

Report of the Barlavington Manor Enquiry

Conducted by Keith Bilton, MA (Cantab), Dip. Pub. & Soc. Admin.

Commissioned by the Royal Borough of Kensington & Chelsea

Executive Summary

Introduction

1. Barlavington Manor was a private children's home in West Sussex. It was used by RBKC from 1966 until its closure in 1984. In 1979, the original proprietors moved to nearby Rotherbridge Farm, taking with them four children in the care of RBKC, and responsibility for Barlavington Manor itself was transferred to the proprietors' son. When Barlavington Manor closed in 1984, another three young people in the care of RBKC moved to the care of the original proprietors at Rotherbridge Farm.

2. In all, twelve former residents of Barlavington Manor who were in the care of RBKC have made allegations about their treatment there. Some allegations were first made to the Council, some to the police, and some to me in the course of the enquiry. In the course of the enquiry, I have interviewed twelve former residents of Barlavington Manor, 23 people who were employed by RBKC Children's and Social Services Departments, ten people who worked at Barlavington Manor and seven others. In a very few cases, interviews were conducted by telephone. I have also read case files of children placed there by RBKC and other relevant papers.

The Remit of the Enquiry

3. My remit was to form my best judgement as to the truth of the allegations made against the owners and staff of Barlavington Manor and to examine RBKC's discharge of its responsibilities towards the children whom it placed there. In particular, I was to examine whether:

- RBKC had, either before making placements or during the placements, any concerns similar to the allegations subsequently made;
- The Council received any similar complaints during the placements;

- Appropriate action was taken on any concerns or complaints;
- The placements were appropriately monitored;
- The Council made appropriate payments for the children's care and monitored how the money was spent; and whether
- Officers made appropriate judgements about children's contact with their parents.

In forming judgements about the Council's performance, I was asked to take account of the circumstances prevailing at the time.

The Allegations

4. In broad summary, the allegations against the proprietors are that they:

- Physically ill-treated residents;
- Used cruel or inappropriate punishments and inappropriate methods of control;
- Verbally humiliated children in their care;
- Provided an unacceptably low standard of food, clothing and general care;
- Diverted payments made for the care of the children to their own use;
- Maintained a very affluent lifestyle which contrasted starkly with what was provided for the children;
- Used children as unpaid or very low-paid labour, again to support their own affluent lifestyle; and
- Discouraged contacts between children and their families.

There have been no allegations that the proprietors or any members of their family sexually abused any of the children.

5. There are allegations against one member of staff in particular of physical ill-treatment and cruel punishment, and some criticisms of other staff.

6. In the area of sexual abuse and sexual misconduct, allegations have been made that:

- A male member of staff sexually abused a male resident, but the male resident concerned has made no complaint about this or any other matter;

- Four of the female residents were indecently assaulted by the husband of a staff member (he was an 'approved Social Uncle' to one of these residents);
- Male residents frequently had sexual intercourse with female residents (none of these female residents wishes to make a formal complaint against these male residents, considering them to be fellow victims of the abusive regime under which they lived);
- During a Barlavington Manor holiday staff and children watched 'blue movies'.

6. There are also complaints that girls' sexual development was dealt with very inappropriately (there is an allegation that girls as young as nine or ten were put on the contraceptive pill, or given contraceptive injections), and that their needs for sanitary protection and bras were ignored or dealt with publicly in cruel and embarrassing ways.

7. There are many criticisms of RBKC staff: that they visited infrequently, failed to spot the abuse which was taking place, and reported to the proprietors complaints made to them by the children. Some former residents also criticise the Council's general handling of their lives, believing that they should have been fostered or adopted or kept in contact with their families, rather than being placed at Barlavington Manor.

8. All former residents whom I have interviewed consider that their subsequent lives have been at best blighted and at worst ruined by their experiences at Barlavington Manor.

The Circumstances Prevailing at the Time

9. Throughout the period, local authorities were under a duty to further the best interests of or to safeguard and promote the welfare of children in their care.

10. Throughout the period, private children's homes were unregulated. They were not required to be registered or to be inspected. Regulations which governed the conduct of local authority and voluntary children's homes did not apply to them.

11. A duty to review at six-monthly intervals the cases of children in care placed in private children's homes came into force on 1 January 1971.

12. Procedures for investigating allegations of abuse of children in residential establishments were in general not developed before 1986.

13. Throughout the period, there was no statutory complaints procedure available to children in care and non-statutory complaints procedures were sketchy or non-existent.

14. There was and still is no statutory regulation or registration of residential child care staff.

15. Other relevant circumstances are referred to in the Conclusion.

Summary of Findings

16. Complaints made by former residents and the content of their interviews were generally consistent, but did not dovetail so closely as to suggest a rehearsed script. Some of the allegations they made were corroborated by people who had been employed at Barlavington Manor. I was satisfied that the allegations made by former residents about the way they were treated at Barlavington were in all likelihood substantially true.

17. For RBKC's Children's Department (1965-1971) and Social Services Department (1971 onwards) Barlavington Manor appeared to provide a settled home for children who needed long-term care. It was unlikely to demand their removal, and would where necessary keep them up to and indeed beyond their 18th birthday. These basic attributes were enough to make it a valuable resource, and outweighed occasional concerns which were picked up. The full report discusses these concerns and the Council's handling of them in detail.

18. The concerns which the Council had at the time were not comparable in terms of seriousness with the complaints which I have investigated. There was, however, one file entry, made in 1969, stating that one child's mother had accused Barlavington Manor of tying children into their cots, and this particular allegation has been made by that former resident and by others.

19. The system of six-monthly reviews of children in residential care, which became a statutory requirement in January 1971, was an important part of the arrangements for monitoring placements. It was not well maintained before 1979. RBKC was not unusual in this respect. In that period the style of reviews both in RBKC and generally was such that it is very unlikely that more frequent reviews would have uncovered matters which the proprietors did not wish to reveal.

20. The Council made payments intended to ensure that the children's needs were met, and was ready to make significant extra payments, e.g. for private schooling, if satisfied that they were necessary in the interests of the child's welfare. As to monitoring how those payments were spent, the Council followed the general practice of the time in treating a child's continued presence in the establishment as sufficient justification for paying basic fees.

21. Officers' judgements about contact with parents were made conscientiously and in accordance with prevailing professional norms.

Conclusion

22. The overall conclusion of the enquiry is that:

- ◆ The allegations made by former residents of Barlavington Manor about their treatment by its proprietors and staff are in all probability substantially true; Proprietors 1 and 2, one staff member in particular and perhaps one or two others were not suitable people to look after children in public care; and the care given by other staff members was adversely affected by their lack of experience, their relative powerlessness and their working within an unsuitable regime.
- ◆ If the Council's supervision of placements at Barlavington Manor were to be judged by the standards which are expected today, it would be found to be seriously defective.
- ◆ Although views about what is and is not acceptable in the care of children were changing during the period under review and have changed further since then, much of the treatment experienced by former residents would have been regarded as unacceptable at the time.
- ◆ The Council did not, therefore, succeed in its primary duty of furthering the best interests of or promoting the welfare of children in its care placed at Barlavington Manor.
- ◆ The lack of protection afforded to the residents is primarily attributable to the circumstances prevailing at the time in local authorities in general and in inner London Boroughs in particular. These circumstances include the quality of placements generally available to children in care, the stage of development of social work knowledge and skill, the then prevailing understanding of the role and authority of field social workers, and the absence of many expectations and procedures which have been introduced subsequently, and which have necessitated a substantial reduction in the average caseload of child care social workers, and improved staffing ratios in residential establishments.
- ◆ The case files and interviews with RBKC staff suggest a generally high level of commitment to the work, and to the interests of the children. Occasions on which the standard of work appears to have fallen short of best practice have been noted. One would not expect to review the case files on 19 children without finding such examples.

23. Conclusions of this kind may perhaps attract suspicions that, in the attempt to apply expectations appropriate to the period when the work was undertaken, undue allowances may have been made. I will, therefore, conclude by summarising those aspects of the law, accepted practice, methods of work, procedures and expectations which I consider particularly relevant to the overall conclusion I have reached.

- ❑ Particularly in areas with a serious shortage of foster homes, as Kensington & Chelsea was, the general quality of resources available in which children could be placed was very poor, and this was inevitably reflected in low expectations of residential homes. Social workers were placing children in homes which they knew to be unsuitable, for lack of any alternative. Against this background, Barlavington was seen as less unacceptable than many, or even as relatively good. It is not surprising that it was viewed as a precious resource, to be carefully nurtured by the Child Care Adviser.
- ❑ It was accepted practice to delegate substantial authority for the care of children to people running private and voluntary homes, approved schools and remand homes.
- ❑ Social workers therefore felt and indeed were fairly powerless in relation to heads of private and voluntary homes.
- ❑ Knowledge and understanding of child abuse were much less developed.
- ❑ There were no procedures for investigating allegations of abuse in residential establishments. In the earlier part of the period under review, child protection was synonymous with safeguarding children by bringing them into care. It did not therefore apply to children already in care, who were ipso facto protected.
- ❑ There was no system of registration and inspection of private children's homes, and there were no regulations instructing proprietors how they should treat children living in them. There was also no system of periodically reviewing the performance and quality of resources such as children's homes.
- ❑ There was no equivalent of the "Looking After Children materials", with their emphasis on attending to all aspects of a child's development.
- ❑ There were no complaints procedures, and complainants were not seen as having rights in the way this would now be understood. For children in particular, a complaint was likely to be seen as a piece of behaviour, a symptom, possibly helpful to understanding the child's internal world, but not necessarily triggering a right to investigation and redress.
- ❑ Present-day methods of work would have been unachievable with the caseloads then carried by social workers.

Keith Bilton
December 1999

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

SOCIAL SERVICES COMMITTEE -15TH MARCH 2000

**REPORT BY THE EXECUTIVE DIRECTOR OF HOUSING AND SOCIAL
SERVICES**

**INDEPENDENT ENQUIRY
BARLAVINGTON MANOR CHILDREN'S HOME**

The purpose of this report is to inform the Committee of the implications of the independent enquiry into Barlavington Manor children's home for current services.

A number of those former residents of Barlavington Manor who participated in the enquiry have indicated that they intend taking legal action against the Council. This report seeks to update the Committee on the legal situation.

This report also informs the Committee of the views of the individual complainants following their meeting with the Executive Director of Housing and Social Services.

FOR INFORMATION

1 BACKGROUND

- 1.1 In 1998, the Social Services Committee agreed the appointment of Mr Keith Bilton, an independent consultant to investigate allegations made by twelve former children in care to this Borough and resident of Barlavington Manor Children's Home.
- 1.2 Mr Bilton carried out a thorough enquiry into these allegations and the report of his findings was published on 16th December 1999. Members of the Committee have been sent a copy of this report.

2 MEETING FORMER RESIDENTS OF BARLAVINGTON MANOR

- 2.1 The Executive Director of Housing and Social Services met with a number of the former residents of Barlavington Manor on 1st March 2000. The purpose of this meeting was to listen to their views about the outcome of the enquiry and their comments about the enquiry process as a whole. A summary of their comments is attached in Appendix A.

3 COMMENTS BY DIRECTOR OF LEGAL SERVICES

- 3.1 The Council has received several letters from solicitors representing the former residents of Barlavington Manor. These indicate intent to commence legal proceedings against the Council. The Director of Legal Services wishes to advise the Committee that at the time of writing this report, no proceedings have been issued against this Authority by any of the former residents of Barlavington Manor.
- 3.2 The Council is in close communication with its insurers.

4 IMPLICATIONS FOR CURRENT PRACTICE

- 4.1 The allegations made by former residents of Barlavington Manor relate to the period 1966 to 1984. Mr Bilton has detailed in section three of his report an overview of the circumstances which prevailed during this period. These illustrate that child care practice has improved significantly following the introduction of the Children Act (1989) which greatly enhanced the statutory provision of residential care. The 'Quality Protects' initiative has been developed in response to concerns about the care received by children. This programme is further helping improve the quality of services received by children.
- 4.2 While local authorities should never be complacent about looking after and protecting vulnerable children and young people, there are a number of policies and measures in place today which will contribute towards preventing the scale of abuse that Mr Bilton has identified as having taken place at Barlavington Manor. For children and young people looked after by this Council, these include: -

- A climate of openness in the Council's own establishments.
- The existence of free, widely publicised helplines for young people.
- A greater awareness and training of staff in all key agencies as to the possibility of abuse taking place in both foster and residential homes.
- Regular inspection of private, voluntary and local authority residential homes including unannounced visits.
- Contact between children and members of their birth families is promoted unless there is specific exclusion by a Court.
- Looked after children receive an annual medical.
- Recruitment of residential staff adheres in most respects to the guidance recommended by Sir William Utting in "Choosing with Care".
- A widely publicised statutory complaints procedure for children and young people living away from home. All looked after children and young people are given information about how to complain at the start of their placements.
- Provision of an independent advocacy scheme for looked after children and young people.

- Clear rules and regulations for appropriate punishment of children and young people living away from home.
- A review system for looked after children which focuses on the child or young person's views about their placement and contact with their family.
- Rigorous police and local authority checks on staff and foster carers upon appointment.
- On-going training for staff, particularly in relation to child protection and listening to children and young people's views.
- Independent visitors for children who require them.
- The establishment of the posts of Reviewing Officer and Effective Placements Officer which help ensure children and young people receive high quality residential care.
- An agreed inter-disciplinary and inter-agency protocol for investigating concerns.
- Foster Carer referees are personally interviewed by staff.

5 TRAINING IMPLICATIONS

- 5.1 Mr Bilton's findings highlight staff having shown a "worrying lack of curiosity" about the care children were receiving at Barlavington Manor.
- 5.2 It is proposed that the lessons from this report are used to inform training events for those staff responsible for monitoring vulnerable adults' and children's residential placements. The purpose of these seminars will be to encourage staff to be more robust in the monitoring of placements and give them the confidence to pursue and investigate concerns thoroughly, however trivial they may at first appear. It is also anticipated that these events will promote the use of the Council's corporate whistleblowing procedure.

6 CONCLUSIONS

The Social Services Committee is asked to note the contents of this report.

FOR INFORMATION

MOIRA GIBB

Executive Director of Housing and Social Services

Background Papers used in the preparation of this report

Report of the Barlavington Manor Enquiry December 1999
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Officer contact

Enquiries should be directed to Ms Laurel Sayer (telephone 0171 361 3193).

Ref. 0003ED

The Executive Director of Housing and Social Services met with eight former residents of Barlavington Manor on 1st March 2000.

This is a summation of all the views which were expressed in the meeting. It may not be true that all of these statements reflect the views of all present.

“We do not accept all of Mr Bilton’s report of his enquiry.

We wish the Social Services Committee to know that our experience of living at Barlavington Manor continues to affect our lives today.

We have concerns about the role of the Child Care Adviser which we believe Mr Bilton has failed to address.

We believe that the suffering we experienced whilst placed at Barlavington Manor can now only be resolved through financial compensation. Any financial settlement would give us and our children security for the future.

The majority of us would prefer to resolve this matter as soon as possible.

Any financial settlement should also be placed in a trust fund for the children of one former resident who died in 1997.

Many of us need counselling and we believe the Royal Borough of Kensington and Chelsea should enable us to receive this. Counselling should be provided by an organisation which specialises in this field.

We believe that the Royal Borough of Kensington and Chelsea was financially exploited by the former owners of Barlavington Manor and that the Council should therefore pursue their estate.

We note that Mr Bilton has highlighted the lack of a national requirement for residential care staff to hold a formal qualification and believe this places children currently looked after in residential establishments at risk.

We would like to know the Social Services Committee’s views concerning Mr Bilton’s report of his enquiry.”