of Staffordshire social services department's management of the initial re-organisation when family centres were established and subsequently. Some of the main points of their criticism were:

- (a) the lack of overall central guidance on how the centres should develop;
- (b) delegation of management of the centres to the areas did not include control of the maintenance budget and repair work which continued to be channelled through the city works department;
- (c) the manner of introduction of family centres meant that there was little opportunity to match resources to perceived need at the outset;
- (d) lack of written guidance or sustained training input for staff;
- (e) staff of centres knew little of each others work and grappled alone with problems which applied throughout the department;
- (f) isolation of family centre team leaders and their ignorance of how other centres functioned;
- (g) absence of standardised procedures and practice guidelines within the department.

**17.21** Social services department management appeared to be related more to crises than careful and well-informed planning. There was little sense of direction and little evidence of professional aspirations. More than once we heard evidence of a dismissiveness towards training and research.

**17.22** Recruitment policies and practice clearly indicated that filling gaps was more important than obtaining the services of qualified and experienced staff. Some of the holders of unqualified social work posts had, in our opinion, inappropriate experience and education for such work and should not have been expected to carry it out. They had been in some cases volunteers or casual staff who had been 'insinuated' into social work posts, as one senior officer described it.

**17.23** The effect of so many re-organisations had served to exacerbate many of the problems already noted and others which were associated with them. The former director, Barry O'Neill, made it clear that re-organisations had taken place largely in relation to cost cutting. Lack of adequate intelligence and lack of consultation with staff caused damaging and destructive results in many respects. Potentially good ideas about aspects of the family centres, for example, were overwhelmed by the sheer pressure of too much happening at once coupled with inadequate staffing in terms of numbers, experience and training.

**17.24** The last re-organisation in 1989 was ill-understood. It was clear that district client teams were in some cases too small and isolated to be viable. There were many inexperienced managers; too many districts for the management of residential work; and divisional general managers had considerable new commitments with no additional resources. There appeared to have been greater devolvement from headquarters to divisions. It was said, however, in evidence that power still rested at headquarters, although there was greater responsibility at divisional level.

**17.25** The excessive tinkering with the structure which characterised 1983 to 1989 was not accompanied by realistic statements of aims, objectives, methods, defined information needs, agreed targets or evaluation.

**17.26** One newcomer to the department from another local authority described it as 'like travelling back in time'. There was a lack of policies on specific issues and services. It was clear from some of the witnesses that they were working on a verbally transmitted, impressionistic understanding of the department's policies. A senior manager taking up a new post told us that 'I've had major problems in finding documents to work off'. In addition meetings were held without minutes or any adequate minutes being taken.

**17.27** Many managers in Staffordshire social services department had worked in the department for long periods and had been promoted, in some cases, several times. There was said to be an 'inward lookingness', as one witness described it, and resistance to experience and ideas from outside. Offers of help, for example, from the Social Services Inspectorate following critical reports of inspections, were not always welcomed and we heard that members of staff who expressed aspirations to high standards were termed 'naive'. Open debate and opportunities for staff to meet informally were not encouraged.

**17.28** Evidence from both county council and staff witnesses suggested that so long as there was no trouble, a blind eye was turned to some practices.

#### **17.29 Management Training**

Although some management training was undertaken this appeared not to be a requirement for a manager, and it was not easy to obtain secondment for it.

#### **17.30 District Advisory Sub-Committees**

One of the elements in the social services committee structure was district advisory sub-committees. These committees, as we understand it, had some members who were county councillors, others who were not. Councillor Austin, leader of the Council, explained that 'basically they get local people involved' but 'they have no voting powers. . . . All their opinions are put before the main Committee for discussion'. He felt, however, that although they had been intended to be a 'communication link' this had not been as effective as had been hoped: 'they are looking at the bricks and mortar. . . . They don't talk about the real problem, which is the children.'

### **17.31 Statutory Visits**

Statutory visits of inspection have already been considered in Chapter 12, paragraph 12.72. The statutory visitors used to provide material for the district advisory sub-committees. This means of providing information was mostly ineffective, however, because reports were limited in scope and style.

**17.32** Elected members of the county council also paid visits to residential child care establishments. They concentrated more on bricks and mortar than on 'the effectiveness of the home' as a form of care for children.

### **17.33 Evaluation**

We did not receive any evidence that services provided by the department were evaluated. Records which might have facilitated evaluation were poorly maintained and seriously inadequate.

### **17.34 Radical Change**

The evidence that the Inquiry received about the management of Staffordshire social services department contained numerous negative elements. Radical change is needed, in our opinion, if the department is to be more effectively managed in the future. Staffordshire is not, in our view, however, without able and committed people in its social services department. We hope that they will be given an opportunity in the future to work towards the better provision of services to children and their families. It should always be remembered, in the words of Sir Walter Monckton K.C., that 'the "fit person", local authority or individual, must care for the children as his own: the relationship is a personal one. The duty must neither be evaded nor scamped' (see the O'Neill Report, paragraph 46, HMSO Comnd 6636, May 1945).

**17.35** We make the following recommendations.

### **Recommendations**

**17.36** We recommend that each residential establishment should have a written statement of its agreed role.

**17.37** We recommend that adequate consultation should take place with staff in advance of organisational changes.

**17.38** We recommend that precise job descriptions should be provided for all professional posts.

**17.39** We recommend that a system of caseload management is installed as soon as possible.

**17.40** We recommend that a systematic monitoring and evaluation system should be introduced within the social services department.

**14.41** We recommend that more posts should be advertised nationally, and in particular senior and managerial appointments.

**17.42** We recommend that there should be an agreed staff recruitment policy to attract qualified and experienced staff.

**17.43** We recommend that a complaints procedure for staff, foster parents and children should be implemented without delay, and should contain an independent element.

**17.44** We recommend that team managers or their equivalents should have regular opportunities to meet with a senior manager who should represent their views at the most senior level of the department.

**17.45** We recommend that the preparation of estimates should be carried out in consultation with staff at all managerial levels.

**17.46 We recommend** that the relationship and channels of communication between the social services department and the social services committee should be the subject of a review in order to ensure that the committee receives clear and full information.

**17.47 We recommend** that the role and membership of the social services advisory committees should be examined in order to ensure their effectiveness in the future.

**17.48 We recommend** that residential homes advisers with appropriate experience and training be appointed to provide professional support to residential child care staff.

**17.49 We recommend** that a member of the social services department is specifically made responsible for liaison with the legal department in order to review jointly, on a regular basis, matters which may require specific consideration and advice from the legal department.

## **Chapter 18:**

### **Supervision**

**18.1** Supervision is one of the most important links between policy, management and good practice. It also provides an essential service to the social worker who is face to face with the deep needs and tragic circumstances of many people who are consumers of social services. This is particularly so regarding children.

**18.2** Supervision is, of course, concerned with establishing that social workers have the necessary knowledge and skills to carry out their tasks. It must also be concerned to ensure that the work load carried by an individual is such that he or she can be expected to maintain good professional standards and achieve whatever positive results are possible. However experienced a worker may be it is possible to become anxious, confused, even frightened by problems and potential difficulties. These feelings can be greatly increased by fatigue through lack of resources and isolation due to lack of support. Good supervision can help to mitigate such difficulties, particularly when combined with positive acknowledgment of good work.

#### **SSI Reports**

**18.3** The Social Services Inspectorate's report on their inspection of The Alders and The Birches in 1987 was critical of some of the arrangements for supervision of staff in the family centres. They carried out further inspections of residential child care units in July 1990. In relation to supervision they found that as 'no clear guidance had been provided in relation to staff supervision, team managers had responded inconsistently to the development needs of their staff. Although when available staff found supervision sessions helpful, they were not aware of the "Staff Supervision – Policy and Guidelines" document which had recently been developed by senior managers.'

**18.4** The Social Services Inspectorate 'considered that individual supervision was not only essential to the development of a largely unqualified staff group, but also provided opportunities to monitor work, provide feedback, identify areas of stress and give advice and guidance to staff'. Supervision opportunities were found to be seriously handicapped by staff shortages and conflicting demands on senior staff.

**18.5** We noted that the Social Services Inspectorate's report on their inspection of child protection services in Staffordshire in May 1990 also contained similar criticisms to those made in the context of residential work: 'The quality of supervision was dependent upon the skills and other demands made upon individual team managers'. A number had not, until very recently, received any preparation or training for their management role and 'consequently the model or style of supervision adopted by each . . . tended to "mirror" the best of examples drawn from their own experience of being supervised.' In addition supervision sessions were said to be scheduled from one session to the next and some workers were unclear when their next supervision would take place.

#### **Supervision Document**

**18.6** We were told in evidence that until the production of the staff supervision document referred to above, the department had never had one. In 1980 a document entitled 'Casework with Children in Community Homes – notes of guidance for residential staff' was produced. We understand that it also was the first one of its kind and no later document was produced to the Inquiry. This document which was 'to inform staff of the department's casework policy in matters affecting the life of children in residential care,' had as its last item in the contents 'consultation'. It merely consisted of two three line paragraphs which instructed that decisions concerning the care of a child should be discussed with the social worker and at review meetings, or direct with the senior assistant (casework) – child care. There was no suggestion of any supervision on a regular and individual basis.

**18.7** The evidence we received about supervision was as critical, if not so extensive, as the evidence on management. One of the explanations given for tolerating the setting up of Pindown at one residential unit was that staff were lacking adequate supervision and support to help them in their very demanding tasks. They became exhausted and depressed and 'clutched at something they thought might help'. One witness described some of the supervision which was available as 'the blind leading the blind'.

**18.8** Another witness who was experienced in both field and residential work told us that the 'general level of supervision was poor'. A manager in the area organisation said that residential staff got no supervision at all, and middle managers received none from senior managers.

### **System of Supervision**

**18.9** The evidence we received points unequivocally to the urgent need for a properly regulated system of supervision throughout the social services department.

**18.10** The system would involve supervisors at different levels and the expectation would be that supervision would be available to all staff including managers. Some preparation for the task involved would be needed by those who carry it out unless they have already received such training. It is important that the nature of the task is understood and not interpreted as merely 'doing what comes naturally'. It needs more than encounters in corridors and coffee breaks or an 'open door' policy by managers.

**18.11** The process of supervision will include a systematic approach to the worker's responsibilities, allowing for the worker's priorities to be fully considered but not allowing them to set the whole agenda. In the case of fieldwork this would involve working through a caseload so that all elements are examined within a reasonable space of time. With a residential worker it would include an examination of not only the children for whom the worker is particularly responsible but the facets of the job as a whole. All elements of a manager's responsibilities would be considered.

**18.12** The supervisor's role will be to help the supervised colleague to relate the realities of the workload to professional standards, departmental requirements, the resources available or needing to be obtained, the needs of the person who is a consumer or the group being managed and the social worker's own ability and understanding. The supervision discussion will include time scales, priorities, written records, thoroughness of approach, interaction with other colleagues, specialist advice, action to be taken, and accountability.

**18.13** Other features of supervision will be the clarification of issues, planning and setting targets, considering action, and reviewing and evaluating action already taken.

**18.14** The role of supervisor requires a degree of independence, a capacity to help the supervised colleague to stand back and take stock, a sympathetic understanding of stress and its effect, and a firm commitment to good standards in services.

**18.15** We make the following recommendations.

### **Recommendations**

**18.16** We recommend that the social services department should put in place as a matter of urgency a system of supervision.

**18.17** We recommend that after a period of one year following the establishment of a system of supervision a review should take place to evaluate the system.



## **Chapter 19:**

### **Training**

**19.1** The former director of social services, Barry O'Neill, in his written submission to the Inquiry told us that when he was appointed in 1985 'the percentage of relevantly qualified staff . . . was unacceptably low.' In the day and residential sections of the department a 'relevant qualification was an exception rather than the rule and the percentage of qualified staff in fieldwork settings was well below 50 per cent'.

**19.2** Since 1985 Social Services Inspectorate reports on Staffordshire social services department have drawn attention to a continuing shortage of qualified, or even trained staff. As the former director pointed out to us there was such a longstanding and difficult situation that 'in the short to medium term it was difficult to see how this could be changed'. Training, other than the secondment of thirteen staff a year to CQSW courses had been given a very low profile. In-service training was 'virtually non-existent'. One member of staff in 1985 was carrying out such training function as there was for 6,000 employees.

**19.3** Since then there has been a welcome injection of central government funding particularly since the Cleveland Inquiry. Some additional staff and resources have been made available to promote the changes of attitudes and skills needed to meet the requirements of the Children Act 1989. The training staff of the department provided information for the Inquiry which included the proposals put forward by Staffordshire to the Department of Health under the Social Services Training Support Programme (Child Care) and the Training Strategy and Review report for 1990/1991.

**19.4** It was encouraging to note from the Training Strategy and Review report that the importance was recognised of underpinning very specific training such as child abuse training with basic child care knowledge, principles and practice. It was also encouraging to see courses being arranged for supervision and management.

### **Spending**

**19.5** There was an increase in spending on children and families training from about £4,000 in 1988/89 to £92,000 planned for the year from 1 April 1989. It has to be said, however, that this is very small scale for a county the size of Staffordshire which has a major problem. Larger scale remedies are likely to be needed to deal with it.

**19.6** A major change is required, in our view, in the attitude towards the need for training at all levels of the social services department and in the committee.

**19.7** We were told that the social services department did not have a tradition of respect for academic qualifications. Until very recently no financial recognition of them had been made. It was also very recently that concessions had been made to allow officers to study for degrees in order to enable them to do research within the department.

**19.8** We found that people were waiting years to be seconded for full time training. In residential work, because of very poor staffing levels, people did not even have the opportunity to go on the infrequent training events.

### **Dangers**

**19.9** Mark Fisher M.P. was deeply concerned by what he saw as the dangers of untrained staff. He spoke of having been told by Philip Price how Pindown staff were 'taking the children back to the moments of crisis in their lives' to 'help them to come to an understanding of the critical moments'. He commented that in his view 'it seemed to be hideously dangerous for untrained people to be doing that'.

**19.10** Training is an essential element in the provision of a service for children in care. It can no longer

be regarded as something for the few senior staff who oversee what large numbers of untrained staff offer to the children. It is also necessary in order to retain existing trained staff and recruit others.

**19.11** We make the following recommendation.

**Recommendation**

**19.12** We recommend that a strategy of training for the next five years is developed as a matter of urgency with a particular aim being to increase the numbers of trained and qualified staff in residential care without delay.

## **Chapter 20:**

### **Staffing**

**20.1** The quality of child care work in a social services department depends on the quality of the staff and their availability to provide for the children's needs. This is particularly true in residential homes where the task is not only social work but also nurturing and where the contact between the children and the staff is closer than in any other aspect of the child care service.

**20.2** Providing a quality service requires an understanding of the children's needs, the demands made upon the staff by those needs, and the kinds of resources and supports which are essential to meet them. Some of these issues have already been examined in Chapters 18 and 19 on supervision and training.

**20.3** The problems in Staffordshire social services department which led to the Inquiry were in no small measure due to poor staffing policies and practices. These showed little understanding of what was required in an adequate service. They included restrictive advertising, inadequate staff selection procedures, low staffing ratios, dependence on untrained staff, over use of volunteers and casual staff, lack of training, lack of supervision, absence of career structures for residential staff and inadequate budget support.

#### **20.4 Advertising**

We understand that there was a tradition of not advertising posts outside the department until they had been advertised internally. Staffordshire is not alone in this kind of arrangement. It reinforced, however, the inward looking nature of the social services department and hindered a healthy flow of new ideas and different experience which candidates from other local authorities and voluntary child care organisations would have brought.

#### **20.5 Promotions**

Internal promotions were another aspect of this practice. Whilst the length of time which people stayed in the department gave an element of stability, it also led to an atmosphere of resistance to innovative thinking, however tentative.

**20.6** We were told that because people became well known in the department in consequence of this practice, selection procedures for jobs and for promotion were not as rigorous as would have been desirable. A number of witnesses commented critically on the interviewing process which they believed was often merely a formality. They were also aware of the inevitability of references being drawn from the internal sources in such a situation.

**20.7** We were concerned from our own study of personnel files to see how lengthy the process of filling vacancies often appeared to be. Some witnesses also commented on this. It seemed not uncommon in some cases for a period of six months to elapse between an application for a post and a letter of appointment. In these circumstances if the post was in a residential setting and was vacant, there were long periods when an already small staff group was further depleted for long periods of time.

#### **20.8 Qualifications**

A further feature of the recruitment of staff which was mentioned in evidence was the readiness, if qualified candidates were not immediately available, to appoint unqualified people even if the post was designated as requiring a qualified person. As noted elsewhere in the report (see Chapter 19, paragraph 19.7) training until recently has not been valued in Staffordshire social services and this has in turn led to lack of respect for some of the standards and skills associated with a professional approach. Unhelpful tensions have existed between field social workers, a proportion of whom have been qualified, and residential, less than five per cent of whom have been qualified. Even amongst field social workers the proportion of qualified staff has been much lower than in most other local authorities and in such circumstances individuals attempting to raise standards have sometimes encountered unhelpfully dismissive responses.

**20.9** The lack of expectation based on sound professional standards has allowed practices to persist which might in different circumstances have been resisted. One of these has been the long standing understaffing of family centres. When the centres were first established the staffing allocated for the task was unrealistic, (see Chapter 3, paragraph 3.43) and it was not long before the shoe began to pinch. Not only were there insufficient child care staff, but also insufficient domestic staff. Centres were classified as having fifteen beds and given a staffing establishment which even for that number was inadequate. They then had to accommodate twice as many children and try to carry out a large number of other family centre tasks as well. The result was predictable and although, in our view, Pindown could not be justified in any circumstances, it must not be forgotten that the situation at The Birches in autumn 1983 was extremely difficult for the reasons explained above (see Chapter 4, paragraphs 4.25-4.38).

**20.10** The same phenomenon could be seen in action at The Alders, at 100 Chell Heath Road and at Heron Cross House. In the main untrained staff, too few in number, lacking any adequate outside support, were trying to cope with changes about which they had not been consulted and for which they had been given no preparation and no additional resources. At The Alders staff voluntarily doubled their shifts to help each other, but became over a period of time exhausted to the point that some clutched at Pindown because it appeared to bring a respite.

**20.11** There were times when the residential establishments with which the Inquiry was concerned were left in the charge of one member of staff, sometimes a young woman inexperienced and unqualified. In our view, even if she, or he, had been experienced and qualified, they should not have been on duty alone. In evidence we heard accounts of the dilemma a member of staff faces if something goes wrong in these circumstances. Illness, an accident, someone having a temper tantrum, someone taking an overdose, even just a very distressed child who needs comforting, leaves a member of staff on duty alone with impossible choices. They may not even be able to make a telephone call to obtain help.

**20.12** The staffing ratios of the family centres were not improved in the light of experience, no doubt for budgetary reasons. What happened instead was that volunteers, community project workers and the area 'bank' of social services aides hours were used piecemeal in a desperate effort to 'cover' the lack of appropriate staffing. They were also much cheaper methods than full time staff. There was correspondence about the minimum level of staff to be left in charge at 245 Hartshill Road, and an undertaking was given by Tony Latham that a social services aide would never be left in that situation. It is not possible to know whether this requirement was always carried out, but the impression gained from log book entries was that it may not always have been. At times the level of staffing available was clearly not adequate. There was also a great deal of change. In the first six months from when Pindown started at 245 Hartshill Road sixteen different people worked within the unit.

**20.13** A consequence of the heavy dependence on community project workers, social services aides and volunteers was that a number of them, after a period of time, began to be appointed as temporary social work assistants. Later they became social work assistants moving on into social worker posts for which they had had no training. They also had no experience of the work except in the particular setting or settings in which they had originally acted as relief. This, in our view, is an undesirable policy.

#### **20.14 Social Work Grades**

Two administrative decisions seem to have increased the staffing problems in the residential homes. The first was the decision to put staff in family centres on to social worker grades. This had the cosmetic effect of equating them with area social workers. The less desirable effect, however, was to make it impossible for them to earn overtime, however many hours they worked. This point was made in evidence on a number of occasions. As one witness said 'We live on TOIL' – time off in lieu. Since, however, there were often not enough staff to allow time off in lieu to be taken, it became a problem of accumulating time for which no payment was made and which could not be properly absorbed by the system or the individual member of staff.

#### **20.15 Night Duty**

The other issue was related to staff on night duty. We were told in evidence that the number of beds in

establishments had been set at a point where waking night staff would not be needed. The implication was that in another way the service was being, as several witnesses put it 'run on the cheap'. Some of the staff who came and slept in at a residential unit like 245 Hartshill Road or The Alders, were carrying out other jobs during the day. They understandably did not welcome disturbance during the night and may not have been the best choice to handle the getting up and breakfast routine in an establishment with emotionally upset teenagers.

**20.16** In the situation which has been noted above, which was long standing and not the subject of review at the time of the Inquiry, staff were not assisted by having little guidance available, poor communications with management, isolation from other establishments, no systematic quality control and little opportunity for staff development or training. One witness referred to the staff themselves as 'victims . . . untrained, unqualified, under-resourced'. We were told that morale was low and that residential staff felt under-valued.

#### **20.17 Structure**

Within the residential units the structure was not helpful. A team leader post was supported by a small group of staff but with no deputy, or deputy role available. This point has been discussed in Chapter 15, paragraph 15.12. Not only did this mean that there was an inadequate system for undertaking responsibility, but there was no encouragement to individual staff members to do so.

**20.18** There was, in fact, no career structure for residential staff. Acquiring a qualification, if an individual was fortunate enough to be seconded for training, was likely to provide a passport out of residential work.

**20.19** We were not inquiring into the work of area teams of social workers, but their position was described by some witnesses. They too were gravely under-resourced with unqualified staff carrying cases for which greater knowledge and training were required. Caseloads were heavy. Staff protested but found it difficult to obtain a hearing. In some instances they found arbitrary decisions being made about children for whom they were responsible, because of the authority which appeared to be vested in Tony Latham. They too had not been consulted about major changes organisationally which increased their isolation in some cases and made it difficult to operate a team support system.

**20.20** In spite of the many handicaps and difficulties inherent in the way the child care service was being run, there were a number of committed people in it who knew that there were better methods and would have welcomed opportunities to use them. Two proposals were made in evidence from residential staff. One was that there should be a system of staff appraisals throughout the department, which would include appraisal of training needed by each individual. The other was that there should be a group of residential support staff, homes advisers, who would give professional support and assist staff in practice matters. This point is the subject of a recommendation in Chapter 17, paragraph 17.48.

**20.21** It was clear to us from a study of the log books, financial information, committee papers and the evidence of witnesses that staffing policy in relation to residential child care in Staffordshire required urgent examination and radical improvement in all the matters referred to in this chapter. Such an examination will probably reveal others. Children whose own homes cannot for the time being provide them with the care they are entitled to expect must be cared for well and sensitively by the local authority. To do such a demanding job as caring for children in need, staff themselves need to be valued and supported.

#### **Recommendation**

**20.22** We recommend that an urgent review of the social services department's staffing policy should be undertaken. The review should, as a minimum, cover the matters raised in this chapter.

## **Chapter 21:**

### **National Implications**

**21.1** The Inquiry has raised a number of issues which have, in our view, national implications. They are:

- (a) The control of children in residential care;
- (b) Residential care for children;
- (c) The education of children in care;
- (d) The health of children in care;
- (e) Provision for children in care of 16 years of age or over;
- (f) The protection of children in care from sex offenders.

#### **21.2 Control of Children in Residential Care**

A combination of circumstances, certain individuals and a lack of effective safeguards brought fundamental problems to the surface in Cleveland and Rochdale. The same process, although in respect of a quite different problem, occurred in Staffordshire leading to the emergence of the unacceptable practice of Pindown. The kinds of difficulties disclosed are not resolved, however, by Inquiries and cases. We hope that those involved with the control of children in residential care, whether inside local and central government or outside, will maintain a heightened vigilance and concern in the future in the light of the events we have spent many months considering in Staffordshire.

#### **21.3 Residential Care for Children**

It is important, in our view, that residential care for children should be focussed on their needs and wishes. The Children Act 1989 places an added emphasis on these aspects. Some children and parents will choose residential care for a variety of good reasons. Residential child care should, in our view, be recognised as an essential part of a range of methods for providing for children whose needs are varied and changing. It should be resourced, staffed, supported and managed accordingly.

#### **21.4 The Education of Children in Care**

Chapter 13 contains recommendations about the education and careers of children in care and the need for them to receive more attention in future. The abilities of children in care range, of course, from the very able to those with special educational needs. Their educational needs and achievement have tended to take second place to social and family needs, often to their detriment in later life. This area of child care work should be given, in our view, a much sharper focus nationally.

#### **21.5 The Health of Children in Care**

The log books which we examined during the Inquiry revealed ample evidence that the health needs of children in care did not receive in certain residential establishments the attention they required. Medical arrangements for the homes appeared to be patchy and information available on individual children's health was inadequate. Children came into Pindown with potentially dangerous conditions such as asthma, suffered from chest conditions, back pain and stomach disorders, were suspected of epilepsy or had fits, and suffered many minor infections. The staff were slow to call a doctor or ask for advice, and seemed to rely, when they were available, on household remedies which they used on their own initiative. There were occasions when there were no remedies of any kind and staff brought medicines from home.

**21.6** Arising from the evidence in the Inquiry and from research which supports it we consider that the health of children in care is an aspect which should receive more attention nationally.

#### **21.7 Provision for Children in Care of 16 years of age or over**

A large proportion of the children in Pindown were fourteen and fifteen years old. Some, however, were sixteen and a few seventeen. We formed the view from the evidence we received that the care of children

of sixteen and over lacked any coherent approach to their needs as prospective young adults. Some workers were uncertain about whether a sixteen year old in care on a voluntary basis was in fact still in care. Children of sixteen were put out into lodgings with very little regular support or visiting.

**21.8** The needs of those who are 16 or over have, in our view, been inadequately met in the past and there is ample evidence that this is a problem on a wide scale.

### **21.9 The Protection of Children**

In Chapter 14, 15 and 16 we have examined some of the risks presented to children by sex offenders and made recommendations. The issues considered in these chapters have, in our view, a national dimension.





## **Part 7: Conclusions and Summary of Recommendations**

### **Chapter 22:**

#### **Conclusions**

**22.1** We set out below our conclusions (some of which are repeated from the previous chapters) on the various matters we were asked to consider. A reference, where appropriate, is given to the chapter in which the individual topic is considered.

#### **22.2 Pindown**

(i) After considering the totality of the evidence we consider that the vast majority of children who underwent the regime perceived Pindown as a narrow, punitive and harshly restrictive experience. We think that their perceptions were correct (see Chapter 11 and Chapter 12, paragraphs 12.2 to 12.21);

(ii) The children who were in Pindown, in our view suffered in varying degrees the despair and the potentially damaging effects of isolation, the humiliation of having to wear night clothes, knock on the door in order to 'impart information' as it was termed, and of having all their personal possessions removed; and the intense frustration and boredom from the lack of communication, companionship with others and recreation (see Chapter 11 and Chapter 12, paragraphs 12.2 to 12.21);

(iii) Pindown contained the worst elements of institutional control: baths on admission, special clothing, strict routine, segregation and isolation, humiliation, and inappropriate bed-times (see Chapter 12, paragraphs 12.44 and 12.46);

(iv) Pindown, in our view, is likely to have stemmed initially from an ill-digested understanding of behavioural psychology; the regime had no theoretical framework and no safeguards (see Chapter 12, paragraphs 12.36 to 12.40);

(v) No psychiatric, psychological or educational advice was obtained before or during the time Pindown was used (see Chapter 12, paragraph 12.30);

(vi) We regard the absence of professional advice in dealing with many children who were disturbed, depressed and in despair as inexplicable (see Chapter 12, paragraph 12.34);

(vii) No legal advice was ever sought by social services despite the fact that in 1984 senior management were aware that some of the practices in the 'special unit' at 245 Hartshill Road, Stoke-on-Trent appeared to be in contravention of the Community Homes Regulations 1972 (see Chapter 5, paragraphs 5.22 to 5.25 and paragraphs 5.70 to 5.80);

(viii) We consider that one of the aims of the so-called 'philosophy' of Pindown, to saturate the child with attention, was never to any significant extent put into practice; and was in any event a pipe dream due to lack of sufficient staff and lack of qualified and experienced people. We are of the view that in the main staff spent very little time with the children in Pindown (see Chapter 12, paragraph 12.22);

(ix) In the words of Tony Latham, the architect and prime practitioner of Pindown, the regime 'was based on the principle that we were establishing control'. The impact on the children was, in our view, likely to be wholly negative and was so in that the regime imposed was fundamentally dependent on elements of isolation, humiliation and confrontation (see Chapter 12, paragraph 12.34);

(x) Pindown, in our view, falls decisively outside anything that could properly be considered as good child care practice. It was in all its manifestations intrinsically unethical, unprofessional and unacceptable (see Chapter 12, paragraph 12.56);

(xi) We consider that Pindown was used in breach of regulation 10 of the Community Homes Regulations 1972 (see Chapter 12 paragraphs 12.55 and 12.56);

(xii) The Pindown units, in our opinion, came within the secure accommodation provisions. Staffordshire obtained no approval to provide such accommodation: see regulations 2 and 3 of the Secure Accommodation (no.2) Regulations 1983, paragraph 4 of Annex B to Circular LAC (83) 18 and section 21A of the Child Care Act 1980 (see Chapter 12, paragraphs 12.53 and 12.57 to 12.61);

(xiii) Pindown was used in four Staffordshire residential establishments: 245 Hartshill Road,

Stoke-on-Trent; The Birches, Newcastle-under-Lyme; The Alders, Tamworth; and Heron Cross House, Stoke-on-Trent (see Chapter 12, paragraphs 12.25 to 12.29);

(xiv) Pindown was used at 245 Hartshill Road between 3 November 1983 and 2 October 1989; at The Birches in 1988 only: 1 February to 28 March; 29 May to 7 June; and 8 November to 28 November; at The Alders between 20 March and 2 October 1989; and at Heron Cross House between 26 September to 2 October 1989 (see Chapter 12, paragraph 12.29);

(xv) Between November 1983 and October 1989 we do not consider that there was any real variation in the practice of Pindown, save that in May 1988 for a few weeks an attempt was made to introduce at 245 Hartshill Road a so-called 'positive Pindown' (see Chapter 12, paragraphs 12.23 and 12.24);

(xvi) No consistent written procedures were specifically applicable to Pindown as such. Some 'programmes' relating to Pindown were recorded and a separate Pindown log book came into existence spasmodically alongside the normal log book. Specific documents relating to the 'philosophies' and practice of Pindown came into existence between 1983 and 1989 (see Chapter 12, paragraph 12.31 and appendix F);

(xvii) We are of the view that not less than 132 children went into Pindown between 3 November 1983 and 2 October 1989. Because the available records leave a great deal to be desired in many cases, this is probably a conservative figure. The number of boys was 81 and girls 51. The longest continuous period in Pindown was 84 days and the longest overall period was 129 days. A girl, between the age of 11 and 14, went into Pindown on the most occasions, twelve in all. The youngest boy put into Pindown was 9 years old and the youngest girl was of the same age (see Chapter 12, paragraph 12.32);

(xviii) There was no professional oversight of Pindown (see Chapter 12, paragraphs 12.65 and 12.66);

(xix) Senior management focussed on the 'special unit' or 'Intensive Training Unit' at 245 Hartshill Road during 1984 and part of 1985 (see Chapter 5, paragraphs 5.22 to 5.25 and paragraphs 5.70 to 5.80). The concern about the unit then petered out and major potential issues were unresolved. The name Pindown was referred to in documentation circulating apparently in the department in 1986, 1988 and 1989. In 1989 senior management sent Tony Latham's team into The Alders and Heron Cross House. We were told by the two deputy directors, Peter Crockett and John Spurr, that they had had no detailed knowledge of the nature of the Pindown regime until October 1989. In view of the events of 1984 and 1985 and later 1989 and the prominence of Tony Latham and his work we were somewhat surprised to hear of their ignorance. We consider, however, that if they were not aware of what was actually happening over a period of almost six years, it can only reflect a most serious flaw in the management of the department. John Spurr in his evidence to the Inquiry frankly conceded this fact. The responsibility for this state of affairs must ultimately lie with those at the very top of the department;

(xx) Middle management has, in our view, much to answer for in respect of Pindown. Elizabeth Brennan was principal area officer responsible for 245 Hartshill Road and The Birches between 1983 and 1989 and, in our opinion, was quite aware of Pindown. She told us that she did not know of all its aspects. She accepted that she should have visited 245 Hartshill Road more often. Jane Taylor, who succeeded Tony Latham as area officer in September 1987, expressed her concerns about the confinement of the children to Elizabeth Brennan. Jane Taylor was quite conversant with Pindown and indeed attempted with Peter Nicol-Harper in May 1988 to introduce a variation of it termed 'Positive Pindown'. Regarding The Alders and Heron Cross House in 1989, the inspiration for the intervention of the Latham team came from senior management;

(xxi) Tony Latham bears responsibility for the creation of Pindown and the use of it between November 1983 and September 1987 and in 1989. He was, as we have indicated above, its architect and its prime practitioner. We have traced in the early chapters of this report the background factors that we believe led to the conditions which provided fertile ground for what occurred in late 1983. We are prepared to accept that Tony Latham, with an excess of enthusiasm and energy, hoped to control those he saw as difficult adolescents by the use of a system designed to provide individualised programming and the development of life and social skills. The grim reality, however, was quite different. As BASW pointed out to the Inquiry (see Chapter 12, paragraph 12.44) what occurred directly contravened the stated objectives. The evidence from contemporary documents, including thousands of pages of log books unequivocally, in our view, demonstrates the unacceptable nature of the regime introduced. We can only think that Tony Latham, a person of drive, energy and ability, who had contributed much in

other areas to Staffordshire, lost sight of those minimum standards of behaviour and professional practice which are essential to a fair and sympathetic approach to children in care. Philip Price for much of the time was his enthusiastic and admiring assistant. We consider that he was, and is, very much under the influence of Tony Latham. Nevertheless he must bear a significant responsibility also. The third member of the team in 1989, Glynis Mellors, also rendered substantial assistance;

(xxii) It is a matter of regret, in our opinion, that so many were prepared to be enthusiastic practitioners of Pindown. We would hope that the frank and explicit nature of the records and comments in the log books only represent a temporary aberration on their part. One cannot, however, erase the knowledge that the active life of Pindown was within a month of six years. We must, however, recognise that the residential staff were carrying out difficult work without being provided by their employers with adequate supervision, support, resources or even proper understanding in many cases of their tasks;

(xxiii) It was said to us that many outside the department were aware of, and by implication, condoned Pindown: magistrates, the police, teachers, probation officers and specifically in December 1987 the Social Services Inspectorate ('SSI'). We deal in Chapter 12, paragraphs 12.74 and 12.75 with the SSI's visit in December 1987. We do not consider that they were informed about Pindown. The evidence we received about the other groups points to some individuals knowing the term 'Pindown' and something of its practice. We are not satisfied to what extent they appreciated the true nature of the regime. One particular document, for example, which we saw, went before a magistrates' court as a report and did not, in our view, disclose the reality of Pindown;

(xxiv) We do not consider that the system of statutory visiting in Staffordshire is an effective one (see Chapter 12, paragraphs 12.72 and 12.73);

(xxv) Those who ultimately brought Pindown to the attention of the wardship court performed, in our view, a considerable public service. We would also like to pay tribute to those witnesses who came to the Inquiry and gave evidence despite having been harassed by various means by as yet unknown people. We are also happy to note that social services has within its department many able and committed people. We hope the future lies in their hands;

(xxvi) The politicians, in our view, must accept some responsibility for the events we investigated. It is the duty of the elected members of Staffordshire County Council to ensure, to the best of their ability, that public services required to be provided by legislation are available for those who need them at a level which is acceptable in the light of current knowledge and professional standards. It appears to us that there was insufficient vigilance on the part of the politicians and too much willingness to accept, without question, what appeared to be cheap remedies for problems. It must, however, be noted that they were not over-supplied with information by the managers;

(xxvii) It has been suggested 'that "Pindown" by any other name probably exists the length and breadth of the country, and is probably more prevalent than anyone would officially care to admit'.<sup>26</sup> We received no such admissions in evidence. The practice of Pindown has ceased in Staffordshire. If it exists under any other name elsewhere it should, in our view, be summarily terminated;

(xxviii) We make a number of recommendations arising out of our consideration of Pindown (see Chapter 12, paragraphs 12.76 to 12.85 or Chapter 23, paragraphs 23.2 to 23.10).

### **22.3 Fundwell<sup>27</sup>**

(i) On 30 August 1990, day 24 of the Inquiry, we recommended to the Local Authority that the purely financial matters concerning Fundwell should be the subject of an investigation by the District Auditor. Our recommendation was accepted and the District Auditor subsequently commenced work (see Chapter 1, paragraph 1.20);

(ii) We consider the nature and extent of the Fundwell organisations in Chapter 13, paragraphs 13.2 to 13.8. The organisations and the activities which involved children in care are listed in paragraph 13.7 and also paragraph 13.12;

<sup>26</sup> See M. Lindsay 'Secure Accommodation: a children's rights perspective on the practice of locking up children within the public care system', *Journal of Child Law*, volume 3, no.2 (1991).

<sup>27</sup> The name of one of Tony Latham's companies but also a word used to encompass all the activities.

(iii) Because precise records were not kept about much of what took place over a period of a decade or more it is not possible to give an exact picture of the nature and extent of all the activities;

(iv) In essence from the mid-1970s until 1987 Tony Latham set up and developed a network of voluntary organisations and private companies which in some instances contracted their services directly back to the social services department and in other instances were concerned with intermediate treatment and other activities in which children were involved in a variety of ways (see Chapter 3, paragraphs 3.47 to 3.56);

(v) The great majority of children who participated in Fundwell did so either as recipients of a service, as employees, as trainees, for the purpose of gaining work experience or as licencees in SHAP houses.<sup>28</sup> There were also a small number of children who were required to carry out certain tasks, usually at Duke's Lodge (home of Tony Latham), associated with the overall programmes in Pindown. There is little doubt that some of the children considered they were being punished;

(vi) It is quite impossible to compile a list of the children participating in Fundwell activities because there are no records or no reliable records from which to do so;

(vii) It was put to us that the children benefitted from their involvement in Fundwell activities because they had an introduction to work and learned certain simple skills such as the planning of collections and deliveries, receiving money and giving change, and looking after animals. The wide variety of activities was also, it was said, an opportunity to try different types of occupational experience. It must be recognised, in our view, that a number of children were engaged in repetitive labour which sometimes had an element of risk and was often quite heavy and at times unpleasant work. Some children had to work during the evening and at weekends. This was on occasions for small sums of pocket money, £2 or £3, and sometimes for nothing;

(viii) Some of the children in care were still of school age and worked at Duke's Lodge during school hours as well as working there at other times of the day. The Inquiry was told by the Chief Education Officer of Staffordshire that this was not permissible. Even if they had been excluded from school, specific permission would only be given in exceptional circumstances (see Chapter 13, paragraphs 13.23 and 13.24);

(ix) Whilst some of the children in care may have benefitted from their involvement in Fundwell activities, others did not wish to be involved or actively resisted involvement. The evidence from log books, as well as personal evidence from children and other witnesses, clearly indicated that while some who did not wish to take part did not have to, there were others who were required to go. The level of pressure was such that in one or two instances the word coerced is not too strong;

(x) Much of the work at Duke's Lodge was not educational or generally beneficial in other respects. Some of the young people resented being used as a 'general dogsbody' and working very hard for little or no reward and without any choice;

(xi) The organisations and activities Tony Latham created and developed were widely known in the social services department to involve children. There was a policy in the department up to 1985, in the words of the former director, Barry O'Neill, 'to let him get on with it and not to interfere as long as he "produced the goods"'. A number of staff and councillors were not fully aware of the status of the activities and the interests of Tony Latham and others in them. That, in our view, was less his fault than failure of communication at a variety of levels within the social services department and the county council as a whole (see Chapter 13, paragraphs 13.29 and 13.30);

(xii) Tony Latham and Glynis Mellors, who worked alongside him in much of the work related to Fundwell, both worked extremely long hours and with enthusiastic commitment;

(xiii) There was, in our view, no adequate supervision by senior management of what happened in relation to children and Fundwell as distinct from supervision of accounts and some other financial matters (See Chapter 13, paragraph 13.34);

(xiv) There was no professional oversight;

(xv) We make recommendations arising out of our consideration of Fundwell in Chapter 13, paragraphs 13.38 and 13.39 or Chapter 23, paragraphs 23.12 and 23.13.

## **22.4 The Protection of Children**

- (i) The details of our additional Terms of Reference are set out in Chapter 14, paragraph 14.1;
- (ii) The specific matters relating to the protection by staff of children in residential homes from members of the so-called sex ring are dealt with in Chapters 14 and 15;
- (iii) We were satisfied from the evidence we received that two men who had been sentenced as part of the sex ring had each, quite separately, visited on various occasions a children's residential establishment in Staffordshire, though not the same one. We do not consider that the concerns expressed, taking children out of the residential homes or arranging to meet the children resident for sexual purposes have been substantiated in either case (see Chapter 14, paragraphs 14.2 to 14.5);
- (iv) We were satisfied that one of the men who visited 245 Hartshill Road, Stoke-on-Trent on a number of occasions should not have been permitted entry to the establishment (see Chapter 15, paragraphs 15.1 to 15.23);
- (v) Procedures relating the vetting of visitors to 245 Hartshill Road were not, in our view, satisfactory;
- (vi) In addition the procedures relating to the availability of reliable information regarding those who may be reasonably suspected of being sex offenders and a danger to children, are not, in our view, satisfactory (see Chapter 15, paragraphs 15.25 to 15.30 or Chapter 23, paragraphs 23.15 to 23.20, for recommendations arising from our consideration of the above matters);
- (vii) We also considered a quite separate matter unconnected with the sex ring. This concerned the protection of a child who was placed in lodgings in respect of which the landlord was a sex offender and a danger to children (see Chapter 16, paragraphs 16.1 to 16.23);
- (viii) The procedures relating to the vetting of such accommodation were not, in our view, satisfactory (see Chapter 16, paragraphs 16.25 and 16.26 or Chapter 23, paragraphs 23.22 and 23.23, for recommendations in respect of the procedures);
- (ix) We also considered the arrangements relating to the notification of the movements of Schedule 1 offenders to local authorities (see Chapter 16, paragraphs 16.27 to 16.32);
- (x) We make recommendations relating to our conclusion that some of the arrangements relating to the notification of the movements of Schedule 1 offenders to local authorities could be improved (see Chapter 16, paragraphs 16.33 and 16.34 or Chapter 23, paragraphs 23.24 and 23.25).

## **22.5 Professional issues**

### **(i) Management**

Management in the social services department in Staffordshire was inadequate for its task and lacked many of the essential characteristics required to ensure good services to the public (see Chapter 17, paragraphs 17.1 to 17.34 and for recommendations: Chapter 17, paragraphs 17.35 to 17.49 or Chapter 23, paragraphs 23.27 to 23.40);

### **(ii) Supervision**

The evidence we received points unequivocally to the urgent need for a properly regulated system of supervision throughout the social services department (see Chapter 18, paragraphs 18.1 to 18.14 and for recommendations: Chapter 18, paragraphs 18.16 and 18.17 or Chapter 23, paragraphs 23.42 and 23.43);

### **(iii) Training**

A major change is required, in our view, in the attitude towards the need for training at all levels of the social services department and in the committee (see Chapter 19, paragraphs 19.1 to 19.10 and for a recommendation: Chapter 19, paragraph 19.12 or Chapter 23, paragraph 23.45);

### **(iv) Staffing**

An urgent review of staffing policies should, in our view, be undertaken (see Chapter 20, paragraphs 20.1 to 20.21).



## **Chapter 23:**

### **Summary of Recommendations**

#### **23.1 Chapter 12**

**23.2 We recommend** that social services departments regularly scrutinise the measures of control used in residential child care establishments (paragraph 12.77).

**23.3 We recommend** that those appointed in social services departments to monitor regularly the measures of control used in residential child care establishments should liaise closely with the legal department of the local authority (paragraph 12.78).

**23.4 We recommend** that social services departments ensure that log books in residential child care establishments are completed in such a way:

- (a) that they disclose who is on duty on the day on which entries are made;
- (b) that all entries are written in appropriate and clear language;
- (c) that all entries are signed with the name of the signatory clearly identified; and
- (d) that all entries are clearly dated (paragraph 12.79).

**23.5 We recommend** that social services departments ensure that measures of control books in residential child care establishments are completed properly in compliance with the relevant Regulations and that entries are dated and signed with the name of the signatory clearly identified (paragraph 12.80).

**23.6 We recommend** that the forms used by statutory visitors to residential child care establishments should highlight the question of 'control' and direct the visitor to make specific comments regarding measures of control used (paragraph 12.81).

**23.7 We recommend** that prior to a visit to a child care establishment by a statutory visitor, there is made available to him or her the previous visitors' completed forms over a period of at least six months (paragraph 12.82).

**23.8 We recommend** that statutory visitors' reports should go unaltered to the appropriate committee (paragraph 12.83).

**23.9 We recommend** that statutory visits should be made without advance notice being given to the residential home (paragraph 12.84).

**23.10 We recommend** that the law regarding the 'control and discipline' of children in residential establishments is amended so that definitions of the circumstances which amount to the restriction of a child's liberty appear in legislative provisions and are not left to the language of guidance in circulars (paragraph 12.85).

#### **23.11 Chapter 13**

**23.12 We recommend** that there should be a named person at senior management level with responsibility (a) for ensuring that care and attention is given to the education, career development and working life of children in care, and (b) for the consideration of any policy or practice issues (paragraph 13.38).

**23.13 We recommend** that the named person referred to in paragraph 13.38 should provide an annual report on the matters for which he has responsibility giving particular attention to:

- (a) educational achievements of children in care;
- (b) changes in the schools they attend as a consequence of care placement;
- (c) special educational needs;

- (d) involvement in further education;
- (e) work undertaken by school children; and
- (f) the employment of children above school age (see paragraph 13.39)

## **23.14 Chapter 15**

**23.15 We recommend** that in any residential unit for children someone on the staff should be designated to deputise in the absence of the officer in charge. Wherever possible this should be the same person each time and this responsibility should be clearly defined in their job description and recognised financially (see paragraph 15.25).

**23.16 We recommend** that a record should be made each day of all visitors to the children in a residential unit. This record should be available to be seen by all members of staff, for example, by being contained in the daily log or diary (see paragraph 15.26).

**23.17 We recommend** that there should be a method available for social services staff who may need information about possible sex offenders to check with a designated source at any time (paragraph 15.27).

**23.18 We recommend** that social services and the police should reach agreement and reduce into writing the following:

- (a) that members of social services staff who may need information about possible sex offenders who pose a risk to the children for whom they are responsible may telephone or otherwise contact a designated police information source at any time; and
- (b) that social services will specify the staff who, save for exceptional circumstances, will be actually communicating with the police information source: for example, the officer in charge of a residential establishment or the designated deputy (paragraph 15.28).

**23.19 We recommend** that consideration should be given by social services, if appropriate in conjunction with the fire service, to the best means of maintaining reasonable control over entrances and exits in residential units for children; and that clear instructions in writing should then be circulated to the relevant staff (paragraph 15.29).

**23.20 We recommend** that social services departments should issue written guidance to staff dealing with the topic of the protection of children in residential establishments and, in particular, covering the regulation and vetting of general visitors to such establishments (paragraph 15.30).

## **23.21 Chapter 16**

**23.22 We recommend** that in respect of the placing of children in care in lodgings or similar accommodation, social services should in all cases ensure that:

- (1) there is circulated a clear written procedure covering the vetting of such premises;
- (2) the premises are inspected and a written record made in respect of them;
- (3) the landlord is interviewed where practicable and always in the case of a resident landlord, and a written record made;
- (4) where appropriate, and always in the case of a resident landlord, the landlord's agreement is obtained to make a police check (and such further checks as may be considered prudent);
- (5) the relevant information obtained and any further facts about the premises, and the respective sources of the data, be recorded in an accommodation register (paragraph 16.25).

**23.23 We recommend** that the Home Office and the Department of Health clarify or extend, if necessary, the present arrangements concerning the disclosure of the criminal background of those with access to children, so that a local authority, considering an agreement with a private sector landlord in respect of a child in care, is able without difficulty to make an appropriate police check (paragraph 16.26).

**23.24 We recommend** that revised arrangements are made for local authority social services



departments to be notified of all convictions occurring for offences against children by persons residing or intending to reside in their area, irrespective of where the offences were committed and the nature of the disposal by the court (paragraph 16.33).

**23.25 We recommend** that the notification to local authority social services departments of all convictions occurring for offences against children by persons residing or intending to reside in their area, be undertaken by the Crown Prosecution Service (paragraph 16.34).

## **23.26 Chapter 17**

**23.27 We recommend** that each residential establishment should have a written statement of its agreed role (paragraph 17.36).

**23.28 We recommend** that adequate consultation should take place with staff in advance of organisational changes (paragraph 17.37).

**23.29 We recommend** that precise job descriptions should be provided for all professional posts (paragraph 17.38).

**23.30 We recommend** that a system of caseload management is installed as soon as possible (paragraph 17.39).

**23.31 We recommend** that a systematic monitoring and evaluation system should be introduced within the social services department (paragraph 17.40).

**23.32 We recommend** that more posts should be advertised nationally, and in particular senior and managerial appointments (paragraph 17.41).

**23.33 We recommend** that there should be an agreed staff recruitment policy to attract qualified and experienced staff (paragraph 17.42).

**23.34 We recommend** that a complaints procedure for staff, foster parents and children should be implemented without delay, and should contain an independent element (paragraph 17.43).

**23.35 We recommend** that team managers or their equivalents should have regular opportunities to meet with a senior manager who should represent their views at the most senior level of the department (paragraph 17.44).

**23.36 We recommend** that the preparation of estimates should be carried out in consultation with staff at all managerial levels (paragraph 17.45).

**23.37 We recommend** that the relationship and channels of communication between the social services department and the social services committee should be the subject of a review in order to ensure that the committee receives clear and full information (paragraph 17.46).

**23.38 We recommend** that the role and membership of the social services advisory committees should be examined in order to ensure their effectiveness in the future (paragraph 17.47).

**23.39 We recommend** that residential homes advisers with appropriate experience and training be appointed to provide professional support to residential child care staff (paragraph 17.48).

**23.40 We recommend** that a member of the social services department is specifically made responsible for liaison with the legal department in order to review jointly, on a regular basis, matters which may require specific consideration and advice from the legal department (paragraph 17.49).

#### **23.41 Chapter 18**

**23.42 We recommend** that the social services department should put in place as a matter of urgency a system of supervision (paragraph 18.16).

**23.43 We recommend** that after a period of one year following the establishment of a system of supervision a review should take place to evaluate the system (paragraph 18.17).

#### **23.44 Chapter 19**

**23.45 We recommend** that a strategy of training for the next five years is developed as a matter of urgency with a particular aim being to increase the numbers of trained and qualified staff in residential care without delay (paragraph 19.12).

#### **23.46 Chapter 20**

**23.47 We recommend** that an urgent review of the social services department's staffing policy should be undertaken. The review should, as a minimum, cover the matters raised in chapter 20 (paragraph 20.22).

## **Appendix A:**

### **Members of the Inquiry**

#### **– Allan Levy Q.C., LL.B**

Barrister

Assistant Recorder

Hon. Legal Adviser, National Children's Bureau

Member of the Council of Justice

Member of the Council of the Medico-Legal Society

Author and editor.

#### **– Barbara Kahan O.B.E., M.A. (Cantab) M (Univ)**

Chair of the National Children's Bureau

Director of the Gatsby Project

Independent consultant in child care to service agencies and The Open University

Professional adviser to House of Commons Social Services Committee 1983-1990

Author and editor

Formerly in senior management of social services in local and central government



## **Appendix B: Terms of Reference**

### **STAFFORDSHIRE CHILD CARE INQUIRY**

#### **Terms of Reference**

##### **General Terms of Reference**

1. To review the treatment and care of young persons at 245 Hartshill Road, Stoke-on-Trent, at "The Birches", Newcastle-under-Lyme, and at any other location where the practice known as "pin down" may have been used.
2. To consider any participation by young persons in care in the activities of undertakings not owned by the County Council and known as "Fundwell" and to consider the need for any further investigation of the general activities of such undertakings and their relationship with the County Council and to recommend or carry out such investigation as may be required.
3. To ensure that complaints received relating to the matters mentioned in paragraph 1 are thoroughly investigated and considered and are seen to have been so investigated and considered.
4. To draw out the strengths and weaknesses and legality of the practice and procedures in use in relation to the matters mentioned in paragraphs 1 and 2.
5. To reach conclusions and to make any recommendations necessary to allay public concern and maintain public confidence in the Social Services Department and its protection of the interests of children and young persons and of the public.

##### **Particular matters for consideration**

6. The establishment of methods of working which take full account of the need to obtain full and accurate information on all matters under review, whilst at the same time ensuring necessary consideration and protection of the interests of children in care, complainants and staff.
7. The collection, collation and consideration of all items of written evidence including court records, case papers, records of residential establishments, reports of visits to homes and management records of the Department and Council.
8. In relation to the practice known as "pin down":-
  - (a) The nature of the practice, the amount of staff contact and the nature of engagement, and the way the practice varied over the period it was used.
  - (b) The places and periods over which the practice was used.
  - (c) The nature and extent of any psychiatric, psychological or educational advice obtained before or after the practice was established.
  - (d) What written procedures were applicable.
  - (e) What children were subject to "pin down" with information about age, sex and length of time in "pin down".
  - (f) How far it is possible to assess any impact of "pin down" on those children and the nature of that impact.
  - (g) The managerial and professional oversight of "pin down".
9. In relation to participation by young people in care in the activities of undertakings not owned by the County Council and known as "Fundwell".
  - (a) The nature and extent of the organisations generally known or associated together as "Fundwell" and in which children and young persons participated.

(b) The nature and extent of the participation by young children and young persons in these organisations whether as employees, trainees on work experience placements, as tenants or licencees or otherwise.

(c) A list of all the children participating with information about age, sex and length of participation.

(d) The benefits or disadvantages resulting from the participation of children and young persons in these activities including any educational implications.

(e) The managerial and professional oversight of such participation and any conflicts of interests of staff which might have arisen in connection with such participation.

10. Any associated matters of concern to the Inquiry, including the adequacy or otherwise of the complaints procedures in use within the department.

11. Whether at any point in the Inquiry the panel consider that the method of working adopted is inadequate for the issues at stake and should be substituted by a Public Inquiry or any other method of procedure.

12. Whether at any point in the Inquiry the panel consider that they have established matters which should be reported to the County Council as requiring immediate disciplinary action and any subsequent effect on the working of the Inquiry.

13. To note the County Council's intention to make public the full report of the Inquiry and to provide the Secretary of State for Health with a copy.

14. To consider whether children and young persons resident in Staffordshire child care establishments were appropriately protected, as may have been required, from any of the individuals who were subsequently convicted in the summer and autumn of 1989 of sexual offences against children and young persons.

15. To make any appropriate recommendations.





## Appendix C:

### List of Representatives of Parties

Hugh Howard of Messrs. Howard and Tain acted as solicitor to the Inquiry

Party	Representative
Barry O'Neill } John Spurr }	Margaret Ilsley of Messrs. Hand Morgan and Owen
Elizabeth Brennan	David Kidney of Messrs. Wainwrights
Jane Taylor	Neil Robinson of Messrs. Nowell Meller and Nowell
Philip Warrilow	John Allen of NALGO
Tony Latham } Philip Price } Glynis Mellors }	John Trotter of Messrs. Bates Wells and Braithwaite
Michael Hurley	Patricia McManus of Messrs. Ollier, Jones, McManus
Some Wards of Court	Michael Nicholls, solicitor in the Official Solicitor's Department



## **Appendix D:**

### **List of People who gave oral evidence**

(excluding children, parents and those who requested not to be named)

Mark Fisher M.P.  
Councillor W. F. Austin  
Councillor N. Beach  
Councillor C. Jebb  
Councillor M. Poulter  
Councillor R. Roberts  
Councillor A. Thomas  
Councillor I. Wise

Bernard Price, County Clerk and Chief Executive, Staffordshire County Council  
Elaine Taylor, solicitor, Staffordshire County Council  
John Mytton, solicitor, Staffordshire County Council  
John Taylor, Treasurer's Department, Staffordshire County Council  
P. J. Hunter, Chief Education Officer, Staffordshire

#### **Staffordshire social services department:**

David Allen  
Susan Arnold  
John Aston  
Paul Boylan  
Elizabeth Brennan  
Alan Carney  
Paul Carter  
Peter Crockett  
Janet Daniels  
Damian Doherty  
Louise Doherty  
Rose Gibbs  
Lesley Gilford  
David Heath  
Frederick Hill  
Eileen Ironside  
Tony Latham  
Christopher Lucas  
Linda Machin  
Glynis Mellors  
Philip Owen

Anthony Pearce  
George Pierpoint  
Laurence Pountney  
Philip Price  
Jaime Rodriguez  
Wade Rogers  
Roger Rowland  
Robert Smith  
Margaret Spooner  
John Spurr  
Brendan Sullivan  
Susan Swinhoe  
Jane Taylor  
Michael Thomas  
Graham Thornelow  
William Tomlinson  
Graham Toplass  
Christopher Walley  
Jane Walton  
Philip Warrilow  
Pauline Whitehurst

#### **Former members of Staffordshire social services:**

Jill Edge  
Christine Evans  
Elaine Goodier  
Michael Murphy

Peter Nicol-Harper  
Barry O'Neill  
Eileen Robinson  
Audrey Williams

## Organisations and Individuals:

Gail Tucker }  
Christopher Andrews }

British Association of Social Workers (BASW)

William Bottomley }  
Martin Westward }

Former members of the  
Manpower Services Commission (MSC)

John Allen }  
Andrew Standon }

National Association of  
Local Government Officers (NALGO)

Michael Hurley

National Association of  
Young People in Care (NAYPIC)

Richard Clough M.B.E.

Social Care Association (SCA)

Ian Milner }  
James Stewart }

Social Services Inspectorate (SSI)

Dr David Foreman, consultant psychiatrist

Dr Edna Irwin, consultant psychiatrist

Sarah Lasenby, guardian-ad-litem

Professor Norman Tutt, director of social services, Leeds City Council

Kevin Williams, solicitor

## **Appendix E:**

### **Documentary Evidence (selected)**

#### **(1) STAFFORDSHIRE**

##### **(a) Documents from residential homes:**

Log books  
Measures of Control books  
Admissions and discharges registers  
Daily record sheets  
Accident books  
Visitors books  
Residential establishments files  
Menu books

##### **(b) Other Documents:**

Personnel files  
Children's case records  
Selected social services committee papers and reports 1980-1990  
Financial information and budget papers 1977-1990  
Information on training programmes and budgets  
Fundwell accounts and other papers  
Some notes of senior staff meetings  
Children and Families Departmental Procedures (1980)  
Child Protection Departmental Procedures (1990)

#### **(2) REPORTS, PAPERS ETC:**

- The O'Neill Report by Sir Walter Monckton K.C. HMSO, Cmnd 6636 (1945);
- The Auckland Report by P. J. M. Kennedy Q.C. and others, HMSO, 1975;
- Home Office Memorandum on the Conduct of Children's Homes, HMSO, 1966;
- Report of the Committee on Local Authority and Allied Personal Social Services, HMSO, Cmnd 3703, 1968;
- Community Homes Design Guide, Advisory Council on Child Care. DHSS, HMSO, 1971;
- Care and Treatment in a Planned Environment: A report on the Community Homes Project, HMSO, 1970;

- Absconding from Approved Schools: A Home Office Research Unit Report, HMSO, 1971;
- Residential Task in Child Care: The Castle Priory Report – edited by B. Kahan, G. Banner, second edition 1972;
- Violence – edited by N. Tutt. Social Work Service Development Group, HMSO, 1976;
- Locking up Children: Secure provision within the child care system – S. Millham, R. Bullock, K. Hosie, Saxon House, 1978;
- Behaviour Modification: Report of a Joint Working Party to formulate ethical guidelines for the conduct of programmes of behaviour modification in the National Health Service – Royal College of Psychiatrists, Royal College of Nursing, British Psychological Society, HMSO, 1980;
- Control and Discipline in Community Homes: Report of a Working Party, DHSS, 1981;
- The British Psychological Society – Professional Affairs Board: Comments on the Report of a Joint Working Party to formulate Ethical Guidelines for the Conduct of Programmes of Behaviour Modification in the National Health Service, 1981;
- Mental Health Act Commission: Guidance for Responsible Medical Officers Consent to Treatment – Enclosure to DDL(84)4, 1984;
- Behaviour Modification – More or less intervention? B. Hudson, Childright No. 6, April 1984;
- Committee to examine the application of Behaviour Modification at Nyandi – Report to the Director, Department of Community Welfare, Western Australia, 1984 (see also 1987 post);
- Second Report from the House of Commons Social Services Committee Session 1983-1984: Children in Care, vol.1 HMSO, 360-1;
- A Code of Conduct for Psychologists: The Bulletin of The British Psychological Society 38, 41-43, (1985);
- Inspection of Community Homes, SSI, DHSS, September 1985;
- Social Work Decisions in Child Care: Recent Research findings and their implications; DHSS, HMSO, 1985;
- Children's Homes, David Berridge, Blackwells, 1985;

- Young People under Pressure: Runaways and Others, Briefing Paper, No. 1 (The Children's Society), 1986;
- Staff . . . Finding them, Choosing them, Keeping them. Edited by B. Kahan, SCA, 1986;
- Secure Accommodation for Children and Young Persons – Guidance for Local Authorities, DHSS and SSI, 1986;
- Bridges over Troubled Waters – NHS Health Advisory Service, 1986;
- Children in Custody: G. Stewart & N. Tutt, Avebury, 1987;
- The 'Karinga' Adolescent and Parent Community Support Unit: A Programme Evaluation, A. McMullan and J. Duffy, Nyandi, 1987;
- Young People under Pressure: Somewhere to live, Briefing Paper, No.2 (The Children's Society), 1987;
- Juvenile Justice Project Report No.2: The Route from Care to Custody, Prison Reform Trust, 1988;
- The Characteristics of Young People in Youth Treatment Centres, Dartington Social Research Unit, 1988;
- Family Centres – A Change of Name or a Change of Practice, SSI, Department of Health, 1988;
- Inspection of Youth Treatment Service Overview, Report, SSI, Department of Health, 1988;
- Residential Care – A Positive Choice: Report of the Independent Review of Residential Care, chaired by G. Wagner, HMSO, 1988;
- Young People under Pressure: Juvenile Justice, Diversion from Custody, Briefing Paper, No.3. (The Children's Society), 1988;
- The Potteries – Portrait of a City: Stoke-on-Trent – The past, present and future, Eric Hambrook, Penrhos Publications, 1989;
- A Sense of Direction: Planning in Social Work with Children: A Review of Social Services Inspectorate Reports, SSI, Department of Health, 1989;
- The Care of Children: Principles and Practice in Regulations and Guidance, The Children Act 1989, Department of Health, HMSO, 1989;

- Child Care Research, Policy and Practice – edited by B. Kahan, Hodder and Stoughton, 1989;
- Accommodation of Children (Charge and Control) Placements: Handbook of Guidance, Department of Health and Welsh Office, 1989;
- The experiences and careers of young people leaving the Youth Treatment Centres, Dartington Social Research Unit, 1989;
- Alternative Care Careers: The experience of very difficult adolescents outside youth treatment centre provision, Dartington Social Research Unit, 1989;
- The British Psychological Society Division of Clinical Psychology: Guidelines for the professional practice of Clinical Psychology, 1990;
- Management Development: Guidance for Local Authority Social Services Departments, SSI, 1990;
- The Power to Care in Children's Homes – N. Baldwin – Avebury, Gower, 1990;
- Report of Inspection of Child Protection Services in Staffordshire, SSI, Department of Health, 1990;
- NACRO Briefing – Juvenile Crime Section – Unruly Certificates: Implications for Practice, 1990;
- Child Care Policy: Putting it in writing – D. Robbins, CRESEP, University of Bath, HMSO, 1990;
- SSI/HMI Inspection of Children's Homes in Staffordshire, SSI, Department of Health, 1990;
- SSI Inspection of Children's Homes in Staffordshire – Supplementary Report, Department of Health, 1990;
- Staffing in Residential Care Homes: A Handbook of Guidance on the Calculation of Staffing Establishments and the Deployment of Staff for Managers, Proprietors, Employers and Trade Union Officers, Wagner Development Group, NISW, 1990;
- Report of a Review by Her Majesty's Chief Inspector of Prisons for England and Wales of Suicide and Self Harm in Prison Service Establishments in England and Wales, Home Department, HMSO, Cm 1383, 1990;

### **(3) WRITTEN SUBMISSIONS TO THE INQUIRY**

- John Allen, NALGO (Staffordshire);



- Dr Susan Bailey, consultant forensic psychiatrist;
- British Association of Social Workers;
- Elizabeth Brennan, Staffordshire social services;
- The Children's Legal Centre;
- Roy Hudson, Deputy Clerk, Staffordshire County Council;
- Michael Hurley (NAYPIC);
- IRCHIN (Independent Representation for Children in Need);
- Tony Latham, Staffordshire social services;
- Dr Lowenstein, psychologist;
- Glynis Mellors, Staffordshire social services;
- Professor S. Millham, Dartington Social Research Unit;
- John Mytton, solicitor, Staffordshire County Council;
- National Association for the Care and Resettlement of Offenders (NACRO);
- Official Solicitor to the Supreme Court;
- Pauline Oliver, director of social services, Lancashire County Council;
- Barry O'Neill, Staffordshire social services;
- Philip Price, Staffordshire social services;
- Bernard Ramsey, Staffordshire social services;
- Robert Smith, Staffordshire social services;

- John Spurr, Staffordshire social services;
- Jane Taylor, Staffordshire social services;
- Professor Norman Tutt, director of social services, Leeds City Council;
- David Walton, Chief Probation Officer, Staffordshire Probation Service;
- Lady Wagner, National Institute for Social Work;
- Nicholas White, solicitor, Staffordshire County Council.

#### **(4) LEGAL REFERENCES CONSIDERED DURING THE INQUIRY**

- The Bill of Rights 1688;
- Children and Young Persons Act 1933, First Schedule;
- Children Act 1948, Part VI;
- Children and Young Persons Act 1969;
- Local Authority Social Services Act 1970;
- Child Care Act 1980;
- Children Act 1989, Part VI and the Fourth Schedule;
- The Prison Rules 1964 (S.I. 1964, No.388);
- The Community Homes Regulations 1972 (S.I. 1972, No.319);
- The Naval Detention Quarters Rules 1973 (S.I. 1973, No.270);
- The Imprisonment and Detention (Army) Rules 1979 (S.I. 1979, No.1456);

- The Secure Accommodation (No.2) Regulations 1983 (S.I. 1983, No.1808);
- The Children's Homes (Control and Discipline) Regulations 1990 (S.I. 1990, No.87);
- DHSS Circular No.78/1972;
- Local Authority Circular LAC(83) 18, Annex B;
- Children Act 1989: Consultation Paper, No.1: Secure Accommodation (Guidance and Regulations) Department of Health, 1990;
- Children Act 1989: Consultation Paper, No.18: Homes (Guidance and Regulations), Department of Health, 1990;
- R v Northampton Juvenile Court, Ex p London Borough of Hammersmith [1985] FLR 193;
- Weldon v Home Office [1990] 3 WLR 465 C.A;
- Middleweek v Chief Constable of Merseyside [1990] 3 WLR 481;
- European Convention on Human Rights.



## Appendix F: The Pindown Documents

### Appendix F, Document 1

The concept of any rota is to meet the needs of client groups, achieve maximum output from staff during the working week, plus job satisfaction.

This needs to include the very primary tasks, plus good residential practice to clients. All staff need to work to this end.

The rota currently devised is to achieve and maximise all the things I see important in developing and futhering an already exciting family centre concept.

To generalise re the rota on a day to day basis:-

- 1.) Sleeping in duties are to be covered in the main by senior staff, to satisfy the out of hours cover for the total family centre. This by no means is to deny the fact that assistants are not capable, as we all know they are and have been covering this for some time satisfactorily; but with the emphasis on onesleeping in staff, I see assistants being the second sleeping in for special cases etc. or relief during holiday sickness etc.  
I also envisage assistants covering a lot of the outside support work, possible development of evening care of non residents, as well as rota support to clients resident.
- 2.) On average, staff covering sleeping in duties will cover 6 a month which is a 20% reduction on the current rota. It also means there should be time available for those with a demanding workload to plan their workload more effectively.
- 3.) The opportunity for casework records etc will be available one day a week which will be on their 9-5 day being at The Birches where telephone, plus hopefully a conclusive environment to work on cases, will be available, plus effective planning of onesworking week.
- 4.) (12:30 - 8:30) days will initially have staff meeting times Friday (12:30 - 2:30) after which plans to cover outside visits to clients should have been made where necessary.

Under no circumstances should staff plan outside visits when on sleeping in duties at Hartshill Road, as this is likely to effect the possitive running of the unit which will be dealing with approximately 8-10 clients at any time to begin with who will be working to individual programmes (some yet to be devised) and require maximum support from all staff involved. If this is not the case, and 50% of the team are missing, the whole programme will become inconsistent, fail to be a possitive developing experience and cause considerable pressure to staff remaining on duty.

- 5.) Duty Days (7:15 - 1:15) will be a day when staff will attend morning management meeting, plus individual casework discussion (could this be supervision) 9:15 - 11:15.

I will be an expectation that a case per morning or development session will take place during this time (and be up to date).

After 11:15 it may be possible for the opportunity of client visits until end of rota, but one must also consider the fact that a support to the schooling programme may be required for difficult individuals who may need isolation from the schoolroom, also lunch time support.

(12:30 - 1:15).

5.) This is only a brief outline of why the attached rota format has been devised. It is likely to change as initial problems are resolved and after all staff & myself have had the benefit of seeing it work for a few weeks.

( 245 HARTSHILL ROAD)

Over the past eighteen months we have seen considerable changes in our dealings with clients. The move to Hartshill Road is to bring together the staff team in following this concept through. Some staff members have an advantage due to the fact that they have been based there and running it for some time. But with an increase in numbers and a further use of other parts of the building everyone will be facing new challenges.

Generally there will be six separate areas within the building offering a variety of different approaches requiring different handling techniques:

1.) Main landing will be for those children who have developed to a point of self help skills but require firm consistent handling with a positive base to operate from, plus positive relationships.

2.) Flat downstairs will accommodate 2 residents who have reached a reasonable stage in their development requiring less staff input and more decision making.

3.) Special unit - to be treated separately from all other units at all times with very specially devised plans which should be adhered to at all times and not changed without approval of review.

It is envisaged that all residents will receive a weekly review, some with family, others with social workers etc.

4.) Schoolroom - adjacent to main kitchen will operate on the following times: Monday to Friday 9:00am to 4:00pm

Breaks	10:30-10:45	Louise
	12:30-1:15	Louise & staff
	2:30-2:45	Louise

Louise will have responsibility for the daily schooling programme and the setting of any school work for outside clients or special unit residents.

5.) Dining area - will be adjacent to schoolroom where all main meals should be taken except for those on special self help programmes.

6.) The Flat - Currently occupied by Amanda will become a flexible resource used in any way seen appropriate by myself or area officer.

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There should be 2 staff on duty at all times except for sleeping in, one being a senior.

The emphasis of the unit should be on working with the clients positively where appropriate to achieve the aims of individual programmes.

e.g. Menu planning  
Budgetting  
Washing, ironing, mending  
Cleaning of bedroom  
Counselling

I do not wish to find the little office as a congregating point as it is unnecessary. What I want to see develop is staff alongside clients achieving and striving towards the individuals programme.

I see no need for any staff to be based in the little office unless by special arrangement to oversee the special cases within special unit. and this will be identified in morning management meeting.

The morning management meeting will also involve a representative from the community programme based in Hartshill Road, but they will not be the responsibility of duty staff, they will remain a separate entity.

The day to day running and routine needs to be discussed and finalised within the staff meeting to obtain everyones point of view.

- 1. Defining boundaries
- 2. Support workers - cook & cleaner
- 3. Clothing
- 4. Day to day upkeep of building
- 5. Finances
- 6. Mealtimes
- 7. Bedtimes
- 8. Visitors
- 9. Telephone
- 10. Equipment
- Etc etc etc

I feel discussions on how to put a total package together will help resolve many of the anxieties that are facing the total staff team in making this work.

I see the move as another exciting development and hope that all staff involved will use their usual enthusiasm and commitment to help put together positively the next stage of family centre concept.



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## Appendix F, Document 2

### ROUTINE OF THE INTENSIVE TRAINING UNIT

ON ADMISSION ALL RESIDENTS WILL BE EXPECTED TO BATH AND HAVE A HAIR WASH

DEPENDANT UPON THE STATE OF THEIR CLOTHES (WHICH IN NEARLY ALL CASES WILL NEED ATTENTION) THE RESIDENT WILL BE EXPECTED TO WASH AND DRY ALL CLOTHING (THE EXCEPTION WILL BE TAHT IF ADMITTED OVERNIGHT THAT THIS TASK SHOULD BE COMPLETED FOLLOWING MORNING).

AT THE EARLIEST POSSIBLE TIME RESIDENTS WILL BE EXPLAINED THE "RULES OF THE HOUSE" WHICH ARE:

NO WANDERING AROUND MAIN SEMI-STAFFED BUILDING WITHOUT PERMISSION AND/OR SUPERVISION.

NO SMOKING WITHOUT PERMISSION.

NO TELEVISION WITHOUT PERMISSION.

NO RADIO WITHOUT PERMISSION.

NO MAKING DRINKS WITHOUT PERMISSION.

NO COMMUNICATING OUT OF WINDOWS WITHOUT PERMISSION.

DO AS IS TOLD.

The training part of the unit will be linked to social and life skills, behavioural and educational and so the individual programmes will contain aspects of each.

Residents will be expected to provide for themselves by carrying out all domestic tasks themselves i.e., cooking, washing, ironing, hoovering et.

Staff will be involved throughout a residents stay in observing and assessing the individual and the programme of training will slowly expand to trust and responsibility.

The early part of a programme will usually consist of pre-set "getting up" and "bedtimes" as follows:

RISE AT 7.00am.      BEDTIME 8.00pm.

The individual programme will be in every case constantly overseen by Tony/Phil and one if not both, will be regularly involved at least every two days in a review with the resident, this enabling the programme to be modified as needs arise.

All staff should keep an accurate daily log of events and observations. In cases where "punishments" are imposed these should be carried out strictly in accordance with the community home regulations and recorded accurately.

Leave will be granted according to progress, co-operation and achievement in respect of the residents individual training programme. Details of the approved leave will be completed on the leave form (copy of which is included in these guidelines) the leave form can only be completed and authorised by either Tony or Phil.



TO ALL STAFF, SEMI-STAFFED - 245 HARTSHILL ROAD

FOR PARTICULAR NOTICE TO ALL STAFF IN THE MAIN SEMI-STAFFED BUILDING  
IN THE INTENSIVE TRAINING UNIT

PLEASE NOTE THE FOLLOWING INSTRUCTIONS:

1. SEMI-STAFFED RESIDENTS SHOULD NOT AT ANY TIME BE ASSOCIATING WITH RESIDENTS IN THE INTENSIVE TRAINING UNIT.
2. SEMI-STAFFED RESIDENTS SHOULD AT NO TIME BE MAKING OR RECEIVING CALLS ON THE SEMI-STAFFED OFFICE TELEPHONE. CALLS TO SOCIAL WORKERS AND PARENTS CAN BE MADE AT STAFF DISCRETION - BUT THESE SHOULD BE LOGGED DOWN ON EVERY OCCASION IN THE BOOK PROVIDED BY THE TELEPHONE. ON THE OCCASIONS WHEN THE PHONE IS PERMITTED THE PHONE IN THE STAFF SLEEPING IN ROOM SHOULD BE USED.
3. IN THE EVENT OF AN INCOMING CALL FOR A SEMI-STAFFED RESIDENT (WHICH SHOULD ONLY BE FROM SOCIAL WORKERS, PARENTS OR AT STAFF DISCRETION) THESE CALLS SHOULD BE TAKEN ON THE TELEPHONE IN THE SLEEPING IN ROOM AND NOT IN THE OFFICE.

NO INCOMING CALLS SHOULD BE ALLOWED FOR RESIDENTS IN THE INTENSIVE TRAINING UNIT UNLESS AGREED PREVIOUSLY BY TONY OR PHIL.

4. SHARON SHOULD UNDER NO CIRCUMSTANCES BE ALLOWED IN THE INTENSIVE TRAINING UNIT AND THE BABY ALARM WILL BE FIXED PERMANENTLY TO PREVENT THE NEED FOR THIS TO HAPPEN.
5. RESIDENTS IN THE INTENSIVE TRAINING UNIT SHOULD NOT BE FOUND WANDERING WITHOUT SUPERVISION IN THE MAIN PART OF THE SEMI-STAFFED UNIT.

THE PHILOSOPHY BEHIND THE INTENSIVE TRAINING UNIT IS UNDERMINED IF THE "RULES OF THE ESTABLISHMENT" ARE NOT STRICTLY ADHERED TO.

RESIDENTS SHOULD BE ABLE TO FUNCTION IN THE INTENSIVE TRAINING UNIT WITHOUT HAVING TO USE FACILITIES OF THE MAIN SEMI-STAFFED UNIT - i.e., WASHING, BATHING, COOKING, WASHING UP ETC., ETC. IF FACILITIES ARE INADEQUATE TO ACHIEVE THIS I WOULD ASK STAFF TO NOTIFY ME IMMEDIATELY.

THE PASSING OF CIGARETTES AND MESSAGES AND OTHER "GOODIES" IS OBVIOUSLY REGULARLY HAPPENING AND THIS SHOULD BE REDUCED TO AN ABSOLUTE MINIMUM.

THE PROGRAMMES FOR INDIVIDUAL RESIDENTS AT THE INTENSIVE TRAINING UNIT IS WORKED OUT SPECIFICALLY AND IN DETAIL BY TONY/PHIL AND SHOULD NOT BE DEVIATED FROM UNDER ANY CIRCUMSTANCES WITHOUT THEIR PRIOR APPROVAL.

TONY AND PHIL SHOULD BE CONTACTED AT HOME IF ANY POINTS REGARDING RESIDENTS NEED SOME CLARIFICATION:

TEL. NO. - TONY - 644805 or 658751  
PHIL - 615985

OBVIOUSLY IT IS EASY FOR THE RESIDENTS OF THE INTENSIVE TRAINING UNIT TO ABSCOND IF LEFT UNSUPERVISED AND I WOULD THEREFORE ASK THAT THE OCCASIONS WHEN THEY ARE LEFT UNSUPERVISED BE CUT TO THE MINIMUM TO AVOID THIS SITUATION ARISING. IN THE MAIN SUPERVISION OF THE INTENSIVE TRAINING IS ACHIEVED SEPARATELY FROM THAT OF THE MAIN SEMI-STAFFED UNIT. BUT OBVIOUSLY THERE WILL BE TIMES WHEN JOINT SUPERVISION IS APPROPRIATE.

## APPENDIX 1.

### BASIC PROGRAMME

A total loss of all privileges e.g. television, radio, cigarettes, visitors (other than family and Social Workers) no nights out.

- 7.00 a.m. Rise and bath
- 7.30 a.m. Breakfast to be taken in room
- 8.00 a.m. Supervised activities and individual sessions
- 12.30 p.m. Lunch to be taken in room
- 1.00 p.m. Supervised activities and individual sessions
- 5.00 p.m. Evening meal to be taken in room
- 6.00 p.m. Bath
- 7.00 p.m. Lights out and bed

Visitors to be allowed by prior arrangement.

Privileges are to be earned through co-operation with staff and decided upon at specified review times. Failure to sustain co-operation will automatically lose the right for privileges and the basic programme will again be enforced e.g. later bedtimes taken off - cigarettes withdrawn etc.

### DAILY TASKS - INTENSIVE TRAINING UNIT

These jobs are to be done either by Intensive Training Unit residents or by staff on duty:-

- carpets to be hoovered morning and night,
- dishes to be washed after each meal and put away,
- bins to be emptied and washed out,
- rooms to be dusted and kept tidy,
- corridors to be kept clear at all times,
- bath, sink and toilet to be cleaned daily including bathroom floor,
- beds to be made on getting up,
- underwear to be washed daily and changed,
- cleaning of shoes (where appropriate),
- ashtrays washed and emptied (where appropriate).

### WEEKLY TASKS

- reviews will be done each Tuesday, it is expected that the staff on duty will be present together with the Area Officer, Team Leader, Keyworker and/or Social Worker, parent where appropriate,
- all washing to be done e.g., washed, dried and ironed, including towels, tea cloths, sheets etc., no clothes to be worn un-ironed
- cleaning of windows,
- washing down of paintwork, window ledges, door frames, skirting boards, window frames etc.,
- bedding to be topped and bottomed,
- nightwear to be changed,
- hoovering under beds and all other furniture in room,
- polishing of all wooden furniture.

### OTHER TASKS - FORTNIGHTLY/MONTHLY

- washing down of walls,
- washing of light shades,
- washing, drying and ironing of all curtains,
- cleaning of cutlery e.g., knives, forks spoons, (supervised)

These lists are not exclusive nor exhaustive and staff are reminded to ensure that these jobs are done properly, not rushed and one to a reasonable standard.

### DAILY TASKS.

these jobs to be done either by Unit residents or by staff on duty:-

carpets to be hoovered morning and night.  
dishes to be washed after each meal and put away,  
bins to be washed out and emptied,  
rooms to be dusted and kept tidy,  
corridors to be kept clear at all times.  
bath, sink and toilet to be cleaned daily including bathroom floor.  
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cleaning of shoes (where appropriate).

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- washing down of walls,
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these lists are not exclusive nor exhaustive and staff are reminded to ensure that these jobs are done properly, not rushed and done to a reasonable standard.

TO ALL STAFF 245 HARTSHILL ROAD

FOR PARTICULAR NOTICE OF ALL STAFF ON THE MAIN LANDING AND THOSE IN THE  
PIN DOWN UNIT.

PLEASE NOTE THE FOLLOWING INSTRUCTIONS.

245 RESIDENTS SHOULD NOT AT ANY TIME BE ASSOCIATING WITH RESIDENTS IN THE PIN  
DOWN UNIT.

245 RESIDENTS SHOULD AT NO TIME BE MAKING OR RECEIVING CALLS ON THE DUTY OFFICE  
TELEPHONE. CALLS TO SOCIAL WORKERS AND PARENTS CAN BE MADE AT STAFF DISCRETION -  
BUT THESE SHOULD BE LOGGED DOWN ON EVERY OCCASION IN THE BOOK PROVIDED BY THE  
TELEPHONE. ON THE OCCASIONS WHEN THE PHONE IS PERMITTED THE PHONE IN THE STAFF  
SLEEPING IN ROOM SHOULD BE USED.

IN THE EVENT OF AN INCOMING CALL FOR A RESIDENT (WHICH SHOULD ONLY BE FROM SOCIAL  
WORKERS, PARENTS OR AT STAFF DISCRETION) THESE CALLS SHOULD BE TAKEN ON THE TELEPHONE  
IN THE SLEEPING IN ROOM AND NOT IN THE OFFICE.

NO INCOMING CALLS SHOULD BE ALLOWED FOR RESIDENTS IN THE UNIT UNLESS AGREED  
PREVIOUSLY BY THE TEAM LEADER.

RESIDENTS IN THE PIN DOWN UNIT SHOULD NOT BE FOUND WANDERING WITHOUT SUPERVISION  
IN THE MAIN PART OF THE 245 UNIT.

THE PHILOSOPHY BEHIND THE PIN DOWN UNIT IS UNDERMINED IF THE "RULES OF THE  
ESTABLISHMENT" ARE NOT STRICTLY ADHERED TO.

RESIDENTS SHOULD BE ABLE TO FUNCTION IN THE UNIT WITHOUT HAVING TO USE FACILITIES  
OF THE MAIN UNIT - i.e., WASHING, BATHING, . . IF FACILITIES ARE INADEQUATE TO ACHIEVE  
THIS I WOULD ASK STAFF TO NOTIFY ME IMMEDIATELY.

THE PASSING OF CIGARETTES AND OTHER MESSAGES AND OTHER "GOODIES" MUST NOT HAPPEN.

THE PROGRAMMES FOR INDIVIDUAL RESIDENTS AT THE UNIT IS WORKED OUT SPECIFICALLY  
AND IN DETAIL BY TEAM LEADER AND SHOULD NOT BE DEVIATED FROM UNDER ANY CIRCUMSTANCES  
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OBVIOUSLY IT IS EASY FOR THE RESIDENTS OF THE PIN DOWN UNIT TO ABSCOND IF LEFT  
UNSUPERVISED AND I WOULD THEREFORE ASK THAT THE OCCASIONS WHEN THEY ARE LEFT  
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CONTENTS OF THE  
YELLOW FOLDER

INTENSIVE TRAINING UNIT

This book is to remain in the Intensive  
Training Unit office and all staff  
are asked to make themselves fully  
conversant with the contents.

A.R. Latham

TO ALL STAFF, SEMI-STAFFED - 245 HARTSHILL ROAD

FOR PARTICULAR NOTICE TO ALL STAFF IN THE MAIN SEMI-STAFFED BUILDING  
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NO SMOKING WITHOUT PERMISSION.

NO TELEVISION WITHOUT PERMISSION.

NO RADIO WITHOUT PERMISSION.

NO MAKING DRINKS WITHOUT PERMISSION.

NO COMMUNICATING OUT OF WINDOWS WITHOUT PERMISSION.

DO AS IS TOLD.

The training part of the unit will be linked to social and life skills, behavioural and educational and so the individual programmes will contain aspects of each.

Residents will be expected to provide for themselves by carrying out all domestic tasks themselves i.e., cooking, washing, ironing, hoovering et.

Staff will be involved throughout a residents stay in observing and assessing the individual and the programme of training will slowly expand to trust and responsibility.

The early part of a programme will usually consist of pre-set "getting up" and "bedtimes" as follows:

RISE AT 7.00am.      BEDTIME 8.00pm.

The individual programme will be in every case constantly overseen by Tony/Phil and one if not both, will be regularly involved at least every two days in a review with the resident, this enabling the programme to be modified as needs arise.

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### DAILY TASKS - INTENSIVE TRAINING UNIT

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### OTHER TASKS - FORTNIGHTLY/MONTHLY

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## ROUTINE OF THE INTENSIVE TRAINING UNIT

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NO WANDERING AROUND MAIN SEMI-STAFFED BUILDING WITHOUT PERMISSION AND/OR SUPERVISION.

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## APPENDIX 1.

### BASIC PROGRAMME

A total loss of all privileges e.g. television, radio, cigarettes, visitors (other than family and Social Workers) no nights out.

7.00 a.m.      Rise and bath  
7.30 a.m.      Breakfast to be taken in room  
8.00 a.m.      Supervised activities and individual sessions  
12.30 p.m.     Lunch to be taken in room  
1.00 p.m.      Supervised activities and individual sessions  
5.00 p.m.      Evening meal to be taken in room  
6.00 p.m.      Bath  
7.00 p.m.      Lights out and bed

Visitors to be allowed by prior arrangement.

Privileges are to be earned through co-operation with staff and decided upon at specified review times. Failure to sustain co-operation will automatically lose the right for privileges and the basic programme will again be enforced e.g. later bedtimes taken off - cigarettes withdrawn etc.

COMMUNITY HOMES REGULATIONS, 1972

REGULATION 10 - CONTROL

The authorised measures of control to maintain discipline in Community Homes are given below. They are not to be exceeded.

Officers-in-Charge must ensure that all the staff of the Home read this circular and understand its instructions.

If there are any doubts or misunderstandings or need for clarification the Director of Social Services should be consulted promptly.

1. The control of a Community Home shall be maintained on the basis of good personal and professional relationships between the staff and the children resident in the Home.

This does not mean that standards need be lax nor attitudes or staff unduly permissive. Control and discipline is essential to the good development of a child as well as to good order. It does mean that the control of children's behaviour, individually and in groups, should be maintained primarily by the personal influence achieved through gaining their confidence and respect.

2. Control by the use of personal and professional relationships with children is not always sufficient to maintain discipline and sanctions or other means of control may have to be used. Sanctions are penalties for unacceptable behaviour, but in appropriate circumstances rewards can be given to encourage good behaviour - both have their place in maintaining discipline.

Penalties can be applied, with the prior agreement of the Officer-in-Charge, in the form of the temporary denial of privileges or the imposition of an unwelcome chore. The guiding principle in applying sanctions is fairness and consistency and the aim should be to make the child realise that adherence to acceptable forms of conduct is desirable. Penalties must be only in the form described as follows:-

- (i) Forfeiture of privileges
- (ii) Loss or restriction of recreation, such as exclusion for special treats, organised trips, visits to football matches, watching television, etc. but not to include loss of visits to or from relatives and not to include loss of any necessary recreational activity.
- (iii) Reduction of pocket money, but only as a contribution to the cost of restitution in cases of wilful damage.
- (iv) Imposition of a minor but unwelcome chore.
- (v) The smacking of the bare hands of children up to the age of 10 years, where no other forms of control is likely to be effective, provided that the smacking is carried out by the Officer-in-Charge of the Home or other persons designated by the Officer-in-Charge for that purpose. To be effective this punishment should be carried out at the time the offence is committed or discovered or immediately afterwards.

3. With the specific exceptions set out in paragraph 4 below, corporal punishment is not permitted as a way of controlling, correcting or punishing the behaviour of any child in the care of the County Council for any reason. Corporal punishment means the infliction of pain or discomfort on another person by any means as a form of punishment or chastisement.
4. The exceptions to this rule are (a) as described in paragraph 2 (v) above and (b) at Chadswell Observation and Assessment Centre and Riverside Community Home School only, where its use is subject to the following conditions:-
  - (i) No corporal punishment shall be administered by any person except the Officer-in-Charge of the Home or in his absence from duty the Deputy Officer-in-Charge.
  - (ii) No corporal punishment shall be administered to girls.
  - (iii) No corporal punishment shall be administered to a boy who has reached school-leaving age.
  - (iv) No corporal punishment shall be administered to a boy except caning of the posterior of the boy with a cane approved by the Secretary of State applied over the boy's ordinary clothing to the extent of six strokes or less.
  - (v) No caning shall be administered in the presence of another child.
  - (vi) No corporal punishment shall be administered, without the sanction of the Medical Officer to the home, to any child known to have any physical or mental disability.
5. To conform with the requirement contained in paragraph (4) of Regulation 10 of the Community Homes Regulations all instances in which additional measures of control (i.e. those described in paragraph 2 ((i) to (v)) and paragraphs 3 and 4) have been used, must be recorded at the time "in a permanent form by the person in charge of the Home and the record shall be kept in the Home".

Any application of measures of control should therefore be recorded in an appropriate record book specially maintained for the purpose - the "Measures of Control Record Book". In this book there should be recorded not only all instances of corporal punishment (which can only be appropriate at Riverside and Chadswell), but also all the measures detailed in paragraph 2 above whenever it has been necessary to impose any of them.



PAUL HUDSON M.A. (Oxon)  
Director of Social Services

Staffordshire County Council

69 Foregate Street, Stafford ST16 2PY  
Telephone 3121 Extension 7030

Mrs. E. Brennan,  
Principal Area Officer,  
Newcastle.

My ref 4/NPC/FH/MHF

Your ref

Date

22nd November, 1984

Dear Mrs. Brennan,

245 HARTSHILL ROAD, STOKE-ON-TRENT

I write with reference to the short stay facilities currently operating in the maisonette at 245 Hartshill Road.

Whilst I fully appreciate the positive work in progress, I have decided after lengthy discussion on the matter, to lay down a number of safeguards for children and staff which must be adhered to at all times.

The instructions are as follows:-

1. Control implied or imposed by staff should at all times be implied or imposed in a manner consistent with good child care practice.
2. No more than 10 children's beds are to be utilised at any one time at Hartshill Road; this number to include a maximum of 4 in the staff maisonette.
3. The use of the terms special or intensive should be discontinued.
4. Statutory Visitors must be given access as required, to the maisonette and all parts of the building.
5. The minimum level of staff cover at Hartshill Road, should be Residential Care Officer Grade 2 or Social Work Assistant Level 2. If semi-staffed staff are used in connection with the activities in the maisonette they should be made fully aware of their responsibilities in this respect.
6. In normal circumstances, only one sleeping-in allowance per night will be paid at Hartshill Road. If circumstances arise that warrant a second person sleeping-in, clearance must be obtained on each occasion from Central Office.

7. All measures of control taken must comply with the Community Homes Regulation 10, Control, and should be recorded in the appropriate book.
8. The practice of staff sleeping in the same room as children or on the landing outside the room must be discontinued.
9. The use of additional recreation when defined as a punishment must be discontinued.
10. No internal doors in the unit must be locked at any time, including the door leading from the maisonette to the main establishment.

The practice of the removal of a child's clothes and the substitution of pyjamas or P.E. kit, etc., to deter absconding, falls outside the Community Homes Regulations. However, I wish to give this matter more general consideration before I issue a final instruction. I would ask you, therefore, to attempt in the intervening period not to use this practice, pending further guidance.

Will you please formally acknowledge the receipt of these instructions and ensure that all staff connected with the unit are made fully aware of them.

Yours sincerely,

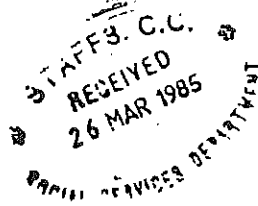
A handwritten signature in cursive script, reading "Paul Gullivan".

Director of Social Services



## Staffordshire County Council

Mr. B.J. O'Neill, C.S.W.,  
Director of Social Services,  
Social Services Department,  
69, Foregate Street,  
Stafford.



B.J. O'NEILL, C.S.W.  
Director of Social Services

MRS. E.J.P. BRENNAN, B.A.(Gen) Dip.A.Soc.S.,  
Principal Area Social Services Officer,  
Newcastle Principal Area Office,  
The Holborn,  
Castle Hill Road,  
Newcastle  
ST5 2SX  
Telephone: Newcastle 611411

Copy to Mr. A.R. Latham, Area Officer, (Children).

My ref EJPB/MW

Your ref 4/MPC/FH/KD

Date 25th March, 1985.

Dear Mr. O'Neill,

245, Hartshill Road,

I apologise for the delay in replying to your letter. Certainly the matter has been discussed with all the relevant staff concerned with the unit, and they are fully aware of the points you have raised.

Since you wrote your letter, there have been one or two developments.

Point 6 Mr. Spurr has agreed that I approve the sleeping-in allowance for the unit as it is impossible to obtain clearance on each occasion from Central Office. This I will watch carefully.

The only point I find difficult to accept is Point No. 10. The purpose of locking this is not to secure the children within the unit. This is not possible as in the corridor from that door to the unit, there is a fire door to the yard at the back. The purpose of locking this door is that the big general room is used by I.T., we have a lot of children who have no other connections other than I.T. in that building, and it stops them from wandering in areas which does not concern them. This, therefore, helps security and as you are already aware, security is a matter of great concern to us. I would be grateful if this instruction could be reviewed.

F.H.

Yours sincerely,

2 things

*E.J.P. Brennan*

1. I'm inclined to agree

MRS E.J.P. BRENNAN (MRS) *h*  
Principal Area Social Services Officer.

about the locked door



Copy for Mr. A. R. Latham, Area Officer, Children

File C 14/4

7020

Mrs. E. Brennan,  
Principal Area Officer,  
Newcastle.

4/FH/SHJ

EPB/MW

9th May 1985

Dear Mrs. Brennan,

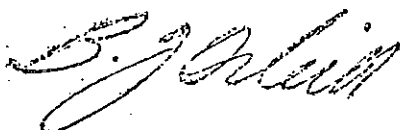
245 HARTSHILL ROAD

Thank you for your letter of the 25th March acknowledging the instructions in respect of the unit at 245 Hartshill Road.

I note that the only point that you find difficult to accept is the instruction (point 10) to leave unlocked the door separating the unit from the main establishment.

After further consideration I would inform you that I am agreeable to the locking of this door by the use of the existing yale lock which will enable the door to be opened from the unit side as required but not from the establishment side. I would further ask you to make arrangements to remove the key to the mortice lock on this door. This arrangement should get round the problem of security but will continue to enable children to leave the unit by this door when necessary..

Yours sincerely,



Director of Social Services

# Staffordshire

## County Council

B.J. O'NEILL, C.S.W.  
Director of Social Services

APPENDIX 'B'

69, Foregate Street, Stafford ST16 2PY  
Telephone Stafford (0785) 3121 Ext. 7025

Please ask for Mrs. E. Robinson

### Distribution:

Lists A, C, M  
and 6 to Child Care Section

Circular No. 138/86

My ref. 4/ER/JW

Your ref

Date 26th June, 1986

Dear Sir/Madam,

### RESTRICTION OF THE LIBERTY OF CHILDREN IN CARE

I should be pleased if you would ensure that the following information is passed to all of your Child Care staff involved in fieldwork or at residential establishments. It is important that all staff are familiar with the legal situation concerning the restriction of liberty of children in care.

I have received a publication from the Social Services Inspectorate entitled "Secure Accommodation for Children and Young Persons: Guidance for Local Authorities 1986". I do not propose distribution of this publication, but should you, or the Area Officer (Child Care) wish to have sight of it, please contact Mrs. E. Robinson, Assistant Director (Children and Families).

I would, however, draw the following points from the publication to your attention, and I should be pleased if you would ensure that there is no breach of the legal requirements governing restriction of liberty of children in care.

The Secure Accommodation (No. 2) Regulations 1983, define secure accommodation simply as "accommodation provided for the purpose of restricting the liberty of children". The Community Homes Regulations, 1972, provide the statutory framework for the management and conduct of Secure Accommodation. There is no approved Secure Accommodation in Staffordshire.

In order to safeguard the rights of the individual child and to assist those responsible for the running of Community Homes, it is essential that there is a clear understanding of what constitutes the restriction of liberty of a child. Measures may be taken in many community homes - either through staff practices or by physical means, e.g. locking doors, windows, etc. - which are intended for a variety of purposes such as preventing intruders, keeping young children safe, but which also have the effect of restricting the liberty of children. As a general rule, you should be guided by reference to ordinary, or normal domestic experience when assessing such practices within a Community Home.

The following forms of the restriction of liberty of children in care are not permitted except in accommodation approved for use as secure accommodation by the Secretary of State (of which there is none in Staffordshire):-

Cont....

- (a) The locking of a child or children in a single room at any time, even when accompanied by a responsible adult or adults.
- (b) The locking of internal doors to confine a child or children in a certain section of a home, even when accompanied by a responsible adult or adults.

The following procedures will not be considered as constituting the restriction of the liberty of children, though they should be adopted only where they are acceptable to the Fire Prevention Officer, and consistent with building regulations, and conducive to a domestic atmosphere within the home:

- (a) The locking of external doors and gates at night, consistent with normal domestic security.
- (b) The locking of external doors and gates during the daytime where the purpose is to prevent intruders from gaining access to the home, provided that children are not prevented from going out.
- (c) The securing of windows.

Control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty; though control must always be imposed or implied in a manner consistent with good child care practices and Departmental Control Regulations.

Procedures designed to ensure the safety of children which also have the effect of restricting their liberty may not be adopted unless they have been drawn to the attention of the Secretary of State, who will decide whether such procedures are acceptable. The Assistant Director (Children and Families) should be approached whenever doubt exists. (LAC[82]18 refers)

Yours faithfully,

B. J. O'Neill

Director of Social Services

# Staffordshire

## County Council

B.J. O'NEILL, C.S.W.  
Director of Social Services

69, Foregate Street, Stafford ST16 2PY  
Telephone Stafford (0785) 3121 Ext.

Please ask for

7025  
Mrs. E. Robinson

To: List A  
Plus  
Principal Area Officers  
Assistant Director (Child Care)  
Officer-in-Charge, Riverside  
Officer-in-Charge, Tan-y-Bryn  
Central Office - Statutory Visitors

My ref. 4/ER/JW Your ref. Date 25th October, 1986-

### Circular No:

Dear Sir/Madam,

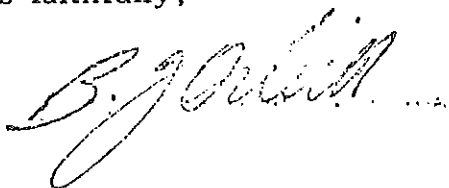
#### COMMUNITY HOMES REGULATIONS 1972 REGULATION 10 - CONTROL SECURE ACCOMMODATION (NO.2) REGULATIONS 1982

Regulation 10 of the Community Homes Regulations requires annual review of the authorised measures of control. The Social Services Committee, at their meeting on 3rd June, 1986, confirmed their approval of the existing instructions to staff in regard to Regulation 10 of the Community Homes Regulations with the exception of Paragraph 4 (which had relevance to Riverside only). You will also note that in issuing the revised procedures, I have taken the opportunity to incorporate instructions relating to the restriction of the liberty of children in care as recently circulated. I now attach copies of the revised authorised instructions to staff, and I should be pleased if you would ensure that these are read and understood by all staff of establishments for children and that they each sign to confirm this; instructions for methods of recording that this requirement is observed are included.

Principal Area Officers are requested to distribute 2 copies per establishment to all residential child care establishments in their Area, and one copy to the Area Officer (Child Care), retaining a further copy for their information.

I should be pleased if you would ensure that the permanent records, as required, are maintained and that all measures of control are entered and authorised at the proper level, in the format suggested.

Yours faithfully,



Director of Social Services

STAFFORDSHIRE COUNTY COUNCIL  
SOCIAL SERVICES DEPARTMENT

Community Homes Regulations 1972

Regulation 10 - Control - as reviewed and approved by the  
Social Services Committee, 3rd June, 1986

Secure Accommodation (No.2) Regulations 1983

Two copies of the revised code of procedure are enclosed - one for easy access and the other for record purposes as indicated below. The revised code supersedes the previous instructions on the subject which were set out in my Circular No. 16/79.

It is essential that it should be possible to verify that all staff of Community Homes who are involved in any way with the care of children have had their attention drawn to the approved measures of control. The record copy must be retained in a separate file together with a permanent record of staff signatures indicating that they have seen and fully understood the instructions. A copy of a suitable pro-forma for this purpose is given below at (i). Care should be taken to ensure that all newly appointed child care staff sign as having seen the code immediately they take up duty, and have the regulations explained to them in detail.

All Community Homes must also maintain a permanent record of all measures of control as listed in paragraph 2 in the procedures or any other measures of any kind, signed as indicated in the pro-forma, below at (ii). Any pocket money withheld in respect of wilful damage (Para 2(iii)) must be paid into County Funds and not paid direct elsewhere without the personal consent of the Principal Area Officer in the circumstances of the case. The record of measures of control must be made available to Statutory Visitors or other Authorised Officers when required.

PRO-FORMA

(i) Community Homes Regulations 1972

Regulation 10 - Control

Secure Accommodation (No.2) Regulations 1983

To be signed by all staff involved in child care in Community Homes

I certify that I have read the Code of Instruction regarding the measures submitted for the maintenance of discipline in Community Homes on the Social Services Committee at their meeting on 3rd August, 1986, and that I understand the limitations on the imposition of restriction of freedom of children.

Date	Signature	Date	Signature	Date	Signature
------	-----------	------	-----------	------	-----------

(ii) Community Homes Regulations 1972 - Regulation 10 - Control

Secure Accommodation (No.2) Regulations 1983

Record of Measures of Control

Date	Name of Child Involved	Measure of Control Applied	Applied By	Signature of Authorising Officer
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COMMUNITY HOMES REGULATIONS 1972  
REGULATION 10 - CONTROL (See Appendix 'A')

The authorised measures of control to maintain discipline in Community Homes are given below. They are not to be exceeded.

Team Leaders and Officers-in-Charge must ensure that all the staff of the Home read this circular, understand its instructions, and sign to confirm this. Further instructions for methods of recording this procedure are attached. (See Appendix 'A'). Team Leaders or Officers-in-Charge are responsible for control procedures within their establishments.

If there are any doubts or misunderstandings or need for clarification, the Assistant Director (Child Care) should be consulted promptly.

1. The control of a Community Home shall be maintained on the basis of good personal and professional relationships between the staff and the children resident in the Home assisted and supported by good management.

This does not mean that standards need be lax nor attitudes of staff unduly permissive. Control and discipline is essential to the good development of a child as well as to good order. It does mean that the control of children's behaviour, individually and in groups, should be maintained primarily by the personal influence achieved through gaining their confidence and respect.

2. Control by the use of personal and professional relationships with children is not always sufficient to maintain discipline and sanctions or other means of control may have to be used. Sanctions are penalties for unacceptable behaviour, but in appropriate circumstances rewards can be given to encourage good behaviour - both have their place in maintaining discipline.

Penalties can be applied, with the prior agreement of the Team Leader or Officer-in-Charge, in the form of the temporary denial of privileges or the imposition of an unwelcome chore. The guiding principle in applying sanctions is fairness and consistency and the aim should be to make the child realise that adherence to acceptable forms of conduct is desirable. Penalties must always be recorded in a permanent record book and only be in the form described as follows:-

- (i) Forfeiture of privileges.
- (ii) Loss or restriction of recreation, such as exclusion from special treats, organised trips, visits to football matches, watching television, etc. but not to include loss of visits to or from relatives and not to include loss of any necessary recreational activity.
- (iii) Reduction of pocket money, but only as a contribution to the cost of restitution in cases of wilful damage.
- (iv) Imposition of a minor but unwelcome chore.
- (v) The smacking of the bare hands of children up to the age of 10 years, where no other forms of control is likely to be effective, provided that the smacking is carried out by the Team Leader or the Officer who is in charge at the time. To be effective this punishment should be carried out at the time the offence is committed or discovered or immediately afterwards.

(ii)

3. With the specific exceptions set out in paragraph 2 (v) above, corporal punishment is not permitted as a way of controlling, correcting or punishing the behaviour of any child in the care of the County Council for any reason. Corporal punishment means the infliction of pain or discomfort on another person by any means as a form of punishment, chastisement, or restraint.
4. Necessary physical restraints on behaviour should be administered to girls by female staff only, except in exceptional circumstances with the specific consent of the Officer who is in charge at the time of the incident.
5. To conform with the requirement contained in paragraph (4) of Regulation 10 of the Community Homes Regulations all instances in which additional measures of control (i.e. those described in paragraph 2(i) to (v) and paragraph 4 have been used, must be recorded at the time in a permanent form by the person in charge of the home and the record shall be kept in the home. (This applies to all Community Homes, and all records must be available for inspection by Headquarters Staff when required.)



Secure Accommodation (NO2) Regulations 1983

Secure Accommodation for Children and Young Persons: Guidance for Local Authorities 1986 (See Appendix B)

6. All staff must be familiar with the requirements of the Secure Accommodation (No.2) Regulations 1983, and the limitations on the imposition of restrictions of the liberty of children in care. (See attached Circular 138/86). Under the regulations the following forms of restriction are not permitted
- (a) The locking of a child or children in a single room at any time, even when accompanied by a responsible adult or adults.
  - (b) The locking of internal doors to ~~confine~~ a child or children in a certain section of a home, even when accompanied by a responsible adult or adults.

The following procedures will not be considered as constituting the restriction of the liberty of children, though they should be adopted only where they are acceptable to the Fire Prevention Officer, and consistent with building regulations, and conducive to a domestic atmosphere within the home:

- (a) The locking of external doors and gates at night, consistent with normal domestic security.
- (b) The locking of external doors and gates during the daytime where the purpose is to prevent intruders from gaining access to the home, provided that children are not prevented from going out.
- (c) The securing of windows.

Control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty, though control must always be imposed or implied in a manner consistent with good child care practices and Departmental Control Regulations.

Procedures designed to ensure the safety of children which also have the effect of restricting their liberty may not be adopted unless they have been drawn to the attention of the Secretary of State, who will decide whether such procedure are acceptable. The Assistant Director (Children and Families) should be approached whenever doubt exists (LAC[83]18 refers).



PRINCIPLES BEHIND THE USE OF THE TIME OUT UNIT AT

245 HARTSHILL ROAD

Description of Unit

No. 245 Hartshill Road is a 10 bed residential unit, its operation is confined to two floors offering living accommodation together with two ex staff flats available for special needs use.

Traditionally that use has been confined to one flat being used for independent living training, the other flat has been used as a 'time out' or crisis intervention unit.

Although a community unit, one of three residential units within the juvenile justice scheme, 245 Hartshill Road, because of its physical characteristics and staff commitment, has offered support to colleagues at other Local Authority residential units. That support is by way of offering accommodation to young people presenting particularly disruptive, disturbed behaviour.

Philosophy

Residential child care units are increasingly facing the prospect of having to accommodate young people whose outlook on life is one of disenchantment, dissatisfaction, anti-authoritarian<sup>ism</sup> and fear. Typically they have no purpose or future and have often reacted negatively to any attempts at structuring their lives.

The concept 'pin down' is based on the belief that in order to affect any positive changes in our clients' response to their circumstances we have to establish a relationship with them: To achieve that end a structure of communication, understanding and trust has to be established.

Separating physically a young person from the group and offering an individual programme with intensive staff input is an integral element in achieving this goal.

Alternatives

Too frequently the care system and courts are faced with the prospect of remanding young people to custody or requests from the Local Authority for secure orders.

Either order leaves social workers with the prospect of working with their clients isolated from their community and home environment and the young person experiences being included on the criminal or behavioural tariff.

*excluded*

## Referrals

*\*occasionally*

Primarily from residential child care establishments experiencing behaviour difficulties they find are affecting their ability to provide proper care for their residents. \* Traditionally intensive programmes are offered for young people on a day basis. In such circumstances social workers would be attempting to maintain a client at home.

All referrals are considered within the context of minimal intervention and rehabilitation to the referring unit or community.

## Framework of Operation

a) The ability to set an arena where the young person would be available for a long enough period to engage. It is difficult to address positive working with any young person who persistently absconds, or who is so disruptive, criminally intent, aggressive or presenting of other similar problems.

b) To enable the structure to have sufficient flexibility to accommodate the opportunity for sanctions and rewards - and working in the main towards the opportunity for the young persons return home at the earliest possible time.

c) To use the opportunity to confront and deal with the young person over issues in their lives requiring major address. i.e. Absconding, aggression, breakdown of relationships at home or elsewhere, non-school attendance either by refusal or exclusion, serious criminal behaviour, etc.

d) The purpose of such intensity is to saturate the young person, and to produce contracts or plans as quickly as possible to allow speedy progress to be made in achieving realistic plans in the young persons life. The child's commitment, as well as the families commitment, as with other professionals is an essential requirement to enable the plan to work. The concentration of effort by all concerned on the young person allows progress to be made which is not always readily made otherwise as a result of differing priorities.

The structure is serious, and designed to concentrate on the issues needed to be addressed. Its framework is controlled by very regular review procedures, usually daily, followed by at least a full review meeting of all interested individuals where at all possible weekly.

THE YOUNG PERSON IS PARTICIPANT IN ALL MEETINGS AND DISCUSSIONS, as it is considered an integral part of the working out with the young person to be at all times "up front" and "direct".

The basic structure/framework is as follows :

a) All young persons will firstly be required to have bath, and at the earliest possible opportunity will be medically examined (in the case of new admissions to care, or where it is felt it is necessary). Bathing and hairwash will be a regular morning and evening routine. The young person will be expected to knock on the UNLOCKED DOOR for staffs attention. Both these requirements demonstrate adherence to basic rules in the early stages.

- b) All young persons will be expected to wear appropriate nightwear, pyjamas, etc. This does reduce the young persons motivation to running off and clothes are introduced very quickly when basic trust and commitment to stay in the programme and address issues is achieved. This is reviewed daily.
- c) The working day commences at 7.00 a.m. with bath etc., followed by breakfast in their own room, followed by set work tasks, education type projects, meetings, constructive discussion time etc. In the early stages of the programme all meals are taken in their own room, some with staff, some without. Bedtime is 7.00 p.m.
- d) Television, radio, etc. are earned and assessed daily. Usually these are earned by contracting time out for such opportunities either at home or other places.
- e) Cigarettes, Reading material, etc., are individually contracted in the daily reviews.
- f) Family visits, social worker visits are planned and encouraged to achieve differing objectives in the young persons plan. At no time is access by any authorised persons to the young person denied, the reverse is often true that an active encouragement is consciously made to involve parents, extended family and any other significant persons.
- g) Review meetings can be often heated and charged with emotive feelings by the young person and their families. The need to use the role play within such meetings is a sound requirement to their success, i.e. Positive and negative relationships with the different persons working in the contract. However at all times an attempt is always made to identify workers in the plan to positively support the young person and assist them in producing a realistic working contract.

by Chris Walley

~~Copy to Miss R. Draper, Homes Adviser.~~

7059

Miss R. E. Howes

British Telecom,  
Stoke on Trent Area,  
35 Stafford Street,  
Hanley,  
Stoke on Trent.  
ST1 1BA.

8/REH/KW

1st February, 1988.

Dear Sirs,

245 HARTSHILL ROAD, STOKE ON TRENT - INSTALLATION OF ADDITIONAL LINE

The above Establishment is used by this Department as an annexe to our Family Centre, and due to the special work carried out at this Establishment the single line telephone system has been overloaded for some time.

In view of the above, I would be pleased if you could make the necessary arrangements for the installation of an additional telephone line as soon as possible.

Please contact Miss C. Taylor at 245 Hartshill Road to arrange a convenient date for your visit. The telephone number is Stoke on Trent 46699.

Yours faithfully,



Director of Social Services

INTERMEDIATE TREATMENT - PREVENTATIVE AND REHABILITATION WORK

It is impossible to divorce Intermediate Treatment from the strategy arising from the re-organisation of the Child Care system in relative terms to the ethos behind the Family Centre concept. In fact, it is the keystone to implementing, sustaining and resolving the difficulties surrounding the elements needed for a successful rehabilitation or preventative programme of work with both children and families. Formerly, one of the biggest downfalls of any such programme was to look at a situation in too much isolation and to attempt to treat the effect without treating the cause. This became evident in the embryonic stages of the re-organisation and the resurrection of the I.T. programme in Newcastle. A decision was made to treat both cause and effect simultaneously, not only from within the Community but also from within the residential setting. From this approach there emerged a substantial increase in the number of children being admitted into care on a voluntary basis. From a statistical point of view, the decision appeared to have been an incorrect one at that period, fears very quickly dissipated.

It was learned that each child had similar problems giving rise to similar effects but the causes were identified as being very different. As a result, it became necessary to draw up complex individual programmes and contracts to reintroduce both child and family into an acceptable environment from which both could operate effectively. Consequently, it was necessary to remove the complex type programmes into a setting more equipped and designed to cater towards a resolve, as opposed to operating from a general base where specialist work was impotent due to:-

- a) the lack of uniformity and approach,
- b) the demands and interruptions of other children's needs,
- and c) the adverse effect some of these more difficult children were imposing upon others.

A unit was set up detached from the main part of the residential building based at 245 Hartshill Road. In those days it was referred to as the special unit. (Currently, known as the Intensive Training Unit). This section of the building soon became recognised as the place where problematical children were placed. Being totally isolated and self-contained it enabled its residents to be observed, assessed, appraised and programmes developed. Above all, it enabled at times hard line punishment and reward tactics to be adopted without influence, prejudice or inconsistency. The unit was manned predominantly by the Intermediate Treatment Manager in its early days. However, as this so-called 'radical' practice of preventative and rehabilitation work was acknowledged the demand grew and further staff were drafted into its operations. A family could be catered for within the unit in cases where it was pertinent to assess the interaction between parent and child. Occasionally, it was used for crash pad purposes. It was and still is a pliant and very important tool to use in many cases. Examples of the type of programmes and contracts devised are attached to this section for further explanation and guidance.

## PREVENTATIVE AND REHABILITATION WORK - (cont'd)

To explain the evolution of these types of contracts\* and programmes it is important to note that these were devised as a result of combined expertise and experience from the Area Officer, Team Leader and Intermediate Treatment Manager. All three parties share a close working relationship and offer many years experience in Social Work, Residential Work and Community Work. Although the overall knowledge and experience was there to produce programmes to meet individual needs, these could not be implemented without the liaison and support of the other Birches Family Centre staff and voluntary sector. Had I.T. been diagnosed to be what other areas classify as preventative work i.e., preventing admissions into Care; preventing further criminal re-offending; a means of recourse at the disposal of the Courts etc., the emphasis of the voluntary sector would not have featured as heavily. However, in Newcastle it was seen that any form of preventative or rehabilitation work should not be acted upon solely at the point of crisis. In fact steps should be taken well before this point to enable problems to be nipped in the bud. Hence, the wide age range of participants within the whole of the I.T. scene, coupled with counselling, on-going assessment and appraisal via family meetings and reviews were introduced. This method enabled work towards resolving the many and diverse problems being encountered by families, schools, statutory agencies and the Courts.

It became important for the Courts and agencies dealing with problematic children and offenders in Newcastle, to understand and recognise the options available in dealing with these clients thus avoiding an unnecessary totting up on the tariff scale. This meant the acceptance of flexible approaches in dealing with common problems other than those channels normally enforced, for example, Detention Centre, Youth Custody, Care Orders. Meetings took place with the local Magistrates benches to discuss the provisions which could be made available to them when dealing with children placed before them. Regular reports back to the Magistrates Court regarding progress of individuals was made via the Social Services Department and Probation Service.

Individual contracts and programmes were not only drawn up for the benefit of the Court, Social Services Department and Probation Service, but also for parents and schools. The contracts and programmes would denote punishment and rewards, immediate courses of action, specific goals, specific expectations, specific sanctions, time limits and controlled disciplines to be enforced by the appointed person. This enabled sanctions to be exercised not only by the Social Services Department or other agencies such as the Probation Service and Court but also parents and schools or others needing to develop this recognition from the individual client. Contracts largely remained static in content, but programmes needed to be fluid. Weekly reviews with the family and/or individual appraised and evaluated progress and if necessary new criteria were introduced. The majority of this work has to be scheduled in the evening to cater for parents being able to regularly participate. Benefits and privileges are earned by the child away from the scenario of care, as all too often, care, in times of dispute at home always appears to be the glamorous option. Care is presented as a totally negative experience.



## PREVENTATIVE AND REHABILITATION WORK - (cont'd)

which brings for discussion yet another issue.

Intermediate Treatment can either be a positive or negative experience dependant upon the analogy placed upon its interpretation. Positive I.T. is all the 'nice' things - holidays, camps, visits to places of interest etc. Negative I.T. is ensuring the participant clearly identifies, comes to terms with and works through his problems and is not allowed to take the easy way out. To be able to run both types of Intermediate Treatment there has to be clear boundaries set between the two. This is where the voluntary sector plays an extremely important role in providing the pleasant I.T. experiences. This work is comparatively easy as opposed to the negative I.T. work. The Intermediate Treatment Manager was initially involved in running various I.T. activity groups and counselling groups. The development of negative I.T. meant that the Intermediate Treatment Manager had to pull out of being a practitioner to develop the resources and manpower to operate heavy end Intermediate Treatment programmes. This was possible due to the assistance of the Birches Family Centre staff and Social Services Aides becoming more confident, flexible and understanding of the type of work necessary to avoid receptions into care and further re-offending. Over the last twelve months the practitioners of this type of I.T. is done solely by Birches Family Centre staff in conjunction with the voluntary sector. The Intermediate Treatment Managers role is to provide and develop through the voluntary agencies the resources to be able to continue and offer the needs to implement individual programmes. Close liaison with the voluntary sector is essential in this respect.

\*The meaning of contracts in this text refers to a framework of criteria laid down by which the individual needs to operate to succeed.

IT IS ESSENTIAL THAT EACH CHILD IS MADE AWARE OF THESE RULES AT THE TIME OF THEIR ADMISSION.

- ① CLOTHES MUST BE REMOVED AND STORED IN THE OFFICE, ON ARRIVAL, ALONG WITH MONEY, CIGARETTES AND PERSONAL POSSESSIONS.
- ② EACH CHILD MUST BATH AND WASH THEIR HAIR, REGARDLESS OF THE TIME OF DAY (OR NIGHT), ON ARRIVAL.
- ③ RESIDENTS ARE ALLOWED NIGHT <sup>WASH</sup> UNDERWEAR AND DRESSING GOWN. NO FOOTWEAR OF ANY DESCRIPTION.
- ④ ALL MEALS MUST BE EATEN IN THE BEDROOM. IF A CHILD WISHES TO GO TO THE BATHROOM, HAVE A DRINK OR IMPART INFORMATION THEY MUST KNOCK ON THEIR BEDROOM DOOR AND WAIT FOR DUTY STAFF TO ANSWER.
- ⑤ RESIDENTS MUST NOT COMMUNICATE WITH EACH OTHER.
- ⑥ RESIDENTS ARE NOT ALLOWED PERSONAL POSSESSIONS (E.G. JEWELLERY, BOOKS; MAKE UP ETC.)
- ⑦ RESIDENTS ARE NOT ALLOWED TELEVISION, MUSIC, MAGAZINES, CIGARETTES OR TELEPHONE CALLS. VISITS FROM SOCIAL WORKERS ARE PERMITTED <sup>BY ARRANGEMENT WITH TEAM LEADER</sup> PARENTS WISHING TO VISIT MUST ARRANGE THIS 'THRU' THE TEAM LEADER.
- ⑧ DURING THE DAY RESIDENTS SHOULD COMPLETE ANY SCHOOL WORK AS SET — ADHERING STRICTLY TO A 9AM-4PM WORKING DAY WITH APPROPRIATE MEAL/DRINK BREAKS. ALL BOOKS & WRITING MATERIALS SHOULD BE REMOVED AFTER 4 O'CLOCK.
- ⑨ RESIDENTS RISE AT 7AM (INCLUDING WEEKENDS) HAVE A BATH & WASH THEIR HAIR.
- ⑩ RESIDENTS MUST BE IN BED BY 7 PM (INCLUDING WEEKENDS) AFTER HAVING A BATH.



INTRODUCTION

While I recognise that most people working in the arena of Social Work may have difficulty in coming to terms with the working practices of a pin down unit, i.e., possible infringements of rights, civil liberties etc, it has become necessary to devise such a unit within the structure of the 245 Community Unit. Past experiences have led us to believe that it offers a platform to begin some positive work with individuals and is a resource continually used and requested by other agencies for initial observations of the more difficult individuals.

The flexible use of this unit has enabled it to be part of the many varied contracts formulated from the community unit through the family meetings. I enclose a statement of its expected operation to all staff working in this particular part of the unit.

READ

No time for  
No time for

THE EARLIEST POSSIBLE TIME RESIDENTS WILL BE MADE AWARE OF THE "RULES OF THE HOUSE" WHICH ARE:

WANDERING AROUND MAIN BUILDING WITHOUT PERMISSION AND/OR SUPERVISION.

SMOKING WITHOUT PERMISSION.

RADIO WITHOUT PERMISSION.

MAKING DRINKS WITHOUT PERMISSION.

COMMUNICATING OUT OF WINDOWS WITHOUT PERMISSION.

AS IS TOLD.

The training part of the unit will be linked to social and life skills, behavioural domestic tasks themselves - i.e., cooking, washing, ironing, hoovering etc.

Staff will be involved throughout a residents stay in observing and assessing the individual and the programme of training will slowly expand to trust and responsibility.

Each individual programme will be in every case constantly overseen by the Team Leader, Centre Worker and if not both, will be regularly involved at least every two days in a review with the resident, thus enabling the programme to be modified as the need arises.

All staff should keep an accurate daily log of events and observations. In cases where "punishments" are imposed these should be carried out strictly in accordance with the community home regulations and recorded accurately.

Leave will be granted according to progress, co-operation and achievement in respect of the residents individual training programme. Details of the approved leave will be completed on the leave form (copy of which is included in these guidelines) the leave form can only be completed and authorised by Team Leader.

THESE INSTRUCTIONS ARE TO BE CARRIED OUT BY ALL STAFF COVERING THE PIN DOWN UNIT WITHOUT FAIL. FOLLOWING THESE SIMPLE GUIDELINES WILL ENSURE CONSISTANCY IN WORKING THROUGH INDIVIDUAL PROGRAMMES FOR THE BENEFIT OF THE CHILDREN CONCERNED.

The Pin Down Unit is independant from the 245 accommodation and should be out of bounds to residents or visitors (unless prior arrangements for visitors have been made).

The door in the corridor to the Unit is to be kept closed at all times. No-one other than Unit staff are allowed into the Unit unless in cases of emergencies or by prior consent of the Team Leader.

Unit bedroom doors should remain closed at all times. Residents requiring to leave the room for any purpose must initially knock on the door and wait for the response from the member of staff on duty. No other person apart from the member of staff on duty should respond to the individual call.

Individual programmes will be devised upon entry as far as practically possible. In the event of the programme not having been established e.g., admitted late at night etc., instructions will be given to staff upon reception. The individual programme will be established the following morning during the mangement meeting. Programmes will be designed by the Team Leader or other designated person. Likewise for the revision of programmes which will be done on a daily basis with the exception of Saturdays and Sundays. Requests for any priveledges/freedoms which are asked for by the individual must initially <sup>be</sup> turned down. Unit staff are requested to make a note of all requests and inform the individual that these will be discussed the following day for consideration. There must be no leaway given whatsoever. Log books should be completed in detail and accurate records kept of things such as:-

- requests made by the individual,
- telephone calls recieved and made,
- attitude of individual e.g., highlighting difficulties encountered implementing the programme, co-operation recieved, conversations held, sickness/medical problems etc.
- details of priveledges earned,
- details of any revision of the previous days programme.

- visitors names and the duration of the visit,
- details of passes out etc.

Residential files should be completed daily by extracting information from the log book and expanding upon it in more detail, e.g., describing incidents, conversations, reactions to programme etc. A copy of the daily programme will be inserted in this file by the Unit staff on duty each morning following the management meeting enabling follow on staff or the individuals case worker to identify the point the individual has reached in the programme.

All medication should be noted when received and administered. This should be entered into the medicine record book held in the duty office.

Anyone requiring emergency medical treatment should be dealt with on the following lines:

A call should be made to the Doctors surgery for an appointment to be made. Reference to the appointment should be made to the individuals keyworker to enable him/her to escort the individual, or to make alternative arrangements.

Outside surgery hours - a call should still be made to the Doctors surgery (only in the case of emergency) where an answering message will be given indicating to whom the call should be made.

Individuals requiring emergency treatment i.e., Accident Unit or call for the ambulance should be dealt with under normal emergency procedures. Should Unit staff require assistance and no other staff are in the building a request for assistance should be made to the Birches Family Centre. Tel: 0202 794 817790

All accidents should be reported in triplicate and entered in the accident book. ( accident report forms are held in the duty office ).

All medical files relating to children in the Unit will be kept in the Unit office until such time that the individual is discharged. Initially, it will be the responsibility of the centre worker to escort the individual to the Doctors. However Unit staff escorting individuals to the G.P. should in all cases extract the Medical record Card and ask for it to be completed by the G.P. before leaving the surgery.

Outside visitors to an individual in the Unit must not be allowed unless it has been approved by the Team Leader. All visits that have not been approved by the Team

Leader should not be allowed to take place. Staff are instructed to inform the caller that their request to visit will be discussed the following morning and must contact the Unit after 9.30 am. the following morning, whereupon, they will be advised accordingly. In the event of such requests being made over the weekend the same principle should apply but staff are asked to contact the Team Leader for a decision to be made in cases of difficulty or at the weekends if in doubt.

12. Individuals on remand or on bail to 245 Hartshill Road, in the Unit are on direct instruction from the Court to abide by certain conditions appertaining to their bail as offered by the Team Leader. It is imperative that all Unit staff ensure that these programmes are worked to the letter and in the event of difficulties you should contact the Team Leader immediately.

No-one in the Pin Down Programme should be left unsupervised. Staff should ask for assistance in the cases of emergency only by another member of staff ( 245 duty officer if they are called from their station of duty.

4. All staff rotas are the sole responsibility of the Team Leader. Changes of rota'd hours should be referred directly to the Team Leader for a decision to be made if alternative cover is required. Staff should not automatically assume that this will be granted and to avoid disappointment arrangements as far as possible should be made after the approval from the Team Leader has been given.

(see programme card)

5. Unit staff are responsible whilst on duty for checks will be made by the Team Leader.

The cleaning of the Unit block is a daily task and should be done morning and night.

16. Any education/paperwork done by individuals is to be marked daily. All paper and pencils etc., should be removed on completion of the exercise/education programme. All marked work should be kept in a folder indicating in separate pouches the subjects undertaken.

17. All punishments imposed should be strictly carried out after approval by the Team Leader in accordance with the Community Home Regulations. (Copy attached).

THESE INSTRUCTIONS HAVE BEEN MADE FOR YOUR BENEFIT AND FOR THE BENEFIT OF THE INDIVIDUAL. STRICT ADHERENCE IS NECESSARY BY ALL UNIT STAFF TO ENSURE CONSISTANCY OF APPROACH, GOOD COMMUNICATION AND REDUCING THE RATE OF PROGRAMME FAILURE.

TO ALL STAFF 245 HARTSHILL ROAD  
FOR PARTICULAR NOTICE OF ALL STAFF ON THE MAIN LANDING AND THOSE IN THE  
PIN DOWN UNIT.

PLEASE NOTE THE FOLLOWING INSTRUCTIONS.

245 RESIDENTS SHOULD NOT AT ANY TIME BE ASSOCIATING WITH RESIDENTS IN THE PIN  
DOWN UNIT.

245 RESIDENTS SHOULD AT NO TIME BE MAKING OR RECEIVING CALLS ON THE DUTY OFFICE  
TELEPHONE. CALLS TO SOCIAL WORKERS AND PARENTS CAN BE MADE AT STAFF DISCRETION -  
BUT THESE SHOULD BE LOGGED DOWN ON EVERY OCCASION IN THE BOOK PROVIDED BY THE  
TELEPHONE. ON THE OCCASIONS WHEN THE PHONE IS PERMITTED THE PHONE IN THE STAFF  
SLEEPING IN ROOM SHOULD BE USED.

IN THE EVENT OF AN INCOMING CALL FOR A RESIDENT (WHICH SHOULD ONLY BE FROM SOCIAL  
WORKERS, PARENTS OR AT STAFF DISCRETION) THESE CALLS SHOULD BE TAKEN ON THE TELEPHONE  
IN THE SLEEPING IN ROOM AND NOT IN THE OFFICE.

NO INCOMING CALLS SHOULD BE ALLOWED FOR RESIDENTS IN THE UNIT UNLESS AGREED  
PREVIOUSLY BY THE TEAM LEADER.

RESIDENTS IN THE PIN DOWN UNIT SHOULD NOT BE FOUND WANDERING WITHOUT SUPERVISION  
IN THE MAIN PART OF THE 245 UNIT.

THE PHILOSOPHY BEHIND THE PIN DOWN UNIT IS UNDERMINED IF THE "RULES OF THE  
ESTABLISHMENT" ARE NOT STRICTLY ADHERED TO.

RESIDENTS SHOULD BE ABLE TO FUNCTION IN THE UNIT WITHOUT HAVING TO USE FACILITIES  
OF THE MAIN UNIT - i.e., WASHING, BATHING, . IF FACILITIES ARE INADEQUATE TO ACHIEVE  
THIS I WOULD ASK STAFF TO NOTIFY ME IMMEDIATELY.

THE PASSING OF CIGARETTES AND OTHER MESSAGES AND OTHER "GOODIES" MUST NOT HAPPEN.

THE PROGRAMMES FOR INDIVIDUAL RESIDENTS AT THE UNIT IS WORKED OUT SPECIFICALLY  
AND IN DETAIL BY TEAM LEADER AND SHOULD NOT BE DEVIATED FROM UNDER ANY CIRCUMSTANCES  
WITHOUT PRIOR APPROVAL.

OBVIOUSLY IT IS EASY FOR THE RESIDENTS OF THE PIN DOWN UNIT TO ABSCOND IF LEFT  
UNSUPERVISED AND I WOULD THEREFORE ASK THAT THE OCCASIONS WHEN THEY ARE LEFT  
UNSUPERVISED BE CUT TO THE MINIMUM TO AVOID THIS SITUATION ARISING. IN THE MAIN  
SUPERVISION OF THE INTENSIVE TRAINING IS ACHIEVED SEPERATLY FROM THAT OF THE MAIN  
UNIT BUT OBVIOUSLY THERE WILL BE TIMES WHEN JOINT SUPERVISION IS APPROPRIATE.

### DAILY TASKS.

These jobs to be done either by Unit residents or by staff on duty:-

- carpets to be hoovered morning and night,
- dishes to be washed after each meal and put away,
- bins to be washed out and emptied,
- rooms to be dusted and kept tidy.
- corridors to be kept clear at all times,
- bath, sink and toilet to be cleaned daily including bathroom floor,
- beds to be made on getting up,
- underwear to be washed daily and changed,
- cleaning of shoes (where appropriate),

### WEEKLY TASKS.

- reviews will be done weekly, it is expected that staff on duty will be present together with the Team Leader, Keyworker and/or Social Worker, parent where appropriate,
- all washing to be done e.g. washed, dried and ironed, including towels, tea cloths, sheets etc., no clothes to be worn un-ironed,
- cleaning of windows.
- washing down of paintwork, window ledges, door frames, skirting boards, window frames etc.
- bedding to be topped and bottomed,
- nightwear to be changed,
- hoovering under beds and all other furniture in room,
- polishing of all wooden furniture.

### OTHER TASKS- FORTNIGHTLY/MONTHLY.

- washing down of walls,
- washing of light shades,
- washing, drying and ironing of all curtains.
- cleaning of cutlery e.g., knives, forks, spoons. (supervised).

These lists are not exclusive nor exhaustive and staff are reminded to ensure that these jobs are done properly, not rushed and done to a reasonable standard.

## INSTRUCTIONS FOR ADMISSION

1. The individual should be asked to bath and wash hair immediately upon arrival.  
In the case of someone being received at an unsociable hour staff are asked their discretion by gauging the cleanliness of the person. Staff are reminded it is their responsibility to ensure that the individual is bathing properly.
2. All daytime clothes and shoes are to be removed and locked up in the warded cupboard.
3. Nightwear should be given to the individual to wear until further notice.
4. The individual is to be placed in a bedroom.
5. Waking and bedtime are as follows and staff are asked to ensure that these are enforced:
  - Morning up by 7.00 am
  - Bedtime by 7.00 pm.in certain-cases the waking time may be earlier and this will be indicated on individual programmes.
6. Breakfast initially is to be prepared by staff and should be taken to the inmates for them to eat in their room. Dishes should be washed and dried by the inmates using the bathroom facility on instruction from staff.
7. Lunch will be provided by 245 and should be taken between 12 noon and 1.00pm. to be eaten in their room. Only one hour is permitted for lunch.
8. A break for 10 minutes is allowed mid-morning and afternoon. A cup of tea, or a cold drink may be given.
9. Supper will be delivered by 245 and should be given at 7.00 pm together with a drink.
10. No other privileges are allowed. Privileges have to be earned and staff are not to deviate from the individual programmes. Therefore, it is necessary to:
  - removal of all personal effects, handbags, cash, cigarettes etc.,
  - the room should not contain books, paper, pens, games etc.,
  - that there is to be no communication out of the windows,
  - that above all the individual does as he/she is told.
11. A bath should be taken daily and hair washed not less than twice a week.

Any addition/alteration to this procedure will be indicated at Management Meet. where staff will be informed of such changes to be implemented.



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STAFF SOC SER SE DIV P.2

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Rec 2002/89  
RHS

INTRODUCTION

A request was received in early March 1989 from the then Acting Principal Area Officer following concern from the Area Officer, Children & Families, that a situation was arising at Tamworth Family Centre, which appeared to highlight a management problem. These problems appeared to centre around a difficult nucleus of young people; staff morale was low and the Area Officer had found it necessary to support the Centre in practical caring terms. Following this request, Mr. Crockett, Deputy Director, agreed that support would be given in the form of a team of three people to assist and advise wherever necessary.

A meeting was held with the Area Officer, Children & Families, and shortly afterwards a full staff meeting. One of the members of the team actively joined the staff rota and became involved with day-to-day management.

ROUTINES AND GENERAL MANAGEMENT PRACTICES

Staff engaged in the Family Centre at all levels were experiencing control difficulties, lack of morale, confidence and enthusiasm. Staff had lost direction, not only with regard to providing child care practices, but also in the day-to-day organisation and management of their shifts and duties. The aspect of child care practices will be discussed later, but it is important to highlight the other areas of concern.

Inconsistency and prolonged periods of duty without days off produced a lot of discontent amongst the staff team. This was as a result of a poorly designed rota system and the inadequate pairing off of senior and junior staff. Consequently, staff felt it necessary to claim all their time off in lieu and were not prepared to offer anything over and above their normal hours and work to aid the smooth-running of the Family Centre. In fact, staff who had carried vast amounts of time off in lieu were given as much as five weeks off at a time, and it had been granted by the Team Leader that these staff could take the time off at the same time, thus reducing the staff team as a whole by fifty per cent. The remaining staff carried the burden and pressures of the Centre, which by this time were beginning to escalate out of all proportion. Needless to say, one member of staff took sick leave for three/four weeks and other staff since have taken quite lengthy periods of sickness away from work. Three full-time staff resigned and left the Family Centre in mid-April 1989 and since then the rota has had to operate on a shoe-string basis virtually from week to week. This was the case until mid-June when a full four week rota was introduced and additional full-time, temporary and casual staff were appointed. However, noticeably the rota system was not followed on and staff had to devise their own rota for a short time whilst the Team Manager took annual leave.

During the period April to July 1989, the additional necessity of waking night staff also had its toll upon already tired staff. Staff were expected to not only work their normal working hours, but also to cover for waking night duty. In many cases this meant that staff undertook duties in excess of 24 hour shifts. At no time during this period were advertisements placed for waking night staff. The lucrative financial rewards of waking night payment ensured participation of all the staff team, but over-tiredness soon came and team uniformity began to suffer. Appointments have now been made on a permanent basis which will result in a full staff complement being reached by August 1989. As stated earlier, there are still problems in operating an adequate staff rota due to the lack of forward planning by the Team Manager. Where it has been felt both appropriate and necessary, domestic staff and other County Council staff have been periodically used to shore up the running of the Centre.

Routine domestic and household duties have been hindered as a result of drafting in domestic staff on to the residential rota. This has applied pressure to staff directly and indirectly in trying to keep the building in its desired pristine condition. This in turn has applied pressure on the residents, resulting in staff being manipulated and behavioural and control difficulties, with the majority of the residents becoming more and more evident.

At a meeting held at Tamworth Family Centre in March 1989, the residents currently at that time had a number of constructive criticisms to offer. These being poor meals, clothing difficulties, lack of outdoor and indoor amenities, infrequent visits by their social workers and no clearly identifiable future plans. Upon examination of these issues it was learned that the Team Leader had no direct oversight or control over menu planning, clothing and outdoor/indoor amenities and relied solely upon the recommendation of the Administration Officer. Since the departure of the Administrative Officer the Team Leader has delegated the oversight of the clothing budget to one of the Family Centre Social Workers and food provision ordering to the Day Care Organiser. Both these aspects are still fraught with problems. Cash is rarely available for residents to purchase clothing and an official order is used in the main for this purpose. There is a lot of food wastage and the cook is constantly having to make ends meet with whatever goods are available.

Sundry petty cash expenditure and pocket money allocation is now controlled via liaison with the Area Office Administrator. Financial balancing difficulties do exist due to the primitive execution of financial procedures. Advice was given on this particular point, but anomalies still arise. This is largely due to poor daily oversight by the Team Manager in obtaining the correct procedure from her staff and not being able to advise staff generally on the expectations of this particular task. In other words, there are no set guidelines or procedures for correct recording and administration. Still financial difficulties arise when ad hoc outings with the children are not properly planned in advance and staff and Team Manager alike are both at fault upon this point.

It was very evident that rota staff needed to have their shift duty plans more clearly defined. An introduction was made of a morning management meeting between Team Manager and senior staff on duty. A simple aide memoir was used to cover all salient points: a copy of the format is attached. Regrettably, this procedure is not used regularly by the Team Manager and is often left to senior staff to complete. The Team Manager needs to recognise the importance of such a briefing session with her staff to instill into them the requirements of the shift. More forward planning is required between Team Manager and staff for all to gain and develop a sense of purpose and a clear identification of role within the Family Centre.

Staff meetings in the past have not been used as a constructive tool, neither have then been used as a foundation stone for team building. Procedures, policies and practices are discussed and a decision made, but all too often it is never carried out or has been rescinded in certain situations by either the Team Manager or a member of staff to suit their needs or desires. This type of action does not create a practice to aid team building, uniformity of approach or staff development. The result is staff are afraid of making decisions or go out on a limb and leave their colleagues wide open to abuse and criticism. Staff meetings have been incorporated in the rota, which was drafted as a role on roll off rota for all staff. These meetings were scheduled to take place each Thursday from 1.00p.m. to 3.00p.m. where it was an expectation that all staff attend. Whether or not this time will be rota'd on the ad hoc rota is a question to be asked and followed up.

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Regular staff supervision/development sessions need also to be featured into the rota. This point will be discussed later in the report.

Whilst resident Social Workers lost direction it is also fair to add that the Team Manager's role within the Family Centre is not clearly defined or structured. The Team Manager role is not used in a way to promote effective management; neither does it allow for the development of an effective staff team, nor the development of relationships and liaison with the Area Officer in terms of preventative and rehabilitation work with children and their families. In terms of its affect on the client group and staff group, the Team Manager's role is misused and misunderstood. The following outcomes are what it is producing:

- (a) The staff team generally across the board were individually asked for their opinions as to the before and after changes of the help from Headquarters. The following points were a consensus of opinion.

1. When staff appointed they have never received an induction into the aspect of work they are expected to undertake. They are given additional hours over and above occasionally, no instructions as to how the Family Centre is expected to function, how to complete internal forms, sleep-ins, fire procedures, improper training, lack of communication between shifts.  
*one missing - repairs and no for example, food*
2. Irregular staff meetings.
3. Lack of supervision sessions (this varied between staff interviewed but worked an average of 1 each 9 months). Lack of proper structure to supervision: often supervision turned into discussing other colleagues' personal problems.
4. Lack of internal structures, procedures and communication, e.g. referral practice and procedure
  - : liaison with Family Centre and Area Office
  - : ad hoc changes in philosophy and approach
  - : procedure manual to form basic management/organisation of the Centre
  - : allocation of tasks need, e.g. whose going to do rota, savings, clothing, food ordering, take staff meetings, organise mini-bus services/repairs, who cooks meal when the cook is off, etc.
  - : procedural and sanction guidelines to deal with the more difficult young people
  - : to be more open and honest with children and to make them more responsible for their actions and behaviour
  - : more clearly identifiable and exercised basic house rules
  - : inadequate rota
  - : lack of finances
  - : lack of structure in the following
    - (a) children's reviews;
    - (b) children's care plans
    - (c) children on remand

*Amendment*

*4*

- (d) children excluded from school
- (e) children excluded from all available Y.T.S.

- : forward planning
- : semi-independent scene, good idea but requires better supervision and planning
- : do not always receive admission documentation except for kids admitted via the Emergency Day Team
- : regular children's group meetings
- : better liaison with the following needed

- (a) Juvenile Justice Team
- (b) Stafford Support Unit
- (c) Area Office
- (d) Long stay/other Family Centre

- : clearer defined role of attached worker
- : more thought and communication into avoiding admissions, in terms of preventative care programmes.

5. Need a strong Team Leader, do not get support from Team Leader in right way. Reduced support from Central Office showing signs of things slipping backwards re staff enthusiasm and motivation, control being lost staff feeling unhappy. Not had good effective management - no leadership from the top. Team Leader a nice person but is not a boss. Not convincing enough in offering support or direction. Had better professional support and approach from Area Office. Staff would look for alternative job if something came along but out of Tamworth.
6. Staff feel that children exploit and play off situations between themselves and Team Leader due to Team Leader undermining the sanctions staff employ. Therefore they feel that they do not have any effective control of residents. Staff feel uneasy in the way they have to work with their attached child.
7. Recognition of the continued use of a pin down unit but only to be used in extreme cases. Needs proper plans and clearly thinking through before operation. Staff fear that if Team Leader not strong enough kids will be put in for nothing.
8. Reviews are a good system. Previously not family involvement. Forces the attached worker and social worker to get things done. Sets a scene for the child to say what they want. Kids being told outside reviews speculative ideas of future which creates false hopes and expectations. Already reviews are taking second best. No-one knows whose chairing the review or which room to use. No real honest speaking done in some reviews if held by Area Office or Family Centre Team Leader.
9. Don't know what Juvenile Justice is about.

10. Need to develop better independent living situations in Family Centre and other community resources e.g. supported housing schemes.
11. Support Unit required in Tamworth as younger children learning bad behaviour and ways of older more difficult children.
12. Family Centre to take and be responsible for its own cases able to visit families at home and be given scope to work with them. Time should be allowed on rota to let this happen. Time should be a rota to allow you to work on a 1:1 basis with your attached child.
13. Meetings are only held at crisis point.
14. There are always constant interruptions during meetings and reviews: this not fair on children or family.
15. Lack of staffing, e.g. waking night staff, casual workers, volunteers, etc.
16. Special meetings held in Conference Room for 'hob-nobs' children having the left overs and staff having to act as waitresses. People coming to the building should see it as it is or not at all and come when the children are here and not at school.
17. Need to develop a multi-agency approach.
18. More consideration should come from Central Office and consultation with the ground workers when policy changes are being considered ~~so~~ being implemented as opposed to a fait accompli.
19. Building not really adequate for a Family Centre and Nursery combined. Like the changes to the building but the Activity Room is isolated, the nursery becomes a barrier due to being located in between.
20. Need strong person to undertake supervision sessions who has field work experience. There are barriers between attached worker and Team Leader and the children see this and staff feel undermined. Team Leader spends more time with attached worker children than staff and it is all <sup>sp</sup> positive things she gives them. Team Leader gives unrealistic expectations and obtains good behaviour by buying it.
21. A better element of training, especially in general residential care practices, but supplemented with specific areas, e.g. behaviour modification, group work, statutory regulations and continuous updating.

*Amendments*

6

22. One person cannot do two people's jobs, supervise kids, transport kids, supply refreshments, and wait on conferences, clean, etc.
23. Not enough equipment, e.g. cups, saucers, cutlery. cooking utensils and equipment.
24. The kitchen should be made totally out of bounds for children.
25. Difficulties do arise from multi-functional use of building, e.g. dual use of cooking facilities, laundry, children have nowhere to play outside when they are off school because the play area is out of bounds for them between 8.30 - 5.00 p.m. for nursery use.
26. The Family Centre wont change until Team Leader is appointed who can manage and control. The Family Centre is not doing what they are set up to do. You are not allowed to do your job properly, staff have left because of this.

The stand point of the Team Leader needs to be altered to bring about any changes to the points raised above. However, the question needs to be addressed as to whether or not the Team Leader has the ability and skills to be able to effect change. This would now seem to be the case following the recent confirmation of her position as Team Manager. The following points are recommended areas of immediate improvement in the Team Manager's position at Tamworth Family Centre

- To be seen as actively and constructively managing, directing and planning the future development of the Family Centre and community resources.
- To be withdrawn from the day to day running of the establishment in 'practical care terms' and to allow staff a better opportunity to work closer with individuals (and resident group) thus taking a greater responsibility for the running of the shift.
- To actively encourage members of staff through training and staff meetings, the opportunities to make decisions and to follow through plans for themselves.
- To offer staff regularly set supervision sessions to monitor case loads and help develop staff relationships with attached children as opposed to dealing with situations single-handedly.
- To develop a manual of good procedure in conjunction with staff to take into consideration the Family Centre concept.
- To develop and foster a closer working environment with the Area Office Teams and to ensure that the Family Centre Guidelines and procedures are clearly understood. For example, referral guidelines, review meetings, family meetings, statutory reviews on residents, individual care plans, after-care/rehabilitation/preventative plans, etc.

7

For a time control within the Family Centre was restored but since input from Headquarters has dissipated control, confidence and staff morale has yet again plummeted. The input and availability of the Team Manager to interject when crises were apparent was excessive, but this has been considerably curbed. Regretfully, no other support systems or procedural guidelines have been adopted and if anything withdrawal has been too quick, not planned and timed accurately enough therefore leaving the staff team, fifty per cent of them new to the job very much in the lurch.

It is felt that the current Family Centre staff are definitely genuinely concerned about the quality of care offered and that on a whole, the staff team could compliment each other well if structures, guidelines and support are introduced. It has become apparent over the last four months that this may never be achieved to reach its fullest potential and with the divisionalisation restructuring may never be reached due to inadequacies at Senior Management level. Family Centre staff recognise this. Area office staff recognise this, but somehow the two fail to come together to help resolve the problem. There is a very poor professional working relationship between the two parties. Meetings held with both parties highlighted glaring gaps in the working approaches of individuals alongside a number of situations that were in desperate need of change. There appeared and it is still evident that there is no over emphasis that Area Social Workers were the people with all the resolves and had the final word when decisions were being made. Little, or in some instances, no consultation was made with their residential counterparts. The Area Officer made attempts to address this issue and to bridge the gap but was faced with a statement from a Social Worker quoted as "I will not attend those meetings if the Team Leader is present." (Those meetings being weekly child care management meetings held with the Area Officer). This embargo continued from March 1988 until the adoption of divisionalisation. It is now understood that the Team Manager has a weekly meeting with the District Manager and counterparts. Other issues upon this matter will be highlighted further in this report.

INDIVIDUAL CARE PLANS AND PROGRAMMES FOR RESIDENTS AND THE RESOURCES AVAILABLE TO PROMOTE THE CONCEPT OF FAMILY CENTRE PHILOSOPHY AND ASSOCIATED INFRASTRUCTURES-

It was evident immediately that individual care plans for residents had not been formulated. Admissions to the Family Centre appeared to just happen and seldom with all the necessary admission documentation completed. In fact it was later established that some of the previous admission documents had merely been photocopied and the date altered to suffice. Consequently, the whole process from preventing an admission, to admissions and the discharge of residents needed to be examined. Initially, it was decided that the basis would be to closely examine the residents currently residing at the Family Centre who were known to have behavioural problems and appeared beyond control.

The Family Centre considered itself as a dumping ground directing its criticisms to the Area Office Social Workers. Conversely, Area Office Social Workers feel that children referred to the Family Centre deteriorated socially, emotionally and behaviourally and that any referral was a last resort for their client. Needless to say, in many cases when clients were referred to the Centre the situations and

*[Handwritten signature]*



circumstances had become so fraught and uncontrolled having been held together loosely in the community that heavy handed intervention work was required. This echoed the need for a structured systematic approach and universal understanding of the facilities and resources at the disposal of the Family Centre. At this point a decision was made to avoid any further admissions until some issues had been addressed relating to current residents, the possibility of working alongside a de-skilled staff team unable to function realistically and to try and unite Family Centre and Area Office in formulating care plans. Alongside this parents and/or guardians were asked to attend meetings to discuss their child's future and to evaluate the social work practice to date. It took six weeks to formulate all the meetings, which considering the only common ground being that of a 'cry for help' from all concerned, was little more than a token gesture. No-one would specifically take on these meetings with any form of enthusiasm save the people drafted in from Head Office. Family Centre staff attended and so did the parents and child, but attendance was poor from the area and scathing at the times they did attend. Any form of constructive help for the families appeared to come from one direction alone, that being the Family Centre staff. Irrespective of this negative attitude and commitment from the Area the meetings went ahead and decisions were made and plans formulated.

Since this initial approach other children have been admitted to the Family Centre. The procedure for admissions had already been set but sadly this process did not continue in any form of consistency. For example, care plans identified with specific goals, <sup>limits</sup> units, etc. were seen as 'confidential' by the Area Social Worker and therefore should not be openly made available for discussion at a children's/family review. The referral/review process became an up-hill battle, but when input was high from Central Office the barriers existing began to crumble. X

To be able to effect some of the individual programmes it was necessary to look critically at the use of the building and to establish what adjustments could be made to accommodate the needs of the individuals and thus increase the flexibility of programmes. The building itself, not purpose-built, appeared on face value to cater for anything and everything with the exception of the residents, they being an after-thought. The building itself was not homely and conducive to a relaxed and inviting atmosphere where children, parents and social workers could work comfortably together. This still being the case, there being only two easy chairs and no settee). The building accommodated a conference room which was used for pre-approved foster parent groups, foster parent meetings, case conferences, for all the area disciplines, access visits, team meetings, training sessions, parents visiting, children's meetings, Directors' meetings, parties, etc. which almost daily in some shape or form invaded the life-style of the residents. It was initially agreed that the conference room be used for an activity room and that an alternative venue would be sought. Previously, residents had little opportunity to pursue centre-based activities, as the room they used to occupy was sited on the main bedrooms landing attached to a small music room and television room. The conversion of the activity room did have its problems, which has resulted in the room now being taken off the residents because of minor damage. From observation the problems have not been totally addressed and yet again the clients have suffered. Perhaps a better supervisory element and constructive relationship building and activities with the residents

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may have eliminated a vast number of the problems. The fact of re-siting these activities is totally unacceptable. The front dining room was converted to a television come rest room. This has now been reverted back to a dining room because of the hinderance from the nursery element. The total concept of being able to separate residents from the general bedroom quarters has been lost. Currently at twelve residents, except for meals, these children reside basically on one floor like sardines. Too much emphasis is placed on a pristine palacial presentation of the building as opposed to working directly with clients and getting them to recognise values. It is easier to take away as opposed to comfort issues.

Young people on the semi-independent programmes have use of a supper kitchen when they can store and prepare there own meals under supervision. Because of rota deficiencies the element of supervision has been lax and build up to proper training in this area minimal. An additional dining room facility was created in an attached room whereby they could invite friends and family. As a result of the re-arranging of some of the rooms, this facility has been taken away. Initially, these changes were viewed positively by the residents and they could see the benefits of these type of programmes in relation to being able to cater and support themselves independently in the future. The budget allowance allocated was in accordance with £22.85 per week. Attached workers initially oversaw the administration of this allowance. However, the novelty started to wear off as accurate supervision and guidance began to falter and other issues began to take precedence.

Other children's programmes were made as variable and flexible as was required to ensure a progressive movement out of the care scene. Children were placed on shared care plans, week-end and overnight stays at home, etc. In certain aspects the working together of area and residential social workers benefited and grew but conventional social work soon became to the fore again when controversial or unauthodox practices became apparent, this was irrespective of whether or not it was in the child's best interest.

There is another area which needs to be assessed, evaluated and developed within the community. That being ~~move~~ on points from the Family Centre. X This prompts the consideration over and above the boarding-out scenario of building in resources to acquire and accommodate supportive housing. Within the area of Tamworth currently, children residing in care and not wishing to or are unable to return home for whatever reason, do not see any realistic move on points, in particular the teenagers, and are confronted with the possibility of a long-term stay in the Family Centre. The shared resources of the long stay unit and support unit, which has to serve South East and mid-staffs area, will not be able to accommodate the increasing number of young people who are finding themselves in this situation.

In some cases progress has been achieved with regard to individual care plans, but it is generally felt that this area will quickly deteriorate in the future. Growth and development in the areas monitored relating to individual care plans needs to be constantly re-assessed and created, otherwise a stagnation point is going to be reached by both residents and staff and saturation will cause yet again embroilment.

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Within this section it is also necessary to consider the Family Centre's involvement in preventative individual care plans, but in doing so, working towards a closer professional relationship with those who share many years of experience. Yet again, the building up of relationships is all too important not only internally, but also on an external basis. Little communication of any quality exists at Tamworth. It needs to be understood, known and recognised, what options are available in dealing with young people to avoid, not only an unnecessary totting up on the Knott scale but also receptions into care. This would mean the development of and acceptance of flexible approaches by all concerned in dealing with common problems. It would mean that individual plans and programmes were not only drawn up for the benefit of the court, Social Services Department and Probation Service, but also for parents and schools. Programmes and plans would need to denote punishments and rewards, immediate courses of action, specific goals, specific sanctions, time limits and controlled disciplines. Little headway has been secured in this area of work at Tamworth.

#### CLIENT CENTRED APPROACHES INDIVIDUAL CHILDREN'S REVIEWS

As referred to earlier in this report client centred approaches were not being catered for such areas including:-

1. Group meetings with residents.
2. Individual reviews or Family Meetings.
3. Alternative approaches to client care and therapy.
4. Segregation of difficult youngsters.
5. New style of rota to include the above.
6. Control of casework.
7. Enhancement of effective residential practices in a positive and negative way.
8. The use of contracts or programmes with clarity of purpose once individual need was established.
9. Communication aids, i.e. individual programme file with up-date as a daily aide memoir to duty staff.
10. Joint meetings of area and residential social workers.

It was felt appropriate to arrange children's reviews immediately to enable:-

- The child/family's background history to be clearly identified and understood by all parties, especially in ensuring the child's understanding of why they were in care.
- To openly address any problems either the parent, child or Family Centre were experiencing and to look at resolves jointly.
- To begin to formulate care plans and programmes for the young person's future.

Reviews on children were expected to incorporate all relevant people, especially those with a direct concern for the child's welfare. In

addition, other people attended for whom the child himself felt or saw as being important to them, e.g. schools, brothers, sisters, etc. As the reviews proceeded, it was necessary to re-assess the expansion or reduction of the number of participants as issues became either highlighted or resolved. It was also felt important that reviews were chaired consistently by someone who had the power to make and direct decisions. Initially, Central Office staff ensured reviews as a training area backcloth for both the Area Officer and Team Leader. The Area Officer at the time made every effort to sustain a <sup>Commitment</sup> to these reviews, but at times through poor management and organisation of time and lack of communication between parties concerned reviews became double booked or other more pressing issues took precedence. It is fair to honestly point out that the Area Officer had little back-up at this time by his senior social workers. On occasions too, the Team Leader was not always available because of having done waking night duty and had been on daily rota duty.

The ethos behind these reviews was to promote constructive well planned meetings to enable the child not only to freely participate but also to acknowledge that his/her future was not being forgotten. Honesty was a key feature at all reviews and it was stated that children should not be precluded from hearing about realities in their lives. This issue was a difficult one to confront at Tamworth, basically because of the protective stance Area Social Workers took over the handling of their clients, and at times point blank refusal to either follow a review's outcome and total non-co-operation occasionally brought about a very poor professional stance and respect for their colleagues. Because of this attitude children saw professional disagreement which turned into false hopes and expectations from their social workers and consequently, social worker/client relationship deteriorated and the whole purpose of the review lost. On certain individual cases there was also a loss of credibility for Family Centre staff and Area Social Workers, as well as for the Police and Families concerned.

Reviews are still being used as part of an ongoing evaluation of care plans. Although the emphasis on its original purpose has been lost. Children being discharged from the Centre are not having follow-up reviews between Family Centre and parents/foster parents/guardians as a means of support or to monitor problems and progress. The intense work with those children has therefore been cut off without explanation or thought and they have had yet another life-line cut to leave them floating in the community again to either sink, swim or be rescued. Rescued could be in the terms of another unnecessary admission to care.

It had been hoped that with the onset of divisionalisation some of the salient points raised above would have been addressed, unfortunately, the problems still exist. As care plans and reviews are seen as being a weak link so too are statutory reviews and case conferences. In some of the case files examined it was noted that statutory and mandatory County Council practices had not been adhered to, this included children who were on the Child Protection Register.

Following the successful introduction some years ago of a specialised unit at 245 Hartshill Road, the profound problems being created by certain youngsters at Tamworth promoted an introduction of this case in Tamworth. Special unit with all its mystiques basically challenges the

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concept of positive care ideals and consequently is often misinterpreted and has been quoted as a lock up job! The Special Unit operates on a number of basic philosophies.

The isolation of a young person to a room away from the main core of the building, where loss of privileges are asserted.

The young person is supervised 24 hours a day under a contract basis whereby issues, problems and relationships can be confronted. Care is presented as a totally negative experience initially ensuring that the participant can clearly identify their problems, come to terms with them through counselling and time out sessions with appointed staff, and is encouraged to work through the problems by not being allowed to take the easy way out.

To ensure that work with the children on these lines is planned and clearly structured, it needs to include family contact, participation and agreement to the sanctions employed (where applicable) and the opportunity for the child to learn how privileges are earned and how co-operation brings rewards.

Special unit should seldom be used. It should be a last resort and not be used liberally to exert heavy handed discipline or sanctions to children. Family Centre staff have worked with its philosophies and have seen what rewards and changes it brings in children when all else fails. Area Office Social Workers generally do not agree with its operation but are unable to offer alternatives, save secure units. The closure of Riverside is already having its effect on Family Centres and Support Units. Everyone in the residential field is recognising that there is a need for something to bring back control and good practice in residential establishments. Does special unit fulfil part of this need? Tamworth has got to decide for itself.

There is little oversight of Family Centre Social Workers from either the Team Leader or Area Office Senior Social Workers in the control of individual cases. In fact none of the Family Centre staff have responsibility of a case load at the time of writing this report. Children are nominated to Family Centre staff upon entry but the Social Worker is always area-based. As a result of this, there are never ending parages in establishing who does what in this shared role. Because of the difficulties over the last few months at Tamworth and the reticence of Area Social Workers towards the Family Centre, it is fair to say that the Family Centre Social Workers have been merely seen as residential workers. Credibility between the two social work practitioners is low, it is also extremely isolated through poor communication channels and lack of understanding of each other's role. Through the weekly reviews held on each child roles can be channelled to some degree, but the greyer areas of social work practices still remain unresolved, and often to such a great extent that it is not in the interest of the child or family. Social Workers at the Family Centre feel that they are caretakers only, unable to make decisions or act upon situations without first contacting the Social Worker to ratify their actions. Area Office Social Workers then feel that the Family Centre staff are inundating them with imbecilic questions. The question of the effective role of the Team Leader in this situation also needs to be addressed. A greater degree of control over

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case work needs to be brought in for the Social Workers at the Family Centre to be able to direct and state responsibility for them. Currently, there are cases which Family Centre staff could take over. This begs the question though of adequate supervision practices, staff development, training and who is going to be responsible for them?

It is generally felt that to build staff motivation, enthusiasm and development of social work practice, more direct control of case work is required. However, there may have to be certain restrictions placed upon the type of cases for which they can be given full control due to the fact of there not being a qualified social worker currently on the staff team. However, District Managers and Team Manager counterparts have got to consider whether or not it is going to be beneficial to invest time with the Family Centre Team to:-

- Improve their basic knowledge and practices of social work
- To reduce the amount of time Area Social Workers will eventually have to put into routine-type cases.
- To improve the quality of relationship between both child and practitioners.

A point to bear in mind is that unless the person responsible for the oversight of the Family Centre Social Worker is well respected and can operate a fair but firm management stance, problems will arise all too quickly. A better degree of professionalism has got to be strived for in Tamworth generally. Should the Family Centre take on a case load or shouldn't it? Should the Team Manager be responsible for carrying a case load and therefore receive a better grounding to field work practices to pass on to her team? Who should prepare the S.E.R. for children appearing before the Courts? Should the Family Centre provide an assessment and observation report for the Court? Should the Family Centre prepare preventative and rehabilitation programmes for the Court? Or do these reports really have to be undertaken by the Juvenile Justice Team?

It is felt that the Family Centre should be encouraged to take control of or at least a greater control of cases referred to the Centre, irrespective of whether the children are resident or non-resident (i.e. following discharge or preventative work).

Little headway has been made in this area, so the questions still remain unanswered, who is going to address these issues?

None of the children had ever worked to an individually designed contract. Ad hoc contracts had been put together previously and had been levelled as total dictates as opposed to structured progressive rewards. In some cases previously designed contracts were totally unrealistic, seldom reviewed or appraised and the child was doomed to failure from day one. In many of the reviews, therefore, the word contract initially was looked on unfavourably, not only by the children, but also by Area and Family Centre Social Workers. Realistic contracts were put together with children, families, social workers, schools and Family Centre staff where clear expectations were defined and understood. The contract which was reviewed weakly promoted everyone to pull together towards the common

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goal. Failure to do so by any individual whether child, social worker or parent etc. had to be explained and the necessary reprimands would be heard by all. This tactic was used to encourage honesty and the courage of one's convictions on all sides. More importantly, the children could see fairness being played right across the board. Unfortunately, this approach deviated from its purpose when chaired inconsistently which resulted all too often in both the children and Family Centre Social Workers feeling palmed off as unheard. The resistance referred to earlier soon became apparent and eventually staff, children and families alike began to feel that these meetings were a waste of time, likewise 'why bother having a contract if my social worker doesn't want to know' was often a statement made by many residents.

Contracts are still being set up with children at Tamworth. Possibly this is the only area which has seen to produce a consistent approach at the Family Centre and be accepted as a good model to use.

In March a joint group meeting (children's meeting) was held at the Family Centre between the children and staff to try and gauge what the children felt about the way the Centre was run. As mentioned earlier, there were a number of constructive criticisms levelled. At this meeting only three out of the five residents attended. The other two were absconders but they had been asked to attend via outside links. It became obvious that all five of the residents (the absconders attended later) that situations had gone too far and they themselves were seeking a resolve. Life to them at the Family Centre was getting intolerable. Unfortunately, through bad management and organisation, and despite constant reminders the next group meeting did not take place until 23.4.89. Regrettably, children's group meetings still do not take place on a regular basis, and when they do happen the children see them as being a farce 'because nothing happens'.

On exploration of effective residential practices, yes there were basic house rules to hand. They only problem being that they had not been revised, new staff had not seen them and the staff team don't unitedly work towards them. Meeting after meeting took place to try and establish an agreed or acceptable basic house rule criteria, but a new one was never formulated. Good residential practice went out of the window together with a united team front from the Family Centre staff. Children recognised this and exploited the situations, played staff off against another including the Team Manager and generally caused mayhem. This type of scene is still operating today.

The duty rota still is a source of great discontent with the staff team and is being currently worked as ten days on four days off basis. A rota was drawn up to take into consideration staff feelings, but also to effectively run and control the Centre based on a staff complement of 8½. The feeling and consensus of opinion from staff was good: this lasted for one month only. It fell apart when the Team Manager went on holiday, ~~and failed to draw up a continuation rota.~~ X

Communication aids have been discussed time and time again in respect of management practices and casework practices. Everyone thinks these are 'good ideas' but no-one manages to use them. At times they are used not consistently and yet again this builds up frustration.

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Encouraging joint meetings between area and residential workers is still a major concern to tackle and until such time as someone is prepared to confront this issue never the twain shall meet in a united professional way.

#### RESUME

Considerable time and effort was directed into all the areas of concern at Tamworth. Staff training sessions, management sessions, staff development sessions and basic residential good practice routines established to bring back control. Due to the lack of direct client and management control the road was an uphill battle. As support was gradually withdrawn noticeably changes in good practices began to revert to its original state of confusion, frustration and anxiety. The support staff from Central Office consider that aspects of their input has had limited success. This is a very sad affair, not only for the clients and their families, but also for the staff and department alike.

RMAN.CHG

8/AL/MD

12 September, 1989

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LAITAM 2.

The need to work with young people who present difficulties within residential centres/family centres has been a long standing problem. It has become increasingly recognised that the disruption caused by persistent absconding, verbal and physical attacks against staff and other children, and the youngsters who are particularly volatile within these centres needed to have the opportunity to be worked within programmes individually tailored, closely supervised, and well structured and controlled. Constant reviewing with as many of the persons in the young persons life needs to be integral in its organisation, and the full and involved cooperation of the young person, family, social worker, extended family and any other significant persons needs to be secured.

The framework for this type of work must address the issues of:

- a) The ability to set an arena where the young person would be available for a long enough period to engage. It is difficult to address positive working with any young person who persistently absconds, or who is so disruptive, criminally intent, aggressive or presenting of other similar problems.
- b) To enable the structure to have sufficient flexibility to accomodate the opportunity for sanctions and rewards - and working in the main towards the opportunity for the young persons return home at the earliest possible time.
- c) To use the opportunity to confront and deal with the young person over issues in their lives requiring major address.  
ie. Absconding, aggression, breakdown of relationships at home or elsewhere, non-school attendance either by refusal or exclusion, serious criminal behaviour etc.
- d) The purpose of such intensity is to saturate the young person, and to produce contracts or plans as quickly as possible to allow speedy progress to be made in achieving realistic plans in the young persons life. The childs commitment, as well as the families commitment, as with other professionals is an essential requirement to enable the plan to work. The concentration of effort by all concerned on the young person allows progress to be made which is not always readily made otherwise as a result of differing priorities.

The structure is serious, and designed to concentrate on the issues needed to be addressed.

Its framework is controlled by very regular review procedures, usually daily, followed by at least a full review meeting of all interested individuals where at all possible weekly.

THE YOUNG PERSON IS PARTICIPANT IN ALL MEETINGS AND DISUSSIONS, as it is considered an integral part of the working out with the young person to be at all times "up front" and "direct"

The basic structure/framework is as follows:

- a) All young persons will firstly be required to have bath, and at the earliest possible opportunity will be medically examined (in the case of new admissions to care, or where it is felt it is necessary) Bathing and hairwash will be a regular morning and evening routine. The young person will be expected to knock on the UNLOCKED DOOR for staffs attention. Both these requirements demonstrate adherence to basic rules in the early stages.
- b) All young persons will be expected to wear appropriate nightwear, pyjamas etc. This does reduce the young persons motivation to running off and clothes are introduced very quickly when basic trust and commitment to stay in the programme and address issues is achieved. This is reviewed daily.
- c) The working day commences at 7.00am, with bath etc., followed by breakfast in their own room, followed by set work tasks, education type projects, meetings, constructive discussion time etc. In the early stages of the programme all meals are taken in their own room, some with staff, some without. Bedtime is 7.00pm.

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d) Television, Radio etc are earned and assessed daily. Usually these are earned by contracting time out for such opportunities either at home or other places.

e) Cigarettes, Reading material etc., are individually contracted in the daily reviews.

f) Family visits, social worker visits are planned and encouraged to achieve differing objectives in the young persons plan. At no time is access by any authorised persons to the young person denied, the reverse is often true that an active encouragement is consciously made to involve parents, extended family and any other significant persons.

g) Review meetings can be often heated and charged with emotive feelings by the young person and their families. The need to use the role play within such meetings is a sound requirement to their success ie. Positive and negative relationships with the different persons working in the contract. However at all times an attempt is always made to identify workers in the plan to positively support the young person and assist them in producing a realistic working contract.

**Appendix G: Tony Latham's memorandum 8 November 1983**

URGENT AND IMPORTANT

Memo to All Staff:-       The Birches Family Centre  
                              Semi-staffed unit  
                              Westmorland Avenue  
                              Intermediate Treatment Centre  
                              Special Unit

WITHOUT EXCEPTION

I now emphasise that all staff wishing to apply punishment or lack of privileges to children within the Family Centre/Semi-staffed Unit/Westmorland Avenue/Intermediate Treatment Unit/Special Unit must do so only

AFTER PRIOR AGREEMENT BY AREA OFFICER (MYSELF) OR TEAM LEADER

It is a requirement under the Community Homes Regulations that punishments can only be administered after prior consultation with

AREA OFFICER OR TEAM LEADER -

I am however prepared to take responsibility for the Senior Shift Leader to deal with MINOR PROBLEMS within the establishments as long as a proper record has been kept of the way, incidents have been dealt with on the occasions when myself or the Team Leader are not available - HOWEVER AS SOON AS POSSIBLE AFTER THE EVENT THE AREA OFFICER OR TEAM LEADER SHOULD BE NOTIFIED AND THE PUNISHMENT BOOK COMPLETED ACCORDINGLY

I WILL NOW EXPECT THAT ALL LOSS OF PRIVILEGES OR PUNISHMENT WILL BE PROPERLY RECORDED IN THE PUNISHMENT BOOK

The semi-staffed unit will be expected to seek prior agreement regarding loss of privileges or punishment through either the AREA OFFICER or TEAM LEADER - in their absence or unavailability the SENIOR SHIFT LEADER

A SEPERATE PUNISHMENT BOOK IS REQUIRED FOR EACH ESTABLISHMENT

I INTEND TO EXAMINE CLOSELY THE METHODS OF CONTROL CARRIED OUT IN ALL ESTABLISHMENTS BY STAFF AND WILL BE EXAMINING REGULARLY WITH THE TEAM LEADERS THE APPROPRIATENESS OF THE MEASURES

PLEASE TAKE CAREFUL NOTE OF THIS INSTRUCTION

TONY LATHAM

AREA OFFICER

8.11.83



Mr. K. F. Crockett, Assistant Director,  
(Service Delivery)

Mr. F. Hill,  
Senior Assistant,  
(Child Care)

L/FE/SHJ/C14/4

THE BIRCHES AND 245 HARTSHILL ROAD

During my visit to The Birches on the 16th February 1984 details were supplied by the Area Officer regarding the transfer for short periods of persistent absconders at The Birches to 245 Hartshill Road.

I am particularly concerned that some of the practices outlined to me appear to be in contravention of the Community Homes regulations on control although the basic idea of the transfer is laudable.

As you may be aware a bedroom and sitting room at Hartshill Road are occasionally used to accommodate a maximum of 4 children with a member of staff from the Birches in continuous attendance. The facility is used when a child needs to be withdrawn from the group at The Birches following persistent absconding, to undergo a programme of behaviour modification.

On occasions the member of staff has slept in the same room as the children and although no one is locked in one basic aim is to discourage the child from further absconding by a staff present at all times.

As a further deterrent in this respect each child is initially required to wash his clothes and these are not returned for periods of up to 36 hours during which time the child is clothed in pyjamas or PE kit.

A number of further measures are taken including the loss of privileges, loss of recreation, the imposition of household chores (the children do all their own cleaning and cooking), withdrawal and transfer of pocket money into children's savings and additional education and recreation. The recreation takes the form of physical exercises.

I am informed that the child's school in each case are asked to co-operate and where it is felt that further absconding could take place the child is kept away from school for a short period and a programme of work is drawn up by the school.

The measures of control taken are relaxed or increased according to the child's progress during the period in the unit which can vary from 24 hours to a few days.

Apparently the success rate of the unit is high and plans to modify behaviour and return the child to school have largely been successful. I am however concerned that a number of these practices appear to contravene the Community Homes regulations on control and/or give rise for concern. The fact that generally a child's liberty is restricted during his stay by the almost constant presence of a member of staff is difficult to reconcile with the regulations.

The withdrawal of privileges, early bed times, loss of recreation as outlined to me appear to come within the regulations on control.

continued ..

The holding back of pocket money as a punishment seems to fall outside the regulations and the domestic duties undertaken by the children go somehow beyond the imposition of a minor but unwelcome chore.

The practice of the removal of a child's clothing to discourage further absconding is used occasionally in other establishments but where this is defined as a punishment it appears to fall outside the regulations.

All the punishments apart from the withholding of clothes are entered openly in the measures of control book. Mr. Latham accepts that procedures must comply with the regulations and that the practices regarding pocket money, household chores and additional recreation to say the least are questionable in this respect and will be modified accordingly.

I have also asked Mr. Latham to enter the measures taken more specifically on a day to day basis rather than the present blanket measures which appear to cover the total stay of a child. I feel that clear direction and advice is required in this case to protect both the interests of children and staff and I would recommend that further discussions take place with the area so that the activities of the unit can carry on but that they are brought into line with the Community Homes regulations on control.

.....

Date: 17th February 1984

THE BIRCHES, NEWCASTLE

NOTES OF MEETING HELD ON 11TH OCTOBER 1984

PRESENT: Mr. Crockett, Mr. Pierpoint, Mrs. Brennan,  
Mr. Latham & Mr. Hill

*file C 14/4*

The meeting was convened in response to a letter from the Principal Area Officer detailing the use of residential establishments in the Newcastle Area and proposals for future development. The following items were discussed:-

1. Extension to the Birches at an estimated cost of £40,000. Mr. Crockett explained that due to the present financial situation, no money is available at the moment to finance this project.
2. Through route to Gower Street. It was agreed that this scheme would ease the traffic problems at the Birches, although it was made clear by Mr. Latham that heavy vehicles would not use the Gower Street entrance. Mr. Hill to follow up with the County Architect's and Planning Department as appropriate and consideration to be given to the £2000 required in next year's Minor Works Programme.
3. Lack of domestic hours at Wood Lane, Hartshill Road and the Birches. It was pointed out that no additional hours can be provided at present. Although it is accepted that domestic staff levels are inadequate.
4. 245 Hartshill Road - extension to car park. It was agreed that this is a much needed facility that would cost in the region of £1100, there is a delay due to a query over the boundary of County Council land. This to be pursued further by Mr. Hill and the project to be considered in the 1985/86 Minor Works Programme. It was agreed that before any plans are finalised, neighbours should be consulted regarding the proposals.
5. Steps at the side of Hartshill Road. This project has been cut out of this year's Minor Works scheme due to lack of finance but will be put forward again for consideration next year.
6. Intensive Unit - Hartshill Road. It was agreed that Mr. Hill should re-examine the practices within the Unit to ensure that they fall within the Community Homes Regulations on control.
7. Use of rooms. It was confirmed that the Principal Area Officer has the authority to change the use of a room within residential establishments. It was agreed, however, that where no cost is involved, the Homes Adviser should be informed for information and where finance is involved, prior consultation should take place with the Homes Adviser, who will also ensure that the Fire Officer is kept informed of any developments or change of use.
8. Residential I.T. Mr. Crockett confirmed that the only authorised Residential I.T. provision at the moment, is at Riverside and further Residential I.T. should not take place at Wood Lane. (A letter containing this instruction has recently been sent to the Area.)

It was agreed, however, that the Area would put their proposals in writing concerning Residential I.T. in the Newcastle Area for further consideration. It was further confirmed that the Area have been given a flexible brief regarding the use of the 10 beds at 245 Hartshill Road and that they can continue to be used for short stay preventative work as appropriate in addition to semi-staffed use.

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12.10.84.

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245, HARTSHILL ROAD. SEMI-STAFFED UNIT

As requested, I have examined the practices within the so called Intensive Unit at 245, Hartshill Road.

As previously reported, the accommodation consists of a bedroom, sitting room, bathroom and toilet and is used to accommodate a maximum of four children although the average number of occupants at any one time is two. The Fire Officer has been consulted regarding the use of the Unit which is situated on the first floor of the semi-staffed accommodation at 245, Hartshill Road.

Most of the children accommodated in the Unit have previously been resident at The Birches, although there are occasional exceptions to this rule. The children's group mainly comprise of individuals who need to be removed from the main group at the Family Centre so that more individual care can be offered. A number of these children are transferred to the Unit if their treatment programme at The Birches breaks down. A further group are made up of children who present absconding problems that cannot be contained within the main group, although it is stressed by the Area that not all the children who abscond are transferred to the Unit. The accommodation is also used as a 'crash pad' facility for children requiring short term care and a number of children who encounter problems with non-school attendance are also accommodated from time to time.

A treatment programme is drawn up and a Keyworker appointed for each child admitted to the accommodation.

The Unit is staffed by Social Workers from The Birches or semi-staffed staff, although on occasions Social Services Aides provide the staff cover. At all times overall responsibility for the Unit is provided by the senior member of staff on duty at the Family Centre. The usual practice is that one member of staff is rostered outside school hours although additional staff are drafted in as required. Sleeping-in cover is also provided and on occasions the member of staff in question has slept in the same room as the children or on the landing outside. Occasionally the sleeping-in duties are covered by the semi-staffed staff but if the needs of a child are such, additional sleeping-in cover is provided for the unit and an extra allowance claimed.

Unless there is a specific decision to the contrary, most children accommodated go out to school in the normal way. When a decision is made (after consultation with the school) as part of a treatment programme, that the child should not attend school, alternative arrangements are made regarding education at Hartshill Road. Any children in the Family Centre in addition to the Unit children who do not attend school at any particular time are taught in a separate area of the building at Hartshill Road. School work is supplied by the Education Department from individual schools and as appropriate the children are taught by Home Tutors from the Education Department. Additional tuition is provided by a Teacher Trained Community Services Worker and I am advised that the Newcastle Area have applied through the Department for ongoing Urban Aid to finance this individual on a permanent basis.

When a child is transferred to the Unit he is initially required to wash his clothes and these are not returned for periods of up to 36 hours during which time the child is clothed in pyjamas or p.e. kit.

continued ... ..



If appropriate, as part of a plan to modify behaviour a number of further measures are taken, including the loss of privileges, loss of recreation, the imposition of household chores and additional recreation. The additional recreation takes the form of organised tasks outside the establishment, usually such things as gardening or sports under the supervision of staff. These activities mainly take place during the weekend.

The measures of control are relaxed or increased according to the child's progress during the period in the unit which can vary from 24 hours to a few days. All the punishments are entered daily in the measures of control book and all staff have been made aware of the Community Homes Regulations on control.

The Unit is a valuable facility in the area and due to the commitment of the Area Officer, Team Leader and Area Staff, provides a positive approach to the problems of non-school attendance and absconding.

The obvious problem concerning the Unit surrounds the question of the extent of the restriction of a child's liberty, although at no time is a child locked in a room, even if accompanied by an adult. However, in view of the high staff to child ratio ( 1 to 2), it seems less likely that a child will abscond from the Unit than he would from the Family Centre where staffing ratios are often as low as 1 to 10.

The D.H.S.S. Circular covering the secure accommodation (No. 2) Regulations 1983 state that control imposed or implied by staff or other responsible adults will not be considered to constitute restriction of liberty, although control should always be imposed or implied in a manner consistent with good child care practice.

We are obviously sailing close to the wind with some of these arrangements unless it is abundantly clear that the continued staff presence in the Unit does not have the effect in practice of restricting the liberty of a child any more than it would do in a normal small staff, children's group situation in a residential setting.

With reference to the need for good practice I would not consider that the removal of a child's clothes and the substitution of pyjamas or p.e. kit for varying periods of time can possibly constitute good practice. I feel that this measure, which is not confined to 245, Hartshill Road, should be discontinued in all our establishments. Quite clearly it was introduced as an attempt to deter absconding.

In addition, measures such as physically containing a child within a room by requiring a member of staff to sleep in the same room or on the landing outside should be discontinued.

With reference to the further measures of control within the Unit, I would not consider that the practice of additional recreation when defined as a punishment as it appears to be at Hartshill Road, comes within the Regulations.

On the information supplied to me, it would appear that the other measures taken do fall within the Regulations, although I feel it is essential to reiterate to the Area formally that no measure must be taken other than those listed in the Community Homes Regulations 10, control.

continued ...

I also feel that Social Services Aides are occasionally undertaking responsibilities beyond the level envisaged for this post. I would, therefore, recommend that the minimum Senior cover in the Unit should be Residential Care Officer, 2 or Social Work Assistant, 2. This can be achieved by linking the activities of the Unit more closely with the general semi-staffed use.

I would also recommend that we should discourage the use of terms such as special and intensive when referring to the Unit. In practice the accommodation is used to provide short stay facilities at Hartshill Road in line with the Family Centre concept of flexible use of resources. It was decided at our recent meeting with the Area on the 11th October, 1984, that the beds at Hartshill Road can be used for short stay preventative work in addition to semi-staffed use.

I would also recommend that the arrangements for the education of non-school attenders in consultation with the Education Department, is recognised officially.

It is also important that statutory visitors should have access and, in fact, be shown around the Unit during their visit to the semi-staffed accommodation.

#### Summary of Recommendations

As outlined in this report I recommend that the activities of the Unit should be allowed to continue on the following conditions:-

1. There should be no more loss of liberty in the Unit than that caused by the control imposed or implied by staff through a manner consistent with good child care practice.
2. The practice of the removal of a child's clothes and the substitution of pyjamas, p.e. kit, etc., should be discontinued. 7
3. The practice of staff sleeping-in the same room as children or on the landing outside the room should be discontinued. X
4. The use of additional recreation when defined as a punishment should be discontinued. (not punishment)
5. All measures of control taken must comply with the Community Homes Regulations 10, control and should be recorded in the appropriate book. ✓
6. The use of the terms special or intensive in reference to the Unit should be discontinued. X
7. Statutory visitors should be given access as required to the Unit and all parts of the building. ✓
8. The minimum level of staff cover at Hartshill Road should be Residential Care Officer 2 or Social Work Assistant 2. If semi-staffed staff are used in this respect, they should be made fully aware that their responsibilities include supervision of the Unit from time to time. /

continued ... ..

9. Arrangements for the education of non-school attenders should be recognised officially by the Department.
10. The use of a second sleeping-in member of staff at Hartshill Road should be accepted and should take place when determined by the needs of the children within the Unit.

I recommend that a letter is drafted to the Area to include the conditions I have outlined. I would also suggest that we should inform all the Principal Area Officers that the practice of the removal of a child's clothes to deter absconding should be discontinued.

*D. Hill*

4/FH/KD  
12th November, 1984

DCS

INTERNAL MEMORANDUM

SD/016

Mr. W. P. Crakett, Assistant Director,  
Service Delivery)

From:- Mr. F. Hill,  
Senior Assistant,  
(Child Care)

614/4

Meeting is at 11am  
Wed 21/11

F.H

HARTSHILL ROAD, SPECIAL UNIT

Since the completion of my report the Area have transferred the Unit to the integral ex-staff masionette at 245 Hartshill Road. The move was made to provide more space for this facility although it is still envisaged that a maximum of 4 children will be accommodated at any one time. The accommodation consists of 2 bedrooms, kitchen, sitting/dining room and bathroom/toilet.

There is Committee approval for the masionette to be used to extend the facilities of the Family Centre. The Area are aware that this does not include permission to create additional childrens beds but as agreed in our meeting with the Area on the 11th October 1984 the ten beds at Hartshill Road can be used flexibly for short stay purposes in addition to semi-staffed use. For some time we have had permission from the Fire Officer to lock one of the 2 doors between the masionette and the main establishment to separate the activities of the 2 areas.

The DHSS Circular (copy attached) covering the secure accommodation regulations outlines quite clearly that the locking of internal doors to confine a child or children to a certain section of a home even when accompanied by adults is not permitted. In practice anyone in the masionette could get out through one of the three external doors (2 of which are fire exits) by unlocking these from the inside or by breaking the glass on the fire door separating the first floor of the masionette from the bedroom accommodation in the semi-staffed unit. However, the fact remains that the locking of the internal door in question could be seen to have the effect of confining children to a particular area. I would like to consult on this particular point.

I would also wish to add to my list of recommendations the requirement that no more than 10 childrens beds are used at any one time in total at Hartshill Road with a maximum of 4 of the 10 in the unit.

I will of course notify the Fire Officer of these latest developments if the arrangements are agreed at our meeting on Wednesday.

F. Hill

Date:- 20th November 1984

## RESTRICTION OF LIBERTY OF CHILDREN IN CARE

1. The Secure Accommodation (No. 2) Regulations 1983 define secure accommodation as "accommodation provided for the purpose of restricting the liberty of children." Under regulation 3 the Secretary of State's approval is required before accommodation in a community home may be used for the restriction of a child's liberty. Local authorities may find it helpful to have the following guidance on how the Secretary of State will define restriction of liberty for this purpose.
2. The following forms of the restriction of the liberty of children in care will not be permitted except in accommodation approved for use as secure accommodation by the Secretary of State:
  - a. The locking of a child or children in a single room at any time, even when accompanied by a responsible adult or adults;
  - b. The locking of internal doors to confine a child or children in a certain section of a home, even when accompanied by a responsible adult or adults.
3. The following procedures will not be considered as constituting the restriction of the liberty of children though they should be adopted only where they are acceptable to the Fire Prevention Officer, and consistent with building regulations, and conducive to a domestic atmosphere within the home:
  - a. The locking of external doors and gates at night, consistent with normal domestic security;
  - b. The locking of external doors and gates during the day time where the purpose is to prevent intruders from gaining access to the home, provided that children are not prevented from going out;
  - c. The securing of windows.
4. Control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty, though control should always be imposed or implied in a manner consistent with good child care practice.
5. Procedures designed to ensure the safety of children which also have the effect of restricting their liberty may not be adopted unless they have been drawn to the attention of the Secretary of State, who will decide whether such procedures are acceptable.
6. Where a home or a part of a home is surrounded, or it is intended to surround a home or part of a home, with walls or fencing continuously more than 6 feet in height, this must be drawn to the attention of the Secretary of State so that he may decide whether such restriction of liberty is acceptable.



PAUL HUDSON M.A. (Oxon)  
Director of Social Services

C14/4

file C14/4

Staffordshire County Council

69 Foregate Street, Stafford ST16 2PY  
Telephone 3121 Extension 7030

Mrs. E. Brennan,  
Principal Area Officer,  
Newcastle.

My ref 4/NPC/FH/MHF

Your ref

Date 22nd November, 1984

Dear Mrs. Brennan,

245 HARTSHILL ROAD, STOKE-ON-TRENT

I write with reference to the short stay facilities currently operating in the maisonette at 245 Hartshill Road.

Whilst I fully appreciate the positive work in progress, I have decided after lengthy discussion on the matter, to lay down a number of safeguards for children and staff which must be adhered to at all times.

The instructions are as follows:-

1. Control implied or imposed by staff should at all times be implied or imposed in a manner consistent with good child care practice.
2. No more than 10 children's beds are to be utilised at any one time at Hartshill Road, this number to include a maximum of 4 in the staff maisonette.
3. The use of the terms special or intensive should be discontinued.
4. Statutory Visitors must be given access as required, to the maisonette and all parts of the building.
5. The minimum level of staff cover at Hartshill Road, should be Residential Care Officer Grade 2 or Social Work Assistant Level 2. If semi-staffed staff are used in connection with the activities in the maisonette they should be made fully aware of their responsibilities in this respect.
6. In normal circumstances, only one sleeping-in allowance per night will be paid at Hartshill Road. If circumstances arise that warrant a second person sleeping-in, clearance must be obtained on each occasion from Central Office.

7. All measures of control taken must comply with the Community Homes Regulation 10, Control, and should be recorded in the appropriate book.
8. The practice of staff sleeping in the same room as children or on the landing outside the room must be discontinued.
9. The use of additional recreation when defined as a punishment must be discontinued.
10. No internal doors in the unit must be locked at any time, including the door leading from the maisonette to the main establishment.

The practice of the removal of a child's clothes and the substitution of pyjamas or P.E. kit, etc., to deter absconding, falls outside the Community Homes Regulations. However, I wish to give this matter more general consideration before I issue a final instruction. I would ask you, therefore, to attempt in the intervening period not to use this practice, pending further guidance.

Will you please formally acknowledge the receipt of these instructions and ensure that all staff connected with the unit are made fully aware of them.

Yours sincerely,



Director of Social Services

Mrs. E. J. P. Brennan,  
Principal Area Officer  
Newcastle.

4/NPC/FH/KD

11th February, 1985

Dear Mrs. Brennan,

245, HARTSHILL ROAD

I write following my letter to you of the 22nd November, 1984, concerning the short stay facilities currently operating in the maisonette at 245, Hartshill Road.

Whilst I appreciate the need to discuss the contents of my letter with relevant staff in your area, I would ask you to acknowledge receipt and to confirm that all staff concerned with the Unit have now been made fully aware of the instructions I have laid down.

Yours sincerely,

Director of Social Services

B

*Auth*  
*2/5/85*  
*hley*





B.J. O'NEILL, C.S.W.,  
Director of Social Services

## Staffordshire County Council

Mr. B.J. O'Neill, C.S.W.,  
Director of Social Services,  
Social Services Department,  
69, Foregate Street,  
Stafford.

MRS. E.J.P. BRENNAN, B.A.(Gen) Dip.A.Soc.S.  
Principal Area Social Services Officer,  
Newcastle Principal Area Office,  
The Holborn,  
Castle Hill Road,  
Newcastle  
ST5 2SX  
Telephone: Newcastle 611411

Copy to Mr. A.R. Latham, Area Officer, (Children).

My ref EJPB/MW

Your ref 4/MPC/FH/KD

Date 25th March, 1985.

Dear Mr. O'Neill,

245, Hartshill Road,

I apologise for the delay in replying to your letter. Certainly the matter has been discussed with all the relevant staff concerned with the unit, and they are fully aware of the points you have raised.

Since you wrote your letter, there have been one or two developments.

Point 6 Mr. Spurr has agreed that I approve the sleeping-in allowance for the unit as it is impossible to obtain clearance on each occasion from Central Office. This I will watch carefully.

The only point I find difficult to accept is Point No. 10. The purpose of locking this is not to secure the children within the unit. This is not possible as in the corridor from that door to the unit, there is a fire door to the yard at the back. The purpose of locking this door is that the big general room is used by I.T., we have a lot of children who have no other connections other than I.T. in that building, and it stops them from wandering in areas which does not concern them. This, therefore, helps security and as you are already aware, security is a matter of great concern to us. I would be grateful if this instruction could be reviewed.

F.H.

Yours sincerely,

*E.J.P. Brennan*

MRS E.J.P. BRENNAN (MRS) *h*  
Principal Area Social Services Officer.

2 things  
1. I'm inclined to agree  
about the locked door

2. The whole setup is being  
considered closely & may well  
be brought to an end soon. *JS*

Copy for Mr. A. R. Latham, Area Officer, Children

File C 14/4

7090

Mrs. E. Brennan,  
Principal Area Officer,  
Newcastle.

4/11/54

EPS/MW

9th May 1955

Dear Mrs. Brennan,

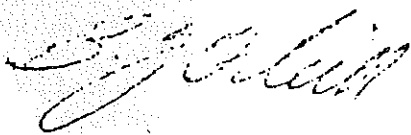
245 HARTSHILL ROAD

Thank you for your letter of the 25th March acknowledging the instructions in respect of the unit at 245 Hartshill Road.

I note that the only point that you find difficult to accept is the instruction (point 10) to leave unlocked the door separating the unit from the main establishment.

After further consideration I would inform you that I am agreeable to the locking of this door by the use of the existing yale lock which will enable the door to be opened from the unit side as required but not from the establishment side. I would further ask you to make arrangements to remove the key to the mortice lock on this door. This arrangement should get round the problem of security but will continue to enable children to leave the unit by this door when necessary..

Yours sincerely,



Director of Social Services

cc. Miss I. A. Draper, Homes Adviser

J. H. Spurr, Esq., Senior Assistant Director

4/FH/JW C14/4

F. Hill, Esq.,  
Senior Assistant,  
Child Care

245 HARTSHILL ROAD - STATUTORY VISIT - 10.4.85.

I haven't had a chance to discuss with you the issues raised by Mr. Sullivan following his statutory visit, but my observations on the points in question are as follows:-

1. Time Out Area - I am not aware that the Newcastle Area have any plans to phase out this facility, and on the contrary, they appear to regard it as an essential part of their resource. As you are aware we have laid down guidelines in respect of the operation of this facility.
2. Use of Social Services Aides - we have instructed the Area that the minimum staff cover in the building at 245 Hartshill Road should be Social Work Assistant, Level 2 (R.C.O. 2) and Social Services Aides should not be left in charge of the establishment at any time. I am assured by the Area Officer that this instruction is complied with all times.
3. Semi-staffed Facilities - As you are aware, it is hoped eventually to phase out the semi-staffed usage at Hartshill Road, but I will arrange to visit the premises once again with the Building Inspector to see what improvements, if any, can be effected on the top floor of the building.

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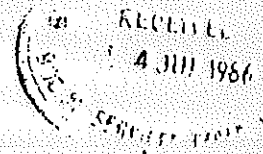
5th June, 1985



# Staffordshire

## County Council

B.J. O'NEILL, C.S.W.  
Director of Social Services



Mr. B.J. O'Neill, C.S.W.,  
Director of Social Services,  
Social Services Department,  
69, Foregate Street,  
Stafford.

MRS. E.J.P. BRENNAN, B.A. (Gen) Dip. A. Soc. S.,  
Principal Area Social Services Officer,  
Newcastle Principal Area Office,  
The Holborn,  
Castle Hill Road,  
Newcastle. ST5 2SX  
Telephone: Newcastle 611411

Please ask for

Strictly Confidential

For the attention of Mr. Crockett. Deputy Director

My ref. EJPB/MW

Your ref

Date 11th July, 1986.

Dear Mr. O'Neill,

Mr. Tony Latham, Area Officer.

I feel that I must put in writing my concern over the situation with Mr. Latham.

Following Mr. Crockett's discussion with myself and Mr. Latham in relation to Mr. Latham's role in this office, I can confirm that Mr. Latham has mainly done the work of his various projects in his own time. However, because of the very close relationship between the Projects and the work of the Family Centre, Mr. Latham still gets directly concerned with things involved with the Family Centre. Some of these things I would not normally expect an Area Officer to get involved with.

This means that though there has been an improvement in the amount of time he spends managing the child care team in the area office, it is still far from satisfactory and I get anxious, particularly where child abuse is concerned that far too much responsibility is being left to Senior Social Workers.

I am aware that Mr. Latham works many more hours than he should do for the department, but a lot of this is of his own making. Because of the hours he works he gets extremely tired and it is having a serious effect on his health. He is also asking to take more time off in lieu so that he has more time during the day to do his project work.

In addition to these problems in relation to his Area Officer work, I am aware that he is doing a great deal of work with the Project and of course he is never able to get away from that work because so much of it is based at his own home.

Another difficulty has been that I have never been certain whether Mr. Latham has actually been off sick, working time off in lieu or what. He is inclined when off sick or doing his project work from home, to be available for telephone calls etc. which makes it difficult

to collate the extent of the problem.

Certainly I was concerned in January when Mr.Latham was having pains in his chest and he was having to go up to the hospital for physiotherapy because he was having pains in his right arm and it appeared almost paralysed.

On return from my leave on 30th June, I found that Mr.Latham went off sick on the day I went on leave on 13th June and has not been back at work since. At present, he has a sick note until 21st July, although he was due to have leave from 17th - 25th July. The sick notes have stated "depression"; "heart and chest pains" and the third was undecipherable.

I have not had the opportunity to discuss the situation further with Mr.Latham, nor have I told him that I am writing this letter, but I am concerned that because he is trying to do his project work in his own time, it is having a serious affect both on his work as an Area Officer and on his own health.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Elizabeth J.P. Brennan', written in a cursive style.

E.J.P.Brennan.  
Principal Area Social Services Officer.

## Appendix J

245 Hartshill Road,  
Stoke-on-Trent



245 Hartshill Road,  
Stoke-on-Trent



Heron Cross House,  
Stoke-on-Trent







The Alders,  
Tamworth



The Birches,  
Newcastle-under-Lyme



The Little House  
(The Birches)



Appendix K: Statutory Visitors' forms

SW. 197

STRICTLY CONFIDENTIAL

STAFFORDSHIRE COUNTY COUNCIL

SOCIAL SERVICES COMMITTEE

COMMUNITY HOMES REGULATIONS, 1972 - REG 3(2)

REPORT ON A STATUTORY VISIT TO

Seen .....

Dir. ....

A.D.(R) .....

A.D.(C.W.)\* .....

Date of Inspection .....

Officer-in-Charge at time of Inspection

Name .....

Designation .....

A. GENERAL CONDITION OF ESTABLISHMENT (Structural state, hygiene etc.)

(i) Dining Room (s)

(ii) Day Room(s)

(iii) Bedrooms

(iv) Kitchen (including vegetable preparation facilities, larders etc.)  
Satisfactory

(v) Laundry

(vi) Toilets

(vii) Corridors

(viii) Staff Day Rooms

(ix) Store Rooms

B. PRECAUTIONS AGAINST FIRE AND ACCIDENTS

- ( i ) Frequency and adequacy of fire drills
- ( ii ) Frequency of inspection of fire fighting equipment
- ( iii ) Additional measures required as precautions against accidents.

C. CONTROL

- (1) Number of absconders since previous official visit
- (ii) Additional measures of control recorded since previous official visit

D. GENERAL COMMENTS

NOTE:

On completion of this report and Form SW.199 (which should accompany it), both reports should be passed to the Director's Secretary.

.....  
Inspecting Officer

.....  
Date

STAFFORDSHIRE COUNTY COUNCIL

SOCIAL SERVICES COMMITTEE

DISTRICT ADVISORY SUB-COMMITTEE

COMMUNITY HOMES REGULATIONS 1972 - REG.3 (2)

Establishment.....

Date of Inspection.....

A. General Condition of Establishment

B. Precautions Against Fire and Accidents

C. Control

D. Comments

Inspecting Officer.....

Designation.....

Date.....



Appendix L:

Community Homes Regulations 1972

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STATUTORY INSTRUMENTS

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1972 No. 319

CHILDREN AND YOUNG PERSONS

The Community Homes Regulations 1972

<i>Made - - - -</i>	<i>2nd March 1972</i>
<i>Laid before Parliament</i>	<i>10th March 1972</i>
<i>Coming into Operation</i>	<i>1st April 1972</i>

The Secretary of State for Social Services (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire) in exercise of their powers under section 43 of the Children and Young Persons Act 1969(a) and of all other powers enabling them in that behalf hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Community Homes Regulations 1972, and shall come into operation on 1st April 1972.

*Interpretation*

2.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Children and Young Persons Act 1969;

“the Act of 1948” means the Children Act 1948(b);

“community home” means a home provided under section 36 of the Act, and unless the context otherwise implies includes a controlled community home and an assisted community home;

“child” means a person under the age of 18, and a person who has attained the age of 18 and is subject to a care order;

“responsible organisation” means the voluntary organisation responsible for the management, equipment and maintenance of an assisted community home;

“responsible body” means a local authority providing a community home under section 36(2)(a) of the Act, a local authority specified in the instrument of management for a controlled home under section 41 of the Act, and a voluntary organisation providing an assisted home under section 42 of the Act;

“local authority home” means a community home provided by the local authority under section 36(2)(a) of the Act;

“controlled community home” means a controlled community home designated as such in the regional plan in accordance with section 36(3) of the Act;

---

(a) 1969 c. 54.

(b) 1948 c. 43.

“assisted community home” means an assisted community home designated as such in the regional plan in accordance with section 36(3) of the Act;

“regional plan” has the meaning assigned to it in section 36(1) of the Act;

“managers” means a body of managers provided for in an instrument of management in accordance with section 39(1) of the Act, exercising the functions of the responsible authority as provided by section 41(2) of the Act as respects a controlled community home, or as the case may be, those of the responsible organisation as provided by section 42(2) of the Act as respects an assisted community home;

“secure accommodation” means accommodation in a community home for the purpose of restricting the liberty of children resident therein in accordance with sections 24(2) and 43(2)(c) of the Act;

“care authority” means a local authority into whose care a person is committed by means of a care order under section 20 of the Act, or who have received a child into care under section 1 of the Act of 1948 or to whose care a child is committed under section 23 of the Act;

“approved school” means a school approved by the Secretary of State under section 79 of the Children and Young Persons Act 1933(a);

“approved probation hostel and approved probation home” means premises approved under section 46(1) of the Criminal Justice Act 1948(b).

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

#### *General provisions governing the conduct of community homes*

3.—(1) The responsible body, and in the case of a controlled or assisted community home the managers, shall arrange for the community home under their charge to be conducted so as to make proper provision for the care, treatment and control of the children who are accommodated therein.

(2) In the case of a controlled or assisted community home the managers shall arrange for one or more of their number to visit the home at least once in every month and to report in writing to them on the conduct of the home; and in the case of a local authority home the authority shall arrange for the home to be visited at least once a month and a report made to them in writing upon the home by such persons as they consider appropriate.

#### *Appointment of person in charge*

4. The person in charge of a controlled or assisted community home shall be appointed in accordance with the provisions of the instrument of management, and the person in charge of a local authority home shall be appointed by the local authority.

#### *Medical care and hygiene*

5. The responsible body shall ensure that arrangements are made—  
(a) for providing all children resident in a community home with adequate medical (including where appropriate psychiatric) and dental care;  
(b) for maintaining satisfactory conditions of hygiene in the home;  
and may for these purposes appoint one or more medical officers.

(a) 1933 c. 12.  
(c) 1889 c. 63.

(b) 1948 c. 58.

*Notification of death, illness or accident*

6. The person in charge of a community home shall as soon as possible notify—

- (a) the responsible body and the managers of the death of any child accommodated in the home and the circumstances of the death,
- (b) the responsible body and the managers of the outbreak in the home of any infectious disease which in the opinion of the medical officer or other medical practitioner attending the children in the home is sufficiently serious to be so notified, or of any serious injury to or serious illness of any child accommodated in the home,
- (c) the child's parent or guardian, the care authority (not being the responsible body), any visitor appointed for the child under section 24(5) of the Act, and any person or organisation having accepted responsibility wholly or partly for the cost of the child's maintenance in the home, of the death of, or of any serious injury to or serious illness of, any child accommodated in the home.

*Precautions against fire and accident*

7.—(1) The responsible body shall ensure that adequate precautions are taken in a community home against fire and accidents, and in regard to fire if the responsible body are not themselves the local fire authority they shall consult that authority as to the precautions to be taken.

(2) The managers of the community home, or if there are no managers, the local authority providing the home, shall make arrangements to ensure that by means of drills and practices the staff and as far as practicable the children are well versed in procedures in case of fire, and that they know the precautions to be taken for the prevention of accidents.

*Religious observance*

8. The managers, or if there are no managers, the local authority providing the home, shall ensure that every child resident in the home has so far as practicable in the circumstances the opportunity to attend such religious services and to receive such instruction as are appropriate to the religious persuasion to which the child may belong.

*Visits by parents, guardians, relatives and friends.*

9. The responsible body shall provide suitable facilities for visits to a community home by parents, guardians, relatives and friends of the children accommodated therein, but the use of such facilities, times of visiting and other arrangements connected with the visits shall be as the managers, or where there are no managers, the local authority, may decide.

*Control*

10.—(1) The control of a community home shall be maintained on the basis of good personal and professional relationships between the staff and the children resident therein.

(2) The responsible body in respect of a local authority home or controlled community home and the local authority specified in the instrument of management for an assisted community home may approve in respect of each home such additional measures as they consider necessary for the maintenance of control in the home, and the conditions under which such measures may be taken, and in approving such measures and conditions they shall have regard to the purpose and character of the home and the categories of children for which it is provided.



(3) Any approval mentioned in the preceding paragraph shall be given in writing to the person in charge of the home, save that in the case of an assisted community home the approval shall be given to the responsible organisation, and shall be reviewed every twelve months.

(4) Full particulars of any of the measures mentioned in paragraph (2) of this regulation which are used and of the circumstances in which they are used shall be recorded in permanent form by the person in charge of the home and the record shall be kept in the home.

#### *Secure accommodation*

11.—(1) The responsible body may make application to the Secretary of State for approval to provide and use in a community home secure accommodation, and if such approval is given the Secretary of State may attach to it such terms and conditions as he thinks fit.

(2) Where secure accommodation has been provided in a home in accordance with approval from the Secretary of State the person in charge of the home may, if he considers it to be necessary in the interests of a child residing in the home or for the protection of other persons, admit a child to such accommodation for one continuous period not exceeding 24 hours or for more than one such continuous period provided that the total time spent in secure accommodation shall not exceed 48 hours in any consecutive period of seven days.

(3) If an extension of the period in secure accommodation is thought necessary by the person in charge of the home, he may apply to the managers, or if there are no managers, to the local authority providing the home, and permission to extend the period to a maximum of 14 continuous days may be given.

(4) If a further period in secure accommodation is thought necessary by the person in charge of the home he may make further application before the expiration of the period of 14 days, and permission may be given to extend the time to a total of 28 continuous days.

(5) Immediately on the managers or the local authority providing the home giving the permission mentioned in the foregoing paragraph they shall inform the care authority (or voluntary organisation having care of the child) that they have given such permission, and the care authority or voluntary organisation may before the expiry of the period of extension—

- (a) grant their permission for the period in secure accommodation to continue or to be extended for a specified or an indefinite period,
- (b) refuse such permission, in which case the period in secure accommodation shall come to an end not later than 48 hours after notification of the refusal,

and if such grant or refusal has not been notified by the end of the 28th day the period in secure accommodation shall cease forthwith.

(6) If the care authority or voluntary organisation grant permission under paragraph (5) of this regulation they shall review it at intervals not exceeding three months with a view to considering whether to terminate it.

(7) The care authority or the voluntary organisation having care of the child may terminate any permission mentioned in this regulation at any time by notifying the person in charge of the home, and they may communicate their permission, their refusal of permission or their termination of permission to the person in charge of the home in writing or orally and any such oral communication shall take effect immediately but shall be confirmed in writing.



(8) If such permission expires or is refused or terminated the care authority or the voluntary organisation having care of the child shall notify the person in charge of any future arrangements which they are making for the child's accommodation.

(9) For the purpose of giving or withholding permission for extension of time one of the managers or an officer of the local authority, as the case may be, shall be available at all times (including week-ends and public holidays) and the date and times when such manager or officer is available shall be ascertainable from a duty register to be kept in the home.

(10) The care authority or voluntary organisation having the care of the child if they consider it necessary in the interests of the child or for the protection of other persons may decide that a child shall be admitted to secure accommodation and may accordingly arrange for the child to be so accommodated and in such case paragraphs (2) to (9) of this regulation shall not apply but the care authority or voluntary organisation having care of the child shall review their decision at intervals not exceeding three months.

(11) All admissions to, discharges from and permissions in respect of the use of secure accommodation shall be recorded showing the date, and as regards admissions and discharges, the time thereof. The records shall be made by the person in charge of the home and shall be preserved in permanent form and retained in the home.

#### *Obligation to receive children into secure accommodation*

12. If a child in care is accommodated elsewhere than in a community home, or if the community home where a child is has no secure accommodation, and if the responsible body, care authority or voluntary organisation having care of the child or person in charge of the home considers it to be necessary in the interests of the child or for the protection of other persons that the child be admitted to secure accommodation, they may apply to the person in charge of a community home having suitable secure accommodation for the child's admission thereto, and the person in charge may if room is available accommodate the child therein, for a consecutive period not exceeding 14 days, provided that:

(a) where a child has been taken into secure accommodation on the application of a person or body other than the care authority or the voluntary organisation having care of the child such person or body shall within 24 hours inform the care authority or the voluntary organisation that the child has been taken into secure accommodation, and the care authority or voluntary organisation before the expiration of the period of 14 days may,

(i) grant permission for the period in secure accommodation to continue or to be extended for a specified or an indefinite period,

(ii) refuse to allow the child to be further accommodated in secure accommodation, in which case the child shall not be accommodated for longer than 48 hours after notification of the refusal,

and if such grant or refusal has not been notified within 14 days from the time the child is first accommodated in secure accommodation he shall not be further so accommodated; and the provisions of paragraphs (6) to (8) of regulation 11 shall apply to the foregoing part of this regulation and any reference to permission in those paragraphs shall be construed as permission given under this regulation.

- (b) a person in charge of a home having secure accommodation shall not refuse an application to accommodate a child in secure accommodation if room is available and arrangements to receive into secure accommodation children from outside the home are sanctioned by the regional plan; but if the person in charge is instructed by the responsible body or the managers to accept the child he shall do so notwithstanding that such arrangements have not been sanctioned.

*Review of permission to extend period of time in secure accommodation*

13.—(1) Each care authority and each voluntary organisation responsible for the care of children shall appoint a committee, and two or more local authorities and two or more voluntary organisations may combine for the purpose of appointing a joint committee to represent them, for the purpose of reviewing permission given for admission to secure accommodation; and such committees may be appointed in connection with one or more homes.

(2) A committee mentioned in the foregoing paragraph shall have among its members an independent person, and for the purposes of this regulation "an independent person" shall be any person fulfilling the requirements of regulation 3 of the Children and Young Persons (Definition of Independent Persons) Regulations 1971(a).

*Care during an interim order or on remand*

14. Save for paragraphs (10) and (11) the provisions in regulation 11 of these regulations shall not apply to persons—

- (a) committed to care during the currency of an interim order as defined in section 20(1) of the Act;
- (b) committed to care on remand under section 23 of the Act;
- (c) taken into care and detained under section 29 of the Act.

*Directions regarding accommodation of children*

15. The Secretary of State may give and revoke directions requiring the responsible body to accommodate in a community home a child in the care of a local authority for whom no places are made available in that home under the regional plan or to take such action in relation to a child accommodated in the home as may be specified in the directions.

*Information and records*

16. The person in charge of a community home shall give to a person authorised under section 58 of the Act to inspect the home, such information as he may require and as may be relevant to his inspection of the home, its state and management, and of the children and their treatment, and shall further give to such authorised person access to records concerning the home kept therein, and the responsible body shall give to the person access to any records they may keep elsewhere in relation to the home.

*Approval of Secretary of State to diminution etc. of buildings, grounds or facilities*

17. Where the premises comprising a controlled or assisted community home were formerly used for an approved school, approved probation hostel or approved probation home, the voluntary organisation providing the community home or the trustees in whom the property of the voluntary organisation is

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(a) S.I. 1971/486 (1971 I, p. 1436).

vested shall not, without the approval of the Secretary of State, do anything by way of diminution or alteration which materially affects the buildings or grounds or other facilities or amenities available for children in such home.

*Keith Joseph,*  
Secretary of State for Social Services.

1st March 1972.

*Peter Thomas,*  
Secretary of State for Wales.

2nd March 1972.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations make provision for the conduct of community homes and for securing the welfare of the children in them.



## Appendix M:

### Annex B, LAC (83) 18

ANNEX B  
(LAC(83)18)

#### RESTRICTION OF LIBERTY OF CHILDREN IN CARE

1. The Secure Accommodation (No. 2) Regulations 1983 define secure accommodation as "accommodation provided for the purpose of restricting the liberty of children." Under regulation 3 the Secretary of State's approval is required before accommodation in a community home may be used for the restriction of a child's liberty. Local authorities may find it helpful to have the following guidance on how the Secretary of State will define restriction of liberty for this purpose.
2. The following forms of the restriction of the liberty of children in care will not be permitted except in accommodation approved for use as secure accommodation by the Secretary of State:
  - a. The locking of a child or children in a single room at any time, even when accompanied by a responsible adult or adults;
  - b. The locking of internal doors to confine a child or children in a certain section of a home, even when accompanied by a responsible adult or adults.
3. The following procedures will not be considered as constituting the restriction of the liberty of children though they should be adopted only where they are acceptable to the Fire Prevention Officer, and consistent with building regulations, and conducive to a domestic atmosphere within the home:
  - a. The locking of external doors and gates at night, consistent with normal domestic security;
  - b. The locking of external doors and gates during the day time where the purpose is to prevent intruders from gaining access to the home, provided that children are not prevented from going out;
  - c. The securing of windows.
4. Control imposed or implied by staff or other responsible adults will not be considered to constitute the restriction of liberty, though control should always be imposed or implied in a manner consistent with good child care practice.
5. Procedures designed to ensure the safety of children which also have the effect of restricting their liberty may not be adopted unless they have been drawn to the attention of the Secretary of State, who will decide whether such procedures are acceptable.
6. Where a home or a part of a home is surrounded, or it is intended to surround a home or part of a home, with walls or fencing continuously more than 6 feet in height, this must be drawn to the attention of the Secretary of State so that he may decide whether such restriction of liberty is acceptable.



## Appendix N:

### Staffordshire County Council Education Committee Bye-Laws

#### STAFFORDSHIRE COUNTY COUNCIL EDUCATION COMMITTEE

##### BYELAWS

made under

Section 18, Sub-Section 2, of the Children and Young Persons Act, 1933, by the Staffordshire County Council at a meeting held on 24th February, 1977, and applicable to the whole of the area of the said County Council as the Local Education Authority under Section 1 of the Local Government Act, 1972.

##### OPERATION OF BYELAWS

These byelaws shall come into operation on and from the first day of November One thousand nine hundred and seventy seven.

##### Interpretation of Terms

1. For the purpose of these byelaws:—

- (a) The expression "child" means a person who is not over compulsory school age.
- (b) The expression "guardian" in relation to a child includes any person who, in the opinion of the court having cognisance of any case in relation to the child or in which the child is concerned, has for the time being the charge of or control over the child.
- (c) A person who assists in a trade or occupation carried on for profit shall be deemed to be employed notwithstanding that he receives no reward for his labour.
- (d) The expression "local authority" means the local education authority.

##### NOTE:

- (1) A child is of compulsory school age until he has attained the age of 16.
- (2) A child whose 16th birthday occurs between 1st September and 31st January (both dates inclusive) ceases to be of compulsory school age at the end of the spring term which includes such month of January.
- (3) A child whose 16th birthday occurs between 1st February and 31st August (both dates inclusive) ceases to be of compulsory school age on the Friday before the last Monday in May.

##### Prohibited Employments

2. No child shall be employed in any of the following occupations:—

- (1) In the sale or delivery of intoxicating liquor not in sealed containers.
- (2) In the collection or sorting of refuse.
- (3) In the delivery of fuel oils.
- (4) Employment at any machine prescribed as dangerous in an order made under Section 19 of the Offices, Shops and Railway Premises Act, 1963, excluding agricultural machines which are covered by other legislation.
- (5) In cinemas, dance halls, discotheques and theatres except when performances entirely by children.
- (6) Employment in commercial (but not domestic) kitchens.
- (7) Outside window cleaning more than 10 ft. above ground level.
- (8) In any other occupation which may from time to time be prohibited by other legislation.

##### Regulations of Employment

- 3. No child under the age of thirteen shall be employed provided that subject to the provisions of these byelaws a child who has attained the age of 10 may be employed by his parent or guardian in light agricultural or horticultural work.
- 4. No child shall be employed on school days except for a maximum of two hours per day which shall consist of a maximum of one hour between 7 a.m. and 8.30 a.m. and one hour between end of school and 7 p.m. or of a maximum of two hours between end of school and 7 p.m. with the proviso that if a child works both morning and evening, it must be for the same em.
- 5. No child shall be employed on any Saturday or school holiday, or on any other weekday on which the school is not open for any reason whatsoever except as hereafter provided:—

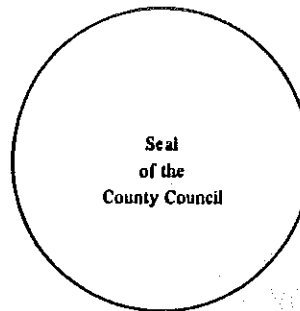
- (i) A child under 15 years may be employed between the hours of 7 a.m. and 7 p.m. for a maximum of 5 hours a day subject to a maximum of 25 hours per week.
  - (ii) A child of 15 years and over may be employed between the hours of 7 a.m. and 7 p.m. for a maximum of 8 hours a day subject to a maximum of 35 hours a week.
  - (iii) A child may be employed in harvesting during school holidays only between the hours of 7 a.m. and 7 p.m. for a maximum of 8 hours a day subject to a maximum of 25 hours a week.
  - (iv) Where a child is employed by virtue of the provisions of (i), (ii) and (iii) above, no child shall be employed for more than 4 hours continuously without a period of 1 hour or more for rest and recreation.
6. No child shall be employed on Sundays except for a maximum of 2 hours between 7 a.m. and 11 a.m.
7. No child shall be employed except subject to the following conditions:—
- (a) Written notification shall be sent by the prospective employer to the local authority stating his name, address and occupation, together with the name, address and date of birth of the child, the occupation in which and the place at which it is proposed the child shall be employed and at the times at which it is proposed the employment shall begin and end.
  - (b) The child shall carry with him during the times of employment, and produce for inspection when required to any authorised officer of the local authority, a card hereinafter called the "employment card" which shall be issued by the local authority to each child in respect of whom a written notification has been received.
  - (c) Before issuing an employment card the local authority shall obtain from the District Community Physician a certificate that such employment will not be prejudicial to the health or physical development of the child and will not render him unfit to obtain proper benefits from his education.
  - (d) The local authority shall enter on the employment card the name, address and date of birth of the child, the occupation in which, and the times at which the employment of the child is permitted. The times so entered shall be such as the employer may choose, provided they are such as are allowed by these byelaws and they may be altered by the local authority from time to time on the application of the employer.
  - (e) A child to whom an employment card has been issued in accordance with the provisions of these byelaws shall be employed only within the times entered thereon by the local authority.
  - (f) The employer shall keep affixed in a conspicuous position in the place, or in connection with which, the child is employed, a notice showing the name, address and date of birth of the child, the occupation in which and the times within which, the child may be employed on school days, on Sundays and on weekdays when the school is not open.
  - (g) The employer shall send to the local authority on the first day of January and the first day of July in each year a written notification in respect of each child employed by him on that date stating his name, address and occupation, the name and address and date of birth of the child, the occupation in which, and the place at which the child is employed and times at which the employment begins and ends.
  - (h) At any time after an employment card has been issued the local authority may require the child to undergo a further medical examination and in the light of a report thereon may revoke or amend the employment card.
8. No child shall be employed in any work out of doors unless he is suitably shod and is suitably clad for protection against the weather.

The Byelaws made by the Staffordshire County Council, the former Burton-upon-Trent County Borough Council and the former Stoke-on-Trent City Council and confirmed by the Secretary of State on the 30th June, 1971, 18th February, 1955, and 17th August, 1953 respectively are hereby revoked.



The Common Seal of THE STAFFORDSHIRE )  
COUNTY COUNCIL was hereunto affixed )  
in the presence of:— )

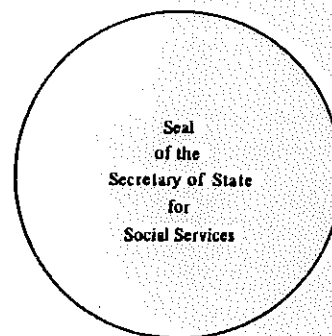
M. E. JONES	}	A Member of the County Council
M. J. SIMPSON	}	Director of Administration



Date of Sealing 15th July, 1977.

The foregoing byelaws are hereby confirmed  
by the Secretary of State for Social Services  
on 31st October, 1977, and shall come into  
operation on 1st November, 1977.

H. C. CLARKE  
Assistant Secretary,  
Department of Health and Social Security





## Appendix O:

**Extract from: Family Centres, A Change of Name or A Change of Practice, SSI, DH, 1988, (6.7.8 to 6.7.11)**

**6.7.4** Another important factor in this equation was the availability of other local resources. Some Areas clearly found it easier than others to recruit suitable foster parents. Those that could not do so found that their Family Centres were sometimes having to accommodate children who should have been Boarded Out. Similar problems arose in areas which had no long stay childrens homes, for although Principal Area Officers were free to approach those areas in which long stay units were situated, it appears that most areas made a disproportionate use of those homes which, theoretically, they managed on behalf of the entire County. Some Areas without their own local resources had found themselves keeping children in their Family Centres for much longer periods than they would have wished.

**6.7.5** In order to keep abreast of such discrepancies an effective mechanism would have been necessary to allow senior management to monitor developments and to deploy additional resources as required. Such a mechanism had not yet been devised, although the County had recently appointed an Assistant Director (Children and Families), part of whose brief was to review the functioning of the Family Centres.

**6.7.6** Two further consequences of the manner in which Family Centres developed were the isolation of Family Centre Team Leaders, and their ignorance of how the different centres functioned; and the apparent absence of any standardised procedures and practice guidelines within the Department. Although regular meetings are said to occur between Principal Area Officers, these do not include Team Leaders, and it may be that as Team Leaders have assumed more direct responsibility for the management of their Centres there has developed a corresponding need to improve their knowledge of how other centres are operating.

**6.7.7** Finally there was the question of staffing. Staffordshire wanted to overcome the difficulties which have traditionally existed between fieldworker and residential staff and made the forward-thinking decision to pay centre managers on the same scale as their counterparts in the field. Some centre staff were also paid on this basis as level 1 or 2 social worker, though almost invariably unqualified, and while this created problems associated with the elimination of overtime and required more flexible patterns of working, it was a significant step towards parity between the two staff groups. In conjunction with its policy on training the Department is understood to be developing a strategy which will lead to the upgrading of all centre staff in line with fieldworkers.

**6.7.8** A number of professional developments were worthy of comment. In The Birches Family Centre a series of clear, simple statements of current procedure had been written by the Team Leader covering issues such as the admission process and daily routines, and notes to the parents and residents about the philosophy and practice of the centre. These were admirably clear and succinct and were undoubtedly of great value in ensuring a coherent and consistent approach by centre workers to their various responsibilities.

**6.7.9** In the same centre an Area Officer had been extremely active and innovative in developing IT and YTS schemes to ensure that youngsters did not become 'stuck' in the centre but could move on, eventually, if appropriate, into independent housing and employment. One member of the centre team was effectively seconded for much of his time onto a scheme which generated supportive accommodation for youngsters. Houses were managed for private landlords as hostels and the DHSS payments for which youngsters then qualified were used to maintain the houses, pay rent to the landlord and pay an allowance to the youngster on top of his YTS earnings. The scheme appeared to work extremely well in an area where private tenancies were still readily obtainable and reflected an unusually energetic and imaginative entrepreneurial spirit within the Area.

**6.7.10** The Birches Family Centre was fortunate in having old staff accommodation which could be used to house whole families, and also an annexe in which a range of services, including residential



accommodation for adolescents, could be provided. One particular approach was built around 'Family Meetings' which were an interesting mixture of planning meeting, family therapy and confrontational therapy. Adolescents who were experiencing problems which were likely to bring them before the Court or into care were invited to attend. All other significant individuals were also invited, including family members, teachers, Education Welfare Officers, and Probation Officers. The nature of the problem was discussed and agreed and options explored. A written contract was produced and sanctions for non-compliance worked out. This could entail the youngster spending time away from home in the centre but without reception into care. In cases of non-school attendance school work was obtained and supervised at the centre. Weekly review meetings were held and great flexibility was shown in devising suitable plans.

**6.7.11** Not only did this general approach appear to work very successfully, but it also demonstrated the ability of centre staff to work professionally with complex cases in a preventive mode, which undoubtedly enhanced their status and credibility in the eyes of fieldwork staff.

## **6.8 General Evaluation of Service**

**6.8.1** Staffordshire is a diverse authority with a population of 1,016,000. During 1984/85 total gross expenditure of Social Services was £39,189,000. This represented an expenditure on field social work of £5 per head of population in 1984/85, as compared to £6 per head in the comparison group and cluster and £7 per head as the average throughout England. It was therefore not a well resourced authority and had not previously enjoyed a reputation for progressive developments in the field of social work.

**6.8.2** In 1983 family Centres were introduced as a means of cutting expenditure on residential child care, providing a more local service, and diverting resources away from long term residential care into community based preventive services.

**6.8.3** The haste with which this was achieved meant that each Area Office was thrown back on its own resources and in these circumstances some managed much better than others. The benefit of such a policy was that individuals who chose to do so were able to exercise considerable imagination and initiative and to develop new services. The disadvantage was that those areas with less flexible personnel in key positions floundered for want of guidance and direction.







**The Staffordshire Child Care Inquiry sat for 75 days between July and November 1990 and heard from 153 witnesses. It considered major matters of both national and local importance primarily relating to the care and protection of children.**

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