

INS\Social Services -G8C
Mr W J Sulman

Bill Sulman
Principal Insurance Officer

DPA

11 November 1996

County Treasury

PRIVATE AND CONFIDENTIAL

David Spicer
Childcare
Legal Services
Friar Lane

Social Services Liability Meeting - 7 November 1996

Present: Rod Jones, Patti Coleman, John Charles (SSU), Nick Parsons, Andrew Robinson, and Bill Sulman

Apologies: David Spicer, Helen Ryan, Doug Vivien and Marjorie Toward

General Matters and Ground Rules

We briefly discussed the position of the SSU. Certainly it is advantageous to all of us if the SSU appear at these meetings, but we did identify the possibility of a conflict of interest. It was decided that Ann Carswell, as the Manager of the Unit, should attend where possible, or alternatively be deputised by John Charles, and that they should attend on the basis of the management of the department, rather than on behalf of the Investigators, who obviously would have a different role. The purpose is for information to come into the meeting rather than information to be picked out of the meeting and forwarded on to Investigators, as obviously there should be a "chinese wall" between these two functions.

The Role of Investigators

Patti has volunteered to put together a paper in regard to the system and role of the Investigators, such a paper to go out to areas and regions to make them aware of the procedures involved. Patti will draft this and it will hopefully go to David Spicer, Rod Jones and a few other people in Social Services sometime in January/February.

We then discussed who decides what information to release regarding the access to files regulations. It was decided that not everyone can be trained in this discipline, and that it is probably the role of the Investigators to read these files and decide where necessary to speak to Nick Parsons if they wanted a second opinion. Obviously, district service managers could decide in regard to information on third parties and extract that from the file, but then a judgement needs to be made in regard to whether there is a liability, and the likelihood of a claim. It was decided that the route for this type of decision is with the Investigators.

SOCIAL SERVICES' LIABILITY MEETING - 4th September 1996

Known Persons' Register

The question is whether we could put everyone on this Register ie not just convicted abusers. It was decided that the title should be 'Disqualified Carer' rather than the existing title. We discussed whether we should include those members of staff who have left us and who we have decided are not suitable to be employed with children. As long as these ~~lists~~ are already on the DOH Consultancy list then there would appear to be no problem, as long as we tell those employees they are going on the DOH list and our own list.

Specific Claims

NO-A89 NO-A90 85\970

The NO-A90 case is still in litigation. We cannot win the case and General Accident have agreed we should settle this matter up to Confidential if possible. Nick is trying to negotiate with Freeth Cartwright. He is trying to track down NO-A89 as there is an issue as to whether NO-A90 was involved willingly in some of the abuse. This will obviously be an issue as far as liability and quantum are concerned. He will prefer to get a statement now rather than NO-A89 being subpoena'd.

Name Redacted - Amberdale

Nothing has happened here and this one is coming off our list.

NO-A337 88\1142

This has been listed for trial for four days from 4 November 1996 and either Bill or Andrew Robinson will be present, together with all the witnesses. The Insurers at the time, Zurich Municipal, have authorised settlement but are not sure in terms of quantum. The case is in regard to the upkeep of the child involved and loss of earnings and the claim could range between Confidential and Confidential. Insurers have, however, agreed to deal with this matter despite the late advice.

Rod Jones has the statements from the employees. Ruth Bagnall of Browne Jacobson is to interview the Officers involved and Rod Jones would like copies of the statements when they are available. There is very little in these statements and the employees involved have said that they really had no reason to suspect what was going on.

New recruitment and selection procedures will hopefully prevent a recurrence but there is the possibility of some gaps. The problems here were that verbal references (rather than written references) were taken up; previous problems were not investigated properly and NO-F142 was reinstated as the Court case was dropped; the incident was not investigated thoroughly at the time.