

DPA **The tragedy of** Name Redacted

# Family consider suing council

The family of a teenager who hanged herself after being bullied in a council care home are now considering taking legal action against Nottingham City Council for failing to prevent her death. The council continues to deny it was advised to close the home five months before her death. Name Redacted

Name Redacted reports

**T**HE parents of Name Redacted have yet to speak publicly about the tragedy.

But Parents of Carlton Hill in Carlton, are demanding that lessons be learned from the circumstances surrounding her death.

The 15-year-old, who dreamed of becoming a model, had for some reason become an easy target for bullies at the Beechwood Community Home in the nine months before her death.

The city council was looking at ways to move her, either into foster care, to another home, or back with her family.

But she died before that could happen.

Her mum and stepdad are now considering taking legal action against the council.

Name Redacted, their solicitor, and

said: "We have clearly got to consider the evidence that came out of the inquest and look at the family's legal position. But the family is now considering the possibility of taking action against the council. Name Redacted's death highlighted how essential it is that local authority staff are adequately resourced and trained to deal with instances of bullying.

"It is important that lessons are learned from Name Redacted's death to avoid further such tragedies occurring."

Today, Dr Mike Lindsay, senior professional adviser for the National Care Standards Commission (NCSC) — a children's homes watchdog — was highly critical of the council's actions.

In yesterday's *Post* we revealed how the independent inspection unit's version of events was disputed by the city council.

In an exclusive interview with the DPA, Dr Lindsay said he stood by his evidence to the inquest into DPA's death. He confirmed that an informal recommendation to close the home was made in April 2002 after a special review by inspectors. That recommendation was withdrawn only after the council gave explicit assurances that things would improve, he claimed.

These included reducing the number of residents at the home from ten to eight and upping staff levels, so that there were at least five staff in the building at any given time.

The inspectors also had concerns about damage to the property and its physical appearance, which were rectified by the council.

Dr Lindsay said: "I find it disappointing that the council are sticking to their story. We definitely made an informal, but strong recommendation that the home should close.

"After the special review of the Beechwood facility in April 2002, colleagues indicated to me that they had serious concerns about the home's inability to safeguard the children in its care.

"Most of the residents were not attending school regularly, there was bullying and assaults and nothing appeared to be being done to protect the

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parent to the required NVQ level four in both childcare and management, was appointed.

But in July 2002, the home's manager began long-term sick leave. Dr Lindsay said it was like a "rudderless ship". "The lack of a full-time manager at the home was, in my view, unacceptable," said Mr Lindsay. "Beechwood was becoming steadily more unstable and difficult to manage.

The new powers of the NCSC made it a requirement for all care staff to be qualified to NVQ level three standard in childcare and a significant number of them weren't. In our opinion there was no sufficient training system in place.

"The home did provide in-house training, but this was no substitute for training towards professional qualifications."

After an inspection last October, it was ordered to be close down on November 6.

The NCSC is legally obliged to carry out inspections of all registered care homes every six months. The home closed on November 14 and the council had to find alternative accommodation for its residents.

Last night no one from social services at Nottingham City Council was available to speak to the *Post* about Dr Lindsay's

comments. But a council spokesman said: "NCSC inspectors carried out a review of the home in April 2002 and highlighted a number of concerns. We produced an action plan to act on the issues it laid out. We do not accept Dr Lindsay's comments that drugs, bullying, sex or truancy is tolerated, condoned, ignored or swept under the carpet in any way at the home.

"At the inquest, explicit evidence was given about how we tackled these issues when they arose and we feel our staff dealt with them in the appropriate way. We also do not accept Dr Lindsay's comments that NCSC inspectors made a recommendation to close the home in April 2002. Name Redacted's death was a tragic accident and there are clearly lessons to be learned from it. We

are currently in the process of developing an action plan to ensure that when the home does re-open, these issues will be fully addressed."

The home, which has had a £100,000 refurbishment, is to re-open in June. The council has recruited a new care team, including a fully qualified manager and deputy manager. But first it must have a rigorous NCSC inspection.

Dr Lindsay said: "The home will have to be re-inspected and registered separately with the NCSC. Early indications show that it will be capable of caring in line with the national minimum standards when it re-opens in June.

"We won't be taking further action against the authority at this time. We've got no axe to grind with the council. We want to work with them in the interests of improving the standards of this home to provide the appropriate care that these children are entitled to. There are not many spaces available for children in care in the city — 46 at last count — so it is not in anybody's interests to close homes."

## TRAGIC DEATH: Name Redacted

victims. We believe there was also evidence of drug use and sex. They shouldn't be exposed to this type of behaviour."

Dr Lindsay said the NCSC did not have the power to force the home to close in April 2002 as it had only just been set up. It was not until July that it got its legislative powers under the Children's Rights Directive Regulations.

"It was our view that the local authority should be given the opportunity to work towards improving standards at the home," he added.

But the city council insists it has no recollection of the NCSC recommendation to close the home.

Senior managers said that although there were lessons to be learned from Name Redacted's death, the care team at Woodborough Road did a very difficult job to the best of their abilities.

Dr Lindsay admits that in April 2002, the NCSC was satisfied with assurances the council had put in place to improve the way the home was run.

A full-time manager, with qualifications equi-

## THE NATIONAL CARE STANDARDS COMMISSION

ESTABLISHED last April, the National Care Standards Commission is an independent public body. Set up under the Care Standards Act 2000, it regulates social care as well as private and voluntary health care in England. It is responsible for the registration and inspection of services. It replaced the system of inspection by local councils and health authorities.

It supervises:

- Care homes
- Children's homes
- Care agencies
- Residential family centres
- Voluntary adoption agencies
- Independent fostering agencies
- Private and voluntary hospitals and clinics
- Exclusively private doctors
- Nurses agencies.

The commission also inspects:

- Local authority fostering and adoption services
- Boarding schools.

Care homes and children's homes are inspected every six months, with residential schools, independent healthcare establishments and fostering agencies getting a once yearly inspection.

Schools, colleges and adoption services are to be looked at once every three years. Inspectors interview staff, study and observe welfare arrangements and inspect premises, policies and records. They also talk to the young people in the establishments.

The commission is led by a 14-strong non-executive board. On a day-to-day basis, its work is directed by a team of 15 national and regional directors, led by a chief executive.

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FLASHBACK: DPA's front page yesterday

Irrelevant