Quarryhill Report

The information contained within this report is based on an investigation of the organisation's records between 1930 and present day. The records reviewed include the minutes of meetings of the organisation's governing body and relevant management committees; HR records so far as these are available during this period (please note that HR records are not generally retained for longer than seven years); and individual case records of residential service users have also been examined where specific allegations or complaints of abuse involving those service users have been made.

The organisation has access to extensive records within its archives, including individual child records. It is likely to be possible to locate and review individual child records if specific allegations are raised.

Part C - Prevention and Identification

We have approached the majority of the questions relating to the "past" in terms of three distinct time periods within the organisation's history. Each time period is identified and explained within the table in Appendix 1A to this report. The child care legislation relevant to each time period is included within this table.

Throughout this report references to each time period shall be to the "Orphanage Years", the "Group Home Years" and the "Service Years" as identified and explained within Appendix 1A.

4. Policy and Practice

4.1 National

Past

i. **Was there national policy/guidance relevant to the provision of residential care for children?**

Yes. The legislation, rules, regulations and policy documentation which set out national policy and guidance in place during each relevant time period and which were relevant to the provision of residential care for children are set out under the heading of "Relevant Legislation/Policy/Guidance" within Appendix 1A.

ii. **If so, to what extent was the organisation aware of such?**

The Orphanage Years: the organisation was aware of the legislation, rules, regulations and policy documentation set out within Appendix 1A which detailed national policy and guidance.

The organisation was aware of the legislation and policy which formed the legal basis on which the organisation was authorised to provide residential child care services (this is considered in greater detail within question 1.3(a).iv. above).

The organisation was also aware of the rules and regulations governing its and its establishments' day-to-day operations (e.g. The Children (Boarding-Out Etc.) (Scotland) Rules and Regulations 1947 and Administration of Children's Homes (Scotland) Regulations 1959).

The organisation's operational establishments during this period were registered with the Secretary of State and were regularly inspected by the Secretary of State, education authorities and local authorities. In order to obtain favourable inspection reports from these bodies (which it did) the organisation had to be aware of and apply the national policy and guidance set out within the legislation, rules, regulations and policy documentation identified within Appendix 1A.

Historic records show that the organisation was aware of new legislation, rules and regulations, policy and guidance relating to the provision of residential care to children – these historic records outline reviews of such new rules and policy along with commentary and discussion by the organisation's management committee and governing body of their merits and methods for their implementation.

For example:

a) the organisation revised its information collection and recording practices in accordance with regulations on establishment records (e.g. the Administration of Children's Homes (Scotland) regulations 1959);
b) the organisation developed its child discipline policies in accordance with advice and recommendations from the Home Office;
c) the organisation restructured its services on the basis of national policy recommendations on the benefits of the provision of residential care within small homes rather than large facilities;
d) papers were regularly presented to the governing body regarding reports by the Home Committee of the Scottish Advisory Council and the Advisory Council on Education in Scotland; and
e) managers, including the warden, often attended training and conferences on new legislation (e.g. the Children's Act 1948 when this was introduced).

The Group Home Years: the organisation was aware of the legislation, rules, regulations and policy documentation set out within Appendix 1A which detailed national policy and guidance.

The organisation was aware of the legislation and policy which formed the legal basis on which the organisation was authorised to provide residential child care services (this is considered in greater detail within question 1.3(a).iv. above).

The organisation was also aware of the rules and regulations governing its and its establishments' day-to-day operations (e.g. Administration of Children's Homes (Scotland) Regulations 1959).

Historic records suggest that the organisation continued to take account of new legislation, rules and regulations, policy and guidance relating to the provision of residential care to children. The historic records outline reviews of such new rules and policy along with commentary and discussion by the organisation's committees and governing body of their merits and methods for their implementation.

In addition to the ongoing attendance of managers at training courses and conferences on new rules and policies and the ongoing preparation of papers for discussion and implementation by the governing body and relevant committees, the organisation regularly updated its practices in order to comply with new rules. For example, in 1968/1969 the organisation revised its records management procedures to meet new local authority requirements.

The organisation's operational establishments during this period were registered with the Secretary of State and later with the relevant local authorities and were regularly inspected by those bodies. In order to obtain favourable inspection reports from these bodies (which it did) the organisation had to be aware of and apply the national policy and guidance set out within the legislation, rules, regulations and policy documentation identified within Appendix 1A.

The Service Years: the organisation was aware of the legislation, rules, regulations and policy documentation set out within Appendix 1A which detailed national policy and guidance.

The organisation was aware of the legislation and policy which formed the legal basis on which the organisation was authorised to provide residential child care services (this is considered in greater detail within question 1.3(a).iv. above).

The organisation was also aware of the rules and regulations governing its and its establishments' day-to-day operations.

The organisation's records show that the organisation continued to take account of new legislation, rules and regulations, policy and guidance relating to the provision of residential care to children. These records outline reviews of such new rules and policy along with commentary and discussion by the organisation's committees and governing body of their merits and methods for their implementation.

Papers were regularly prepared by senior staff for consideration at the meetings of the governing body which identified changes in policy and guidance relevant to residential care for children. Such papers would suggest the actions which the organisation had to take to ensure ongoing compliance with policy and guidance in the areas in which it operated.

Senior staff continued to attend training and discussion forums on new rules and policies and the organisation also produced a regular internal review of policy and influencing activities which was circulated around the governing body and the organisation's relevant committees and used by the organisation to identify areas within its operations which required change.

During this period the organisation's awareness of national policy and guidance is reflected in the policies and procedures which the organisation implemented. For example in relation to: safeguarding and child protection; safer recruitment; and staff training.

The organisation's operational establishments during this period were registered with the relevant local authorities and later the Care Inspectorate and were regularly inspected by those bodies. In order to obtain favourable inspection reports from these bodies (which it did) the organisation had to be aware of and apply the national policy and guidance set out within the legislation, rules, regulations and policy documentation set out within Appendix 1A.

iii. **If there was national policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such?**

- **Child welfare (physical and emotional)**
- **Child protection**
- **Complaints handling**
- **Whistleblowing**
- **Management of residential establishments**
- **Child migrants**
- **Record retention**
- **Recruitment and training of residential care staff**
- **Requiring employers to divulge details of complaints etc. to prospective employers**
- **Reviewing a child's continued residence at a residential establishment**

The national policy/guidance which existed in relation to the policy areas identified in this question and of which the organisation was aware (as shown within the organisation's historic records) is set out within the column "Awareness of policy area" in Appendix 8.

National policy/guidance in respect of the above policy areas in relation to general child care also existed but this report only considers that policy and guidance which relates specifically to residential child care.

iv. If the organisation was aware of such, did they give effect to that policy/guidance?

Yes.

v. If so, how was effect given to such policy/guidance?

The effect given to such national policy/guidance by the organisation (as shown within the organisation's historic records) is explained within the column "Effect given to policy area" in Appendix 8.

Please note the information contained within Appendix 8 is based on a review of the organisation's historic records, mainly comprising minutes of the meetings of the organisation's governing body and relevant committees.

The organisation does not retain copies of historic policies and procedures unless such documentation was copied into the minutes of meetings of the governing body or relevant committees. For this reason it is not possible to provide a complete picture of every way in which the organisation implemented national policy and guidance in each part of the organisation's history. In particular, information provided in relation to the Service Years is informed for the most part by current practices as older policies and procedures were discarded following implementation of new ones in order to avoid practical confusion.

vi. If not, why not?

Please see question above.

Present

vii. With reference to the present position, are the answers to any of the above questions different?

Yes.

viii. If so, please give details.

The answers to the above questions in relation to the Service Years identify where those answers are based on the organisation's current, ongoing practices.

The Children and Young People (Scotland) Act 2014 came into force on 27 March 2014 and some aspects may not have been implemented prior to December 2014.

Key aspects of the 2014 Act which have an impact on the work carried out by the organisation in relation to the residential care of children are as follows.

a) **The Named Person scheme** – the Named Person is a person anyone can approach if they have concerns about a child or young person's well-being or if they think that child or young person requires help or support. The intention is for every child and young person in Scotland up to the age of 18 to have a Named Person.

This scheme is not yet fully operational as there are changes required in order to ensure compliance of the new rules with EU laws.

Within the Sycamore Cluster the organisation is prepared to offer the Named Person service to the young people enrolled at the Sycamore Education Centre. This service would be provided by the Principal Teacher of the Centre. However, as explained previously, the role of the Education Centre is changing and going forward most children resident at Sycamore will continue their education within local authority schools in which they will be allocated a Named Person.

b) **A Child's Plan** – the 2014 Act outlines how agencies should work together to create a "Child's Plan", the idea being that rather than different agencies creating lots of separate plans, people involved in supporting a child or young person can store the information in one place.

The Child's Plan will contain information about:

a. why a child or young person needs support;
b. the type of support a child or young person needs; and
c. how long support will be required for and who should provide it.

The organisation is already working with a number of agencies who support the children resident with the organisation and has engaged with such other agencies to create one Child's Plan for relevant children.

4.2 Local Authority

Past

i. **Was there local authority policy/guidance relevant to provision of residential care for children?**

The local authorities placing children with the organisation followed and applied national policy/guidance in relation to residential care for children. Such national policy/guidance is identified above in question 4.1.i.

The Orphanage Years and the Service Years:

Where there is evidence within the organisation's records of specific local authority policy or guidance relevant to the provision of residential child care known about by the organisation this has been identified within the column entitled "Local Authority Policy and Guidance" within Appendix 8.

The Group Home Years:

The organisation's historic records do not contain information about local authority policy and guidance during this period therefore it is not possible to confirm whether such policy/guidance existed.

ii. **If so, to what extent was the organisation aware of such?**

The local authorities placing children with the organisation followed and applied national policy/guidance in relation to residential care for children. The extent to which the organisation was aware of such national policy/guidance is outlined above in question 4.1.ii.

The Orphanage Years and the Service Years:

Where there is evidence within the organisation's records of specific local authority policy or guidance relevant to the provision of residential child care known about by the organisation this has been identified within the column entitled "Local Authority Policy and Guidance" within Appendix 8.

The Group Home Years:

The organisation's historic records do not contain information about local authority policy and guidance during this period therefore it is not possible to confirm whether such policy/guidance existed.

iii. **If there was local authority policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such?**

- **Child welfare (physical and emotional)**
- **Child protection**
- **Complaints handling**
- **Whistleblowing**
- **Management of residential establishments**
- **Child migrants**
- **Record retention**
- **Recruitment and training of residential care staff**
- **Requiring employers to divulge details of complaints etc. to prospective employers**
- **Reviewing a child's continued residence at a residential establishment**

The local authorities placing children with the organisation followed and applied national policy/guidance in relation to residential care for children. The organisation's awareness of such national policy/guidance is outlined above in question 4.1.iii.

The Orphanage Years and the Service Years:

Where there is evidence within the organisation's records of specific local authority policy or guidance relevant to the provision of residential child care and relating to the policy areas identified within this question which was known about by the organisation this has been identified within the column entitled "Local Authority Policy and Guidance" within Appendix 8.

The Group Home Years:

The organisation's historic records do not contain information about local authority policy and guidance during this period therefore it is not possible to confirm whether such policy/guidance existed.

iv. **If the organisation was aware of such, did they give effect to that policy/guidance?**

The local authorities placing children with the organisation followed and applied national policy/guidance in relation to residential care for children. The effect given to such policy and guidance by the organisation is explained above in question 4.1.iv.

The Orphanage Years and the Service Years:

Where there is evidence within the organisation's records of specific local authority policy or guidance relevant to the provision of residential child care known about and given effect to by the organisation this has been identified within the column entitled "Local Authority Policy and Guidance" within Appendix 8.

The Group Home Years:

The organisation's historic records do not contain information about local authority policy and guidance during this period therefore it is not possible to confirm whether such policy/guidance existed.

v. **If so, how was effect given to such policy/guidance?**

The local authorities placing children with the organisation followed and applied national policy/guidance in relation to residential care for children. The effect given to such policy and guidance by the organisation is explained above in question 4.1.v.

The Orphanage Years and the Service Years:

Where there is evidence within the organisation's records of specific local authority policy or guidance relevant to the provision of residential child care known about and given effect to by the organisation this has been identified within the column entitled "Local Authority Policy and Guidance" within Appendix 8.

The Group Home Years:

The organisation's historic records do not contain information about local authority policy and guidance during this period therefore it is not possible to confirm whether such policy/guidance existed.

vi. **If not, why not?**

Please see questions above.

Present

vii. **With reference to the present position, are the answers to any of the above questions different?**

Please see the answer to question 4.1.viii. above.

viii. **If so, please give details.**

Please see the answer to question 4.1.viii. above.

4.3 <u>Admissions</u>

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in place in relation to admission of children to the establishment?**

Other than in terms of the establishment's purpose set out within its constitution, the organisation's historic records do not contain evidence of formal policies and procedures relating to admission and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures in relation to admission which were applied

across the organisation's different establishments but copies of such have not been retained.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to admission gained from a review of the organisation's historic records (namely individual records of children resident within the establishment and records of meetings of the organisation's governing body and relevant committees).

Policies

The organisation's records suggest that the ethos of the organisation continued to be that "all would be welcome". For this reason there were likely to be few restrictions applied by the organisation to admission to the establishment.

The establishment was intended to function as a family home and provide children with a family home experience. This meant:

a) sibling groups were usually admitted to the same establishment; and
b) when assessing the suitability of a child for admission to the establishment, their compatibility with the family group already in place at the establishment would have been considered.

The establishment was not equipped for children with disabilities or severe support needs therefore it is unlikely children with disabilities or severe support needs were admitted to the establishment.

Procedures

Children were generally admitted to the organisation either by the local authority which had taken over the care of the child (for example, by way of a court order) or to a lesser extent, by their parents or guardians where it was no longer possible for the child to remain within the care of their family.

In terms of the practical procedures for admission, a letter or verbal request for a placement at the establishment was generally made to the organisation and if a suitable place was available, this request was accepted. Before going to the establishment children were usually received into the organisation's reception centre for one to two days during which time a case record was completed for the child and a health check carried out.

The child's case record usually set out the child's identity and family information, the reasons the child had been taken into care, education and health records and information about the clothing and other belongings the child had with them upon admission.

ii. Was there a particular policy and/or procedural aim/intention?

The organisation's ethos in terms of admission was that "all would be welcome". Therefore there were limited restrictions to admission to the establishment and those which did exist (as explained in question 4.3(a).i. above) were in place for the purposes of maintaining the family environment of the establishment.

iii. Where were such policies and/or procedures recorded?

As explained above, although the expectation is that some form of formal admission policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body or relevant committees.

v. When were the policies and/or procedures put in place?

The exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vi. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

vii. Were such policies and/or practices reviewed?

There is no evidence within the organisation's historic records of any formal review of the organisation's admissions policies and practices in so far as those related to the establishment.

viii. If so, what was the reason for review?

There is no evidence within the organisation's historic records of any formal review of the organisation's admissions policies and practices in so far as those related to the establishment.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's admissions policies and practices in so far as those related to the establishment.

x. Why were changes made?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's admissions policies and practices in so far as those related to the establishment.

xi. Were changes documented?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's admissions policies and practices in so far as those related to the establishment.

xii. Was there an audit trail?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's admissions policies and practices in so far as those related to the establishment.

Present

xiii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

xiv. **If so, please give details.**

(b) Practice

Past

i. **Did the organisation/establishment adhere in practice to its policy/procedures in relation to the admission of children to the establishment?**

Yes.

ii. **How was the adherence demonstrated?**

Adherence was demonstrated through the admission of children to the establishment on the basis of those policies and procedures outlined above.

If the organisation had not adhered to those policies and procedures there would be evidence of the organisation regularly turning children away (in contradiction of its ethos of "all would be welcome"), there would be evidence of children being admitted without their eligible sibling groups and evidence of a failure to properly assess whether a prospective resident was in fact a good fit within the establishment's family environment.

There is no evidence of such within the organisation's records.

iii. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the admissions made to the establishment.

iv. **Were relevant records kept demonstrating adherence?**

There is no evidence of records specifically relating to admissions policies or procedures or adherence thereto.

Adherence to admission policies and procedures is evident from the case records of children admitted to the organisation (in which details of the child's admission are recorded) and, on a more general basis, within the records of meetings of the organisation's governing body and relevant committees during which admission was discussed.

v. **Have such records been retained?**

Records of individual case files and of meetings of the organisation's governing body and relevant committees during which admission was discussed have been retained.

vi. If policy/procedure was not adhered to in practice, why not?

There is no evidence that admission policies and procedures were not adhered to in practice.

vii. If policy/procedure was not adhered to in practice, what was the practice?

There is no evidence that admission policies and procedures were not adhered to in practice.

Present

viii. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

ix. If so, please give details.

4.4 Day to Day

(a) Policy

Past

i. What policies and/or procedures did the organisation/establishment have in place in relation to the day to day running of the establishment?

The organisation's historic records do not contain evidence of formal policies and procedures relating to the day to day running of the establishment and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to the day to day running of the establishment which were applied across the organisation's different establishments but copies of such have not been retained. Although the intention was for the establishment to operate as a family home which required those in charge of the establishment to have some flexibility in the establishment's day to day operations, the organisation's records make it clear that consistency across the organisation's establishments (group homes) was expected and those in charge of those establishments were instructed in proper operating techniques.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to the day to day running of the establishment gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and committees).

These historic records (relating to the Orphanage Years and the Group Home Years) suggest there were policies and procedures in relation to:

a) staffing;
b) clothing;

c) children's accommodation;
d) diet and nutrition;
e) holidays;
f) education;
g) healthcare;
h) discipline; and
i) recreational activities.

ii. Was there a particular policy and/or procedural aim/intention?

The aim/intention of these policies and procedures was to secure the structured running of the establishment and the organisation's other establishments in accordance with practices approved by the organisation. Applying consistent policies and procedures also enabled those operating the establishments to learn from the experiences of other establishments.

In addition, the organisation's operating policies and procedures were intended to help create a safe, family environment for the children in which they could feel secure and a sense of belonging. The intention was that the children would feel part of the community in which the establishment was situated by going to the local school, using local recreational facilities and spending time with other children in that community.

iii. Where were such policies and/or procedures recorded?

As explained above, although the expectation is that some form of formal policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. What did the policies and/or procedures set out in terms of the following?

- **Activities for children**

  The establishment operated as a normal family home and children went to school and took part in normal outdoor and indoor activities.

  Children resident at the establishment were also encouraged to take part in a range of activities outwith the establishment. This included taking part in local clubs and classes such as athletics clubs and scouts, etc. This gave children the opportunity to integrate into the community in which the establishment was based.

- **Off-site activities for children including trips, holidays and visits to family**

  Children were encouraged to attend external trips, for example, with their schools. All activities which involved a change from normal routine required the consent of the local authority responsible for the child in question. Such trips were sometimes funded by the local authority with responsibility for the child but often these were funded by the organisation.

  The children were taken on a two week holiday away from the establishment on an annual basis. The form which this holiday took depended on the resources of the organisation at the relevant time and the opportunities available. This was considered on an annual basis.

There is no evidence of a formal policy regarding visits to family but individual case records of children resident at the establishment suggest that these visits did take place and were assessed and managed on a case by case basis.

The policies and procedures regarding such visits would have been influenced by the local authority responsible for the child in question as no child could go on any trip or visit without the permission of the local authority which had placed them in the establishment. The houseparent in charge of the establishment was usually involved in discussions with the local authority about the appropriateness of contact between a child resident at the establishment and their family.

- **Schooling/education**

  Children resident at the establishment attended the local school. Children were encouraged to undertake additional education/training after their school years and the staff of the establishment assisted the children in acquiring such placements.

- **Discipline**

  There is limited information within the organisation's records about discipline policies and procedures during the establishment's period of operation. The records do suggest that standard procedures were communicated to all establishments and staff were expected to comply with these.

  These standard procedures provided that no disciplinary action was to be taken in relation to enuresis.

  Individual child case records suggest that physical punishment was not used within the establishment. Common discipline techniques involved the removal of "privileges" for example, if a child missed their curfew they may be prevented from leaving the house the next day.

v. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the relevant committees and the governing body.

vi. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vii. Do such policies and/or procedures remain in place

The establishment is no longer in operation.

viii. Were such policies and/or practices reviewed?

There is no evidence within the organisation's historic records of any formal review of the organisation's day to day policies and practices in so far as those related to the establishment but the organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

ix. If so, what was the reason for review?

There does not appear to have been a need for formal review of these policies and practices. Rather, review was most likely carried out when the natural need arose in response to internal or external influences.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's policies and practices relating to the day to day running of the establishment.

xi. Why were changes made?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's policies and practices relating to the day to day running of the establishment.

xii. Were changes documented?

Changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xiii. Was there an audit trail?

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiv. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures relating to the day to day running of the establishment?

Yes.

ii. **Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?**

Yes.

- **Activities for children**
- **Off-site activities for children including trips, holidays and visits to family**
- **Schooling**
- **Education**

iii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.4(a) and this practical application of those policies and procedures demonstrated adherence.

iv. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books or within individual case records.

v. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures relating to the day-to-day running of the establishment is evident from the case records of individual children and the records of meetings of the organisation's governing body and relevant committees during which the practicalities of the day-to-day running of the establishment and the policies behind these were discussed.

vi. **Have such records been retained?**

Individual case records and records of meetings of the organisation's governing body and relevant committees during which day to day running of the establishment was discussed in relation to specific children and on a general basis have been retained.

vii. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy/procedure not being adhered to in practice at the establishment.

viii. **If policy/procedure was not adhered to in practice, what was the practice?**

There is no evidence of policy/procedure not being adhered to in practice at the establishment.

Present

ix. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

x. If so, please give details.

4.5 Children

(a) Policy

Past

i. What policies and/or procedures did the organisation/establishment have in place in relation to caring for children at the establishment?

The organisation's historic records do not contain evidence of formal policies and procedures relating to caring for children at the establishment and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to the care of children at the establishment which were applied across the organisation's different establishments but copies of such have not been retained. Although the intention was for the establishment to operate as a family home which required those in charge of the establishment to have some flexibility in the establishment's day to day operations, the organisation's records make it clear that consistency across the organisation's establishments (group homes) was expected and those in charge of those establishments were instructed in proper caring techniques.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to the day to day running of the establishment gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees).

In compliance with the Children (Boarding-Out Etc.) (Scotland) Rules and Regulations 1947 and the Administration of Children's Homes (Scotland) Regulations 1959 the organisation was required to carry out certain practical actions in relation to the care it provided to children within the establishment. For example, the 1959 Regulations restricted the level of discipline and punishments which could be administered to children and set out prescriptive requirements as to the health care, dental care and sleeping accommodation which was provided to the children.

The organisation's records state that the establishment received favourable inspections from the secretary of state, the department of education and the relevant local authorities which suggest that these practical actions were undertaken by the organisation.

The Regulations outlined above, along with the Social Work (Scotland) Act 1968 and the Children Act 1975, required the organisation to ensure the establishment was run in a way which benefitted the wellbeing of the children resident there. The organisation's commitment to ensuring the wellbeing of the children in its care is

evident within the minutes of meetings of the governing body and relevant committees.

ii. Was there a particular policy and/or procedural aim/intention?

The aim of all policies and procedures which related to the care of the children resident within the establishment was to secure the wellbeing and safety of those children and to afford them "the chance to flourish" (in the words of Canon Jupp, the founder of the establishment).

iii. Where were such policies and/or procedures recorded?

As explained above, although the expectation is that some form of formal child care policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. What did the policies and/or procedures set out in terms of the following?

- **Safeguarding**

  The concept of "safeguarding" was not introduced in public policy until the Service Years. For this reason there were no formal safeguarding policies or procedures implemented by the organisation.

- **Child Protection**

  The focus of child protection policy during this period was on the national public strategy for its prevention rather than on the actions individual organisations could take in relation to this matter.

  Again there is no evidence of a formal child protection policy within the organisation's records for this time period.

  In terms of informal policies and procedures:

  a) the organisation carried out pre-employment checks and obtained references for new staff appointments; and

  b) historic records show the organisation treated the protection of the children within its care as a very serious matter and investigated complaints, allegations or concerns which suggested a child was in danger.

     Staff members were dismissed if their conduct was deemed to endanger a child and local authorities were informed if the organisation became aware of any danger to a child within its care which was external to the establishment (for example from a relative etc.). It is not possible to provide any further detail on the practical application of such policies and procedures.

- **Medical care**

  A medical officer was engaged for each of the organisation's establishments. Historic records suggest medical care was administered in accordance with the following policies and procedures:

a) upon admission to the organisation's care a health record was completed for each child (so far as it was possible to do so with the information available for a child);
b) upon admission to the organisation's care each child received a health check from the establishment's appointed medical officer;
c) if a child was found to have an infectious condition that child was not admitted to the establishment until the infectious period had passed so to avoid the spread of the condition to the other children within the establishment;
d) children received standard immunisations during their residence within the establishment;
e) children received an annual (and in some cases a six monthly) routine health check;
f) if a child fell ill that child was cared for by the establishment's appointed medical officer. If the child required additional medical care the child would be transferred to a nearby hospital; and
g) prior to leaving the establishment a further health check was carried out on each child.

- **Children's physical wellbeing**

  As above there are no remaining records of formal policies and procedures relating to the physical wellbeing of children resident within the establishment.

  General information about the organisation's policies and procedures in this regard can be gleaned from the organisation's records of meetings of the governing body and relevant committees during the Orphanage and Group Home Years.

  The following aspects of the day to day running of the establishment had an impact on the physical wellbeing of the children resident at the establishment: diet; exercise; healthcare; and residential provision.

  Diet: the organisation sought to provide nutritious meals for the children resident at the establishment, following medical and local authority recommendations in relation to the diet of the children.

  The organisation's records state that the same meals were served to the children as to the staff at the establishment.

  Exercise: the children were encouraged to take part in playing sports outside and to take part in sports classes and clubs including football, athletics, boxing, dancing, etc.

  Health: the organisation's procedures on healthcare are outlined above.

  Residence: the organisation's records show that the organisation appreciated the importance of the children's residence to their wellbeing. The establishment was custom-renovated and decorated with the intention of creating a comfortable, homely environment for the children.

- **Children's emotional and mental wellbeing**

  As above there are no remaining records of formal policies and procedures relating to the emotional and mental wellbeing of children resident within the establishment.

General information about the organisation's policies and procedures in this regard can be gleaned from the organisation's records of meetings of the governing body and relevant committees.

There are two aspects of the care provided to children which relate to the organisation's approach to the children's emotional and mental wellbeing. Firstly, a child's residence at the establishment was often due to the need to remove that child from their own family or guardians so as to protect the child from physical or emotional and mental harm.

For this reason many of the children received into the establishment may already have suffered emotional and mental damage and the organisation's aim was to provide a safe environment in which those children could develop and hopefully overcome that damage. Houseparents were engaged by the organisation not only to provide physical care for the children but to foster an emotionally caring environment and to provide the children resident at the establishment with a substitute family – providing love, encouragement and worth to the children. This policy is evident from the organisation's records.

Secondly, in order to protect the emotional and mental wellbeing of the children resident within the establishment it was sometimes necessary to limit the contact which those children had with their families and wider relatives or acquaintances. Decisions on the extent of parental and family contact were generally made by the local authority responsible for the child and the organisation would have been involved in such discussions from the viewpoint of the wellbeing of the child in question.

v. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

vi. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vii. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

viii. Were such policies and/or practices reviewed?

There is no evidence within the organisation's historic records of any formal review of the organisation's child care policies and practices in so far as those related to the establishment but the organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

ix. If so, what was the reason for review?

There does not appear to have been a need for formal review of these policies and practices. Rather, review was most likely carried out when the natural need arose in response to internal or external influences.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's policies and practices relating to the care of children at the establishment.

xi. Why were changes made?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's policies and practices relating to the care of children at the establishment.

xii. Were changes documented?

Changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such policies and procedures were documented.

xiii. Was there an audit trail?

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiv. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures relating to the care of children at the establishment?

Yes.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?

Yes.

- **Safeguarding**
- **Child Protection**
- **Medical care**

- **Children's physical wellbeing**
- **Children's emotional and mental wellbeing**

iii. How was adherence demonstrated?

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.5(a) and this practical application of those policies and procedures demonstrated adherence.

iv. How can such adherence be demonstrated to the Inquiry?

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books or within the case records of individual children.

v. Were relevant records kept demonstrating adherence?

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures relating to the care of children at the establishment is evident from the case records of individual children and the records of meetings of the organisation's governing body and relevant committees during which the practicalities of the care of children at the establishment and the policies behind these were discussed.

vi. Have such records been retained?

Individual case records and records of meetings of the organisation's governing body and relevant committees during which child care was discussed in relation to specific children and on a general basis have been retained.

vii. If policy/procedure was not adhered to in practice, why not?

There is no evidence of policy/procedure not being adhered to in practice at the establishment.

viii. If policy/procedure was not adhered to in practice, what was the practice?

There is no evidence of policy/procedure not being adhered to in practice at the establishment.

Present

ix. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

x. If so, please give details.

4.6 <u>Staffing</u>

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in relation to staffing at the establishment?**

The organisation's historic records do not contain evidence of formal policies and procedures relating to staffing of the establishment and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to staffing which were applied across the organisation as a whole but copies of such have not been retained.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to staffing gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees).

ii. **Was there a particular policy and/or procedural aim/intention?**

The organisation's aim and intention in relation to staffing at the establishment was to obtain suitably qualified staff with relevant experience who could provide care to the children within the establishment in accordance with the organisation's ethos, mission and purpose (as explained above within question 1.5(a)).

iii. **Where were such policies and/or procedures recorded?**

As explained above, although the expectation is that some form of formal policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. **What did the policies and/or procedures set out in terms of the following?**

As explained, it is not possible to confirm the exact content of the organisation's staffing policies and procedures in relation to the establishment but historic records suggest the following.

- **Pre-employment checks**

  There is evidence within the organisation's historic records that:

  a) prospective staff were required to provide details of their prior employment and work experience;
  b) prospective employees with qualifications were required to provide evidence of those qualifications; and
  c) two references were required for each prospective employee.

- **Recruitment**

Recruitment of the director (otherwise known as the principal or warden), the most senior role within the establishment, was managed by the governing board while recruitment of other senior roles (e.g. assistant directors) was managed by the director with the approval and input of the governing board.

Recruitment of the remaining staff (houseparents, assistant houseparents, domestic and grounds staff, administration staff, etc.) was generally managed by the director with the assistance of senior management.

Historic records state that posts were advertised and applications received from prospective employees. It is not possible to comment on the content of those applications but the experience and qualifications of the applicants did form part of the information sought by the organisation.

- **Induction**

  The form of induction would have differed depending on the role the new staff member was undertaking.

  New employees were required to attend an induction course. It is not possible to confirm what was involved in this induction course but the expectation is that running through the organisation's policies and procedures and methods of working formed part of this.

- **Transfer of staff to or from other establishments within or outwith the organisation**

  Senior houseparents rarely moved between establishments as these individuals were "live-in" employees. On rare occasions a houseparent may have changed roles within the organisation and moved to another of the organisation's establishments. For example, a part time houseparent within one establishment may have moved to another establishment if a full time position became available. Similarly, houseparents may have moved to another establishment upon the closure of their initial establishment.

  Assistant houseparents and relief houseparents sometimes moved between the organisation's establishments to provide holiday or sickness cover.

- **References**

  There is evidence within the organisation's historic records that prospective staff were required to provide details of their prior employment and voluntary experience and that two references were obtained.

- **Appraisal/supervision**

  It is not clear from historic records whether a formal appraisal/supervision procedure was in place within the organisation during the establishment's operational period.

  The records suggest that supervision was carried out on an ongoing basis. The lines of accountability within the establishment are outlined within Appendix 6. Where issues arose in connection with a member of staff's performance of their role this was investigated (usually by the director with the assistance of senior management).

Where performance could be improved, there was a practice of discussing the issues with the member of staff and formulating a plan for improving their performance.

- **Training**

  It is not clear from historic records whether a formal training programme was operated for the establishment. Staff were encouraged to attend external training, particularly conferences on new areas of law and regulation.

  There is no evidence of specific issues arising within the establishment but it appears that the general practice during the establishment's period of operation was that where specific issues did arise within one of the organisation's establishments, a review of the organisation's rules, policies and procedures was carried out with the relevant members of staff to ensure everyone understood what was required of them.

- **Personal/Professional development**

  There is no evidence of a formal programme for such but the organisation's historic records state that the organisation had a policy of progressing "home-grown talent" within the organisation and sought to promote junior staff members if the opportunity arose. Assistant or relief houseparents could progress within the establishment to take up posts as full time or senior houseparents.

  Staff were encouraged to undertake further education and the organisation often allowed staff to attend such courses with pay.

- **Disciplinary actions**

  Where staff failed to adhere to the organisation's policies and practices or the organisation's ethos, staff were reprimanded and often dismissed.

  Disciplinary action was carried out by the director in the most part (with the support and, where required, the approval of the governing body).

- **Dismissal**

  Please see above.

v. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

vi. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vii. **Do such policies and/or procedures remain in place?**

The establishment is no longer in operation.

viii. **Were such policies and/or practices reviewed?**

There is no evidence within the organisation's historic records of any formal review of the organisation's staffing policies and practices during the establishment's period of operation (in so far as those related to the establishment) but the organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

ix. **If so, what was the reason for review?**

There does not appear to have been a need for formal review of these policies and practices. Rather, review was most likely carried out when the natural need arose in response to internal or external influences.

Changes to staffing policies and procedures would have occurred in response to changing social and public requirements and in response to the organisation's own requirements, however, evidence of how this occurred in practice is not contained within the organisation's records.

x. **What substantive changes, if any, were made to the policies and/or procedures over time?**

There is no evidence of substantive changes to these policies within the organisation's historic records.

xi. **Why were changes made?**

Please see questions above.

xii. **Were changes documented?**

Changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xiii. **Was there an audit trail?**

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiv. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

xv. **If so, please give details.**

(b) Practice

Past

i. **Did the organisation/establishment adhere in practice to its policy/procedures in relation to staffing at the establishment?**

Yes.

ii. **Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?**

Yes.

- **Pre-employment checks**
- **Recruitment**
- **Inductions**
- **Transfers to and from other establishments within or outwith the organisation**
- **References**
- **Appraisals/Supervision**
- **Training**
- **Personal/Professional development**
- **Disciplinary actions**
- **Dismissal**

iii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.6(a) and this practical application of those policies and procedures demonstrated adherence.

iv. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books.

v. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures relating to staffing is evident from the records of meetings of the organisation's governing body and relevant committees during which the practicalities of these policies and procedures were discussed in relation to specific children and on a general basis.

vi. **Have such records been retained?**

Records of meetings of the organisation's governing body during which staffing was discussed have been retained.

vii. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy and procedure in relation to staffing not being adhered to in practice.

Present

viii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

ix. **If so, please give details.**

4.7 Visitors

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in place in relation to visitors to the establishment?**

The organisation's historic records do not contain evidence of formal policies and procedures relating to visitors to the establishment and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to visitors which were applied across the organisation's different establishments but copies of such have not been retained. Although the intention was for the establishment to operate as a family home which required those in charge of the establishment to have some flexibility in the establishment's day to day operations, the organisation's records make it clear that consistency across the organisation's establishments (group homes) was expected.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's visitor policies and procedures (formal, informal, written or unwritten) gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees).

The establishment received the following visitors:

Family and acquaintances of the children resident at the establishment: as explained previously within this report, visits to the children from their families and relatives were generally encouraged. However it was not always appropriate for certain family members to have contact with the children. This might have been because the child was removed from an abusive or dangerous family environment or because the family members in question were not a good influence on the child or prevented the child from settling into their new surroundings at the establishment.

Decisions as to whether a child's family and other acquaintances could visit the child were generally taken by the local authorities responsible for the child and the establishment's practice was to abide by those decisions. Those in charge of the

establishment were encouraged to discuss any concerns they had regarding visits to the children with the local authorities responsible for those children.

Local authority representatives: as part of their duties to the children within their care, local authorities were required to visit those children while they were resident at the establishment. The organisation's practice was to ensure local authorities had access to the establishment and the children within the local authority's care when required.

Secretary of state, local authority and other public inspectors: the organisation made the establishment available to the secretary of state, local authorities and any other statutory or public inspector when required. These bodies required access to the establishment to carry out inspections.

Representatives from other agencies/organisations and supporters of the organisation: as explained within this report, the organisation fostered a transparent way of working and encouraged other agencies and organisations to discuss the care of the children resident with the organisation. However, the intention was to create a family environment within the establishment and for this reason there appears to have been a decrease in the number of invitations extended by the organisation to external visitors (other than local authorities and other inspectors as mentioned above).

ii. Was there a particular policy and/or procedural aim/intention?

So far as family visits to the children were concerned, the practices outlined above had the aim of ensuring the children were protected and that the contact they had or did not have with their families was in their best interests.

The aims of procedures relating to statutory or regulatory visits to the establishment were to foster transparency within the organisation and to ensure compliance with the organisation's statutory or regulatory duties.

iii. Where were such policies and/or procedures recorded?

As explained above, although the expectation is that some form of formal visitors policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

v. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vi. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

vii. Were such policies and/or practices reviewed?

There is no evidence within the organisation's historic records of any formal review of the organisation's visitors policies and practices in so far as those related to the establishment but the organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

viii. If so, what was the reason for review?

There does not appear to have been a need for formal review of these policies and practices. Rather, review was most likely carried out when the natural need arose in response to internal or external influences.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's visitor policies and practices relating to the establishment.

x. Why were changes made?

There is no evidence within the organisation's historic records of any substantive changes to the organisation's visitors policies and practices relating to the establishment.

xi. Were changes documented?

Any changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xii. Was there an audit trail?

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiii. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xiv. If so, please give details.

(b) Practice

Past

i. **Did the organisation/establishment adhere in practice to its policy/procedures in relation to visitors to the establishment?**

Yes.

ii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.7(a) and this practical application of those policies and procedures demonstrated adherence.

iii. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books or within the case records of individual children.

iv. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures is evident from the case records of individual children and the records of meetings of the organisation's governing body and relevant committees during which the practicalities of these policies and procedures were discussed in relation to specific children and on a general basis.

v. **Have such records been retained?**

Individual case records and records of meetings of the organisation's governing body and relevant committees during which visitors were discussed in relation to specific children and on a general basis have been retained

vi. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy and procedure in relation to visitors not being adhered to in practice at the establishment.

Present

vii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

viii. **If so, please give details.**

4.8 <u>Volunteers</u>

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in place in relation to volunteers at the establishment?**

Volunteers were not used at the establishment.

ii. **Was there a particular policy and/or procedural aim/intention?**

Volunteers were not used at the establishment.

iii. **Where were such policies and/or procedures recorded?**

Volunteers were not used at the establishment.

iv. **Who compiled the policies and/or procedures?**

Volunteers were not used at the establishment.

v. **When were the policies and/or procedures put in place?**

Volunteers were not used at the establishment.

vi. **Do such policies and/or procedures remain in place?**

The establishment is no longer in operation.

vii. **Were such policies and/or practices reviewed?**

Volunteers were not used at the establishment.

viii. **If so, what was the reason for review?**

Volunteers were not used at the establishment.

ix. **What substantive changes, if any, were made to the policies and/or procedures over time?**

Volunteers were not used at the establishment.

x. **Why were changes made?**

Volunteers were not used at the establishment.

xi. **Were changes documented?**

Volunteers were not used at the establishment.

xii. **Was there an audit trail?**

Volunteers were not used at the establishment.

Present

xiii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

xiv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to volunteers at the establishment?

Volunteers were not used at the establishment.

ii. How was adherence demonstrated?

Volunteers were not used at the establishment.

iii. How can such adherence be demonstrated to the Inquiry?

Volunteers were not used at the establishment.

iv. Were relevant records kept demonstrating adherence?

Volunteers were not used at the establishment.

v. Have such records been retained?

Volunteers were not used at the establishment.

vi. If policy/procedure was not adhered to in practice, why not?

Volunteers were not used at the establishment.

Present

vii. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

viii. If so, please give details.

4.9 <u>Complaints and Reporting</u>

(a) Policy

Past

i. What policies and/or procedures did the organisation/establishment have in place in relation to complaints and reporting at the establishment?

The organisation's historic records do not contain evidence of formal policies and procedures relating to complaints and reporting and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to complaints and reporting which were applied across the organisation as a whole but copies of such have not been retained. The expectation is that there was a set process which staff followed in

relation to complaints which involved referring those complaints to the director and senior management team to be handled centrally.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to complaints and reporting gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees).

ii. Was there a particular policy and/or procedural aim/intention?

The organisation's historic records suggest that the aim/intention of such policies and procedures was to ensure the organisation operated on an open and transparent basis and learned from its own experiences and the experience of external parties.

In addition, it appears complaints and reporting issues during the establishment's operative period were dealt with centrally unless these could be managed within the relevant establishment.

iii. Where were such policies and/or procedures recorded?

As explained above, although the expectation is that some form of formal policy existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. What did the policies and/or procedures set out in terms of the following?

There is limited information about complaints made during the establishment's operative period from which an understanding of the organisation's policies and procedures can be drawn.

One of the reasons for this is due to new methods of record keeping. Complaints appear to have been recorded separately from records of meetings of the governing body and relevant committees. These records may have been destroyed on an ongoing basis as the organisation's data management and retention procedures developed or they may have been recorded directly within a child's case record. It is not possible to review such complaints within individual case records unless the name of the relevant individual is known.

- **Complaints by children**

  In general during this period it was not standard practice to raise service complaints. The expectation was for adults (for example, local authority representatives, parents and staff providing services to the children within an establishment) to deal with quality or service level matters on behalf of children.

  During the establishment's operative period greater emphasis was placed on taking the views of children into account within child care services but this was still a developing system.

  The expectation, taking account of the policies and procedures which applied to complaints and reporting during the Orphanage Years, is that the

organisation investigated any complaints or concerns raised by children and took action against staff where relevant.

- **Complaints by staff**

  Please see the general comments on complaints and reporting above.

  The expectation, taking account of the policies and procedures which applied to complaints and reporting during the Orphanage Years, is that:

  a) the organisation carried out an investigation into any complaints and where necessary, staff against whom complaints were made were disciplined or dismissed as a result of the organisation's investigation;
  b) complaints were received from all levels of staff from the most junior to those within senior management positions; and
  c) complaints made by staff were generally managed by the director with input from senior management and the governing body where required.

- **Complaints by third persons/family of children**

  There is one example of a complaint received from a parent of a child resident at the establishment from which an understanding of the organisation's policies and procedures can be drawn.

  This example suggests complaints were discussed with the parent in question and the relevant social work department. In the relevant example there was no finding of substance to the complaint so it is not possible to comment on the way in which a substantial complaint would have been managed by the organisation.

  Taking account of practice during the Orphanage Years, the expectation is that complaints raised by family members or other external parties would have been investigated by the establishment and action taken in relation to staff members at fault.

- **Whistleblowing**

  The establishment did not have a formal whistleblowing policy but the organisation's approach to complaints and concerns raised by staff suggests the organisation fostered an open culture and encouraged staff to raise concerns.

  There are examples within other establishments operated by the organisation during this time of concerns raised by junior members of staff against senior members of staff which were taken seriously by the organisation and fully dealt with. This suggests the organisation did not discriminate against junior staff members when it came to reporting and complaints.

- **Support, including external support, for those who made complaint or those who were the subject of complaint**

  There is limited information about the support provided to such parties within the organisation's historic records.

  As explained, the expectation is that complaints would have resulted in an investigation conducted by the director, relevant members of senior management and with the assistance of the governing body. It can be expected that throughout the course of these investigations support was

provided to those complaining and those about whom a complaint was made, at least in order to progress and conclude the complaint.

- **Response to complaints (including response by organisation and/or establishment)**

  As explained above, the organisation investigated the complaints it received and took relevant action, such as inviting a complainer to discuss their concerns and explain the establishment's practices; disciplining or retraining staff; or dismissing staff.

  No further information is contained within the records regarding the organisation's procedures in relation to response to complaints.

- **External reporting of complaints**

  During this period there were limited requirements to report complaints externally.

  The organisation informed the relevant social work departments responsible for children in its care if any significant event took place in connection with that child. Therefore if a complaint was received from a child or about a child (either as a concern for that child's safety or against that child), the relevant social work department was informed.

v. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

vi. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vii. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

viii. Were such policies and/or practices reviewed?

There is no evidence within the organisation's historic records of any formal review of the organisation's complaints and reporting policies and practices during the establishment's period of operation (in so far as those related to the establishment) but the organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

ix. If so, what was the reason for review?

There is no evidence of a specific review of the organisation's policies or practices in relation to complaints and reporting.

The review of policies and procedures was generally carried out on an ongoing and responsive basis, i.e. in response to changing social and public requirements and in response to the organisation's own requirements.

x. **What substantive changes, if any, were made to the policies and/or procedures over time?**

There is no evidence of substantive changes to these policies and procedures.

xi. **Why were changes made?**

There is no evidence of substantive changes to these policies and procedures.

xii. **Were changes documented?**

Changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xiii. **Was there an audit trail?**

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiv. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

xv. **If so, please give details.**

(b) Practice

Past

i. **Did the organisation/establishment adhere in practice to its policy/procedures in relation to complaints and reporting at the establishment?**

Yes.

ii. **Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?**

Yes.

- **Complaints by children**
- **Complaints by staff**
- **Complaints by third persons/family of children**
- **Whistleblowing**
- **Support, including external support, for those who made complaint or those who were the subject of complaint**

- **Response to complaints (including response by organisation and/or establishment)**
- **External reporting of complaints**

iii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.9(a) and this practical application of those policies and procedures demonstrated adherence.

iv. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books and within individual case records.

v. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures is evident from individual case records and from the records of meetings of the organisation's governing body and relevant committees during which the practicalities of these policies and procedures were discussed in relation to specific children and on a general basis.

vi. **Have such records been retained?**

Individual case records and records of meetings of the organisation's governing body and relevant committees during which complaints and reporting were discussed have been retained

vii. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy and procedure relating to complaints and reporting not being adhered to in practice.

Present

viii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

ix. **If so, please give details.**

4.10 <u>Internal Investigations</u>

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in place in respect of internal investigations relating to the establishment?**

The organisation's historic records do not contain evidence of formal policies and procedures relating to internal investigations to and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal policies and procedures relating to internal investigations which were applied across the organisation's different establishments but copies of such have not been retained. Although the intention was for the establishment to operate as a family home which required those in charge of the establishment to have some flexibility in the establishment's day to day operations, the organisation's records make it clear that consistency across the organisation's establishments (group homes) was expected.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

There is no evidence of any internal investigation undertaken in relation to the establishment. The information provided in this question is based on an understanding of the organisation's general policies and procedures (formal, informal, written or unwritten) in relation to internal investigations gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees) during the Orphanage and Group Home Years.

ii. **Was there a particular policy and/or procedural aim/intention?**

The organisation's historic records suggest that the aim/intention of such policies and procedures was to ensure the organisation operated on an open and transparent basis; learned from its own experiences and the experience of external parties; and identified and resolved any issues in the operation of the establishment or the care of the children for which it was responsible.

iii. **Where were such policies and/or procedures recorded?**

As explained above, although the expectation is that some form of formal policy relating to internal investigations existed, records of the organisation's past policies and procedures are no longer retained and there is nobody within the organisation who can speak to the practices during this time. For this reason it is not possible to confirm where, or indeed whether, such policies and procedures were recorded.

iv. **What did the policies and/or procedures set out in terms of the following?**

- **Approach to/process of internal investigations**

  The organisation's records suggest that internal investigations were usually undertaken by the director, assisted by a member of the governing body and/or relevant members of senior management as appropriate depending on the size and severity of the investigation. The organisation also engaged external parties to undertake internal investigations of the organisation's operations from time to time.

  Internal investigations usually involved interviewing relevant persons, e.g. the individual making the complaint, the child (or children) or staff member(s) involved, any witnesses and any additional persons able to provide input.

This sometimes involved taking written statements from those individuals. Interviews were generally conducted by two people - the director and a member of the governing body or a relevant member of senior management.

The director would also consider any surrounding circumstances or issues with an impact on the investigation.

Upon concluding his investigation the warden would present his findings and proposed actions to the governing body for their approval before taking any further action.

- **Identifying lessons/changes following internal investigations**

  Following an internal investigation the organisation would adjust its operations, staffing or care offering taking account of the outcome of the investigation.

  One of the most common changes involved the retraining, discipline or dismissal of staff.

  Where an investigation involved the conduct of a child (usually where the child had behavioural or psychological problems which the organisation was not equipped to support) it was sometimes necessary to request the transfer of the child to another organisation's care or to acquire additional support for that child.

- **Implementation of lessons/changes following internal investigations**

  Those changes which were required immediately following an internal investigation (e.g. the discipline, retraining or dismissal of a member of staff or the transfer of a child or provision of additional support to a child) were actioned immediately.

  Other lessons learned (for example, regarding the need for a review of the establishment's rules or practices or a review of staffing) were implemented as quickly as possible but by their nature often required a period of reflection and assessment prior to implementation.

- **Compliance**

  The actions taken by the organisation during and following internal investigations suggest that the organisation was aware of its ongoing compliance obligations and sought to correct any failures to comply with relevant laws and regulations.

- **Response (to child and abuser)**

  There is no evidence of a complaint relating to the establishment which involved the abuse of a child.

  Please see the comments below on response to complaints generally.

  The organisation's records do not contain any additional information regarding the response to a child or abuser following an internal investigation.

  On the basis of records of investigations from the Orphanage Years, if an internal investigation returned a finding that a member of staff had abused a child, that member of staff was dismissed.

- **Response to complaints (including response by organisation and/or establishment)**

  As explained above, the organisation investigated the complaints it received and took relevant action, such as inviting a complainer to visit the establishment to discuss their concerns and explain the establishment's practices; disciplining or retraining staff; or dismissing staff.

  No further information is contained within the records regarding the organisation's procedures in relation to response to complaints.

- **External reporting following internal investigations**

  Generally during this period there were limited requirements to report externally.

  The organisation informed the social work department responsible for children in its care if any significant event took place in connection with that child. Therefore if an investigation was undertaken in relation to a child (either in response to a concern for that child's safety or due to that child's actions or state of mind), the relevant social work department was informed.

v. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

vi. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vii. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

viii. Were such policies and/or practices reviewed?

The organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

There is no evidence of a specific review of the organisation's policies or practices in relation to internal investigations.

ix. If so, what was the reason for review?

There is no evidence of a specific review of the organisation's policies or practices in relation to internal investigations.

The review of policies and procedures was generally carried out on an ongoing and responsive basis, i.e. in response to changing social and public requirements and in response to the organisation's own requirements.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence of substantive changes to these policies and procedures.

xi. Why were changes made?

There is no evidence of substantive changes to these policies and procedures.

xii. Were changes documented?

There is no evidence within the organisation's historic records of formal policies and procedures or changes to those being formally recorded.

Any changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xiii. Was there an audit trail?

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and relevant committees and to some extent within the case records of previous residents of the establishment.

Present

xiv. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in respect of internal investigations relating to the establishment?

Yes.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?

Yes.

- **Approach to/process of internal investigations**
- **Identifying lessons/changes following internal investigations**
- **Implementation of lessons/changes following internal investigations**
- **Compliance**

- **Response (to child and abuser)**
- **Response to complaints (including response by organisation and/or establishment)**
- **External reporting following internal investigations**

iii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.10(a) and this practical application of those policies and procedures demonstrated adherence.

iv. **How can such adherence be demonstrated to the Inquiry?**

Adherence can be demonstrated to the Inquiry by providing examples of the organisation's practice (in adherence with the policies and procedures) as are recorded within the organisation's minute books and individual case records

v. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures is evident from individual case records and the records of meetings of the organisation's governing body and relevant committees during which the practicalities of these policies and procedures were discussed in relation to specific children and on a general basis.

vi. **Have such records been retained?**

Individual case records and records of meetings of the organisation's governing body and relevant committees during which internal investigations were discussed in relation to specific children and on a general basis have been retained.

vii. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy and procedure relating to internal investigations not being adhered to in practice.

Present

viii. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

ix. **If so, please give details.**

4.11 <u>Child Migration</u>

(a) Policy

Past

i. **What policies and/or procedures did the organisation/establishment have in place in relation to child migration?**

There is no evidence of any policies or procedures in place regarding child migration during the establishment's operative period but as child migration did not occur within this period of the organisation's operation and given the organisation's desire to create a family home environment for children in its care, it appears that the organisation's unwritten policy was not to engage in child migration activities.

ii. **Was there a particular policy and/or procedural aim/intention?**

The organisation did not engage in child migration during this period and sought to create a family home environment within the establishment. It would not have been possible to create such an environment if children were placed for migration.

iii. **Where were such policies and/or procedures recorded?**

The organisation did not engage in child migration during this period.

iv. **What did the policies and/or procedures set out in terms of the following?**

The organisation did not engage in child migration during this period.

- **Identification and checking the suitability of the places where children were sent**
- **Selection of children to migrate including age, gender and background**
- **Provision of information to the child and/or his/her parents before migration**
- **Provision of information and records to children and/or their parents once child had been migrated**
- **Obtaining consent of child**
- **Obtaining consent of parents of child**
- **Obtaining of consent of others e.g. Secretary of State**
- **Responding to requests for information from former child migrants**
- **Other issues**

v. **Who compiled the policies and/or procedures?**

The organisation did not engage in child migration during this period.

vi. **When were the policies and/or procedures put in place?**

The organisation did not engage in child migration during this period.

vii. **Were such policies and/or practices reviewed?**

The organisation did not engage in child migration during this period.

viii. **If so, what was the reason for review?**

The organisation did not engage in child migration during this period.

ix. **What substantive changes, if any, were made to the policies and/or procedures over time?**

The organisation did not engage in child migration during this period.

x. **Why were changes made?**

The organisation did not engage in child migration during this period.

xi. Were changes documented?

The organisation did not engage in child migration during this period.

xii. Was there an audit trail?

The organisation did not engage in child migration during this period.

Present

xiii. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xiv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to child migration?

Yes. The organisation did not engage in child migration during this period.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of child migrants relating to the following?

The organisation did not engage in child migration during this period.

- **Identification and checking the suitability of the places where children were sent**
- **Selection of children to migrate including age, gender, background**
- **Provision of information to the child and/or his/her parents before migration**
- **Provision of information and records to children and/or their parents once child had been migrated**
- **Obtaining consent of child**
- **Obtaining consent of parents of child**
- **Obtaining of consent of others e.g. Secretary of State**
- **Responding to requests for information from former child migrants**
- **Other issues**

iii. How was adherence demonstrated?

The organisation did not engage in child migration during this period.

iv. How can such adherence be demonstrated to the Inquiry?

The organisation did not engage in child migration during this period.

v. Were relevant records kept demonstrating adherence?

The organisation did not engage in child migration during this period.

vi. **Have such records been retained?**

The organisation did not engage in child migration during this period.

vii. **If policy/procedure was not adhered to in practice, why not?**

The organisation did not engage in child migration during this period.

viii. **How many children were sent as child migrants from the organisation's establishments, and where were they sent?**

No child migrants were sent between 1930 and 2014.

ix. **What was their age and gender?**

No child migrants were sent between 1930 and 2014.

x. **Over what time period were children migrated from the organisation's establishments?**

No child migrants were sent between 1930 and 2014.

xi. **Who funded the child migration?**

No child migrants were sent between 1930 and 2014.

xii. **Who received the funding in relation to migrant children?**

No child migrants were sent between 1930 and 2014.

xiii. **In general terms, how much was this funding?**

No child migrants were sent between 1930 and 2014.

xiv. **How did the organisation/establishment respond to requests for information from former child migrants?**

No child migrants were sent between 1930 and 2014.

Present

xv. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

xvi. **If so, please give details.**

xvii. **In hindsight, does the organisation have a view on policies/procedures that were in place in relation to child migration?**

The organisation did not engage in child migration during this period.

xviii. **If the organisation accepts that such policies or procedures were flawed, has the organisation provided a specific response e.g. apology, redress or any other type of response?**

The organisation does not accept that such policies/procedures were flawed.

4.12 Records

(a) Policy

Past

i. What policies and/or procedures did the organisation/establishment have in relation to record keeping?

The organisation's historic records do not contain evidence of formal record keeping policies and procedures and there is no individual within the organisation who was present during the operation of the establishment and who could speak to the organisation's policies and procedures in this regard.

During the establishment's period of operation it is likely that the organisation produced formal record keeping policies and procedures which were applied across the organisation's different establishments but copies of such have not been retained. Although the intention was for the establishment to operate as a family home which required those in charge of the establishment to have some flexibility in the establishment's day to day operations, the organisation's records make it clear that consistency across the organisation's establishments (group homes) was expected.

The expectation is that the organisation's policies and procedures were in accordance with good practice during this period.

The information provided in this question is based on an understanding of the organisation's policies and procedures (formal, informal, written or unwritten) in relation to the day to day running of the establishment gained from a review of the organisation's historic records (namely records of meetings of the organisation's governing body and relevant committees).

The 1959 Regulations required the recording of information such as: a register of admissions and discharge; a log book in which "very event of importance" was to be recorded (e.g. visits, inspections, punishments, fire drills and precautions, etc.); and a personal history of each child resident at the establishment and the destination of that child after leaving the establishment. Some of this information had to be provided to the Secretary of State upon request. There were no rules within the 1959 Regulations as to the length of time for which the information had to be retained.

The organisation maintained log books for each establishment in accordance with the 1959 Regulations. The organisation did not have a formal record retention policy during this period and the expectation is that the organisation would have wanted to retain this information for as long as it could have been requested by the Secretary of State.

During the establishment's operative period methods of record keeping would have changed drastically, including the introduction of electronic recording and record retention procedures. For this reason there are less records retained for the Group Home Years than are retained by the organisation for the Orphanage Years (during which the majority of records were made within the organisation's handwritten minute books and log books).

The majority of case records of the children resident within the establishments operated during this period are retained by the organisation.

ii. **Was there a particular policy and/or procedural aim/intention?**

The organisation's historic records suggest that the aim/intention of such policies and procedures was to meet the organisation's obligations under the 1959 Regulations; to facilitate the smooth operation of the establishment; to facilitate updates and discussions with the local authorities responsible for the children within the organisation's care; and to provide the children resident at the establishment with a record of their childhood.

iii. **What did the policies and/or procedures set out in terms of records relating to the following?**

- **Children in its care**

  These records generally contained: the child's name; date of birth; background; family and sibling details; reasons for being taken into care; detailed health records; detailed education records; and notes of the child's belongings when they arrived at and when they left the establishment; correspondence between the establishment and the relevant local authority responsible for the child, any party engaged to carry out work with the child (e.g. psychologists, etc.) and the child's family; information about education, training or work for the child when it came time to leave the establishment; reports to the relevant social work department; and "daily care" records providing details about the child's progress at the establishment and day to day activities.

  The organisation still retains most of the case records for children resident at the establishment.

- **Staff**

  Employment records are not generally held for longer than seven years therefore it is not possible to comment conclusively on the level of record keeping in this regard.

  Those records the organisation retains contain basic information about staff for example, their name; date of birth; dates of employment; reason for leaving; and sometimes details about qualifications, experience or past employment of those staff members.

- **Complaints**

  As explained above it appears complaints were recorded separately and the organisation no longer holds records of those complaints.

  There are records of some complaints received by the organisation within the organisation's records of meetings of the governing body. There may also be records of complaints within individual case records but the names of the individual children in question would be required to confirm if this is the case.

- **Investigations**

  Basic records of investigations (internal and external) are contained within the organisation's records of meetings of the governing body.

  The organisation no longer holds separate records of investigations, although this does not mean these were not held by the organisation at the time.

- **Discipline**

  Under the 1959 Regulations the organisation was obliged to record details of punishments administered within the establishment within a log book.

- **Child migrants**

  As outlined above in question 4.11, the organisation did not participate in child migration during the relevant period of inquiry.

- **Responding to requests from former residents for information/records**

  There is no information within the organisation's historic records which suggest such requests were made during the establishment's period of operation and no information which provides insight into the organisation's policies and practices in this regard.

  The current approach to responding to requests is explained within the report relevant to the Sycamore Cluster.

- **Other issues**

iv. Who compiled the policies and/or procedures?

The policies and procedure (whether formal, informal, written or unwritten) referred to above were compiled by the director (also known as the warden and the principal) of the organisation with assistance from the senior management team and with the practical input of houseparents. The policies and procedures were approved by the organisation's governing body and relevant committees.

v. When were the policies and/or procedures put in place?

As explained above, the exact timing of the development of the organisation's policies and procedures is not clear from historic records, particularly as there are no remaining written records of those policies. The information available suggests that the policies and procedures were in place, developed, reviewed and updated throughout the period of the establishment's operations with which the inquiry is concerned.

vi. Do such policies and/or procedures remain in place?

The establishment is no longer in operation.

vii. Were such policies and/or practices reviewed?

The organisation's historic records show that the organisation reviewed policies and practices on an ongoing basis.

There is no evidence of a specific review of the organisation's policies or practices in relation to record keeping.

viii. If so, what was the reason for review?

There is no evidence of a specific review of the organisation's policies or practices in relation to record keeping.

The review of policies and procedures was generally carried out on an ongoing and responsive basis, i.e. in response to changing social and public requirements and in response to the organisation's own requirements.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

There is no evidence of substantive changes to these policies and procedures.

x. Why were changes made?

There is no evidence of substantive changes to these policies and procedures.

xi. Were changes documented?

Any changes to such policies and procedures were likely documented and disseminated to the organisation's staff however no copies of these policies and procedures have been retained so it is not possible to confirm where, or indeed whether, such changes were documented.

xii. Was there an audit trail?

Copies of the organisation's policies and procedures relating to the establishment are no longer retained therefore no formal audit trail exists. The only information relating to these policies is contained within the minutes of meetings of the organisation's governing body and to some extent within the case records of previous residents of the establishment.

Present

xiii. With reference to the present position, are the answers to any of the above questions different?

The establishment is no longer in operation.

xiv. If so, please give details.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to record keeping?

Yes.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of record keeping relating to the following?

Yes.

- **Children**
- **Staff**
- **Complaints**
- **Investigations**
- **Discipline**
- **Child migrants**
- **Responding to requests from former residents for information/records**

- **Other issues**

iii. **How was adherence demonstrated?**

There is no evidence of the organisation having a formal procedure for demonstrating adherence. Adherence was demonstrated through the practical application of these policies.

Historic records show that the areas outlined above were generally conducted in accordance with the agreed policies and procedures as outlined in questions 4.12(a) and this practical application of those policies and procedures demonstrated adherence.

iv. **Were relevant records kept demonstrating adherence?**

As explained above, there is no evidence of records specifically relating to such policies or procedures or adherence thereto.

Adherence to policies and procedures is evident from individual case records and from the records of meetings of the organisation's governing body during which the practicalities of these policies and procedures were discussed in relation to specific children and on a general basis.

v. **Have such records been retained?**

Individual case records and records of meetings of the organisation's governing body and the relevant committees during which record keeping was discussed in relation to specific children and on a general basis have been retained.

vi. **If policy/procedure was not adhered to in practice, why not?**

There is no evidence of policy and procedure relating to record keeping not being adhered to in practice.

vii. **Did the establishment undertake any review or analysis of its records to establish what abuse or alleged abuse of children cared for at the establishment may have taken place?**

There is no evidence of such a review taking place during the establishment's period of operation.

In order to respond to the Inquiry's questions contained within this report, the organisation undertook a review of its records in order to establish whether abuse or alleged abuse of children cared for at the establishment may have taken place.

viii. **If so, when did the reviews take place, what documentation is available, and what were the findings?**

The recent review of the organisation's and establishment's records took place in late 2016/early 2017.

This review included a review of the organisation's minute books (records of meetings of the organisation's governing body and committees) from 1967 to 1983 (when the establishment closed). Where concerns were identified within these minute books regarding a specific child, that child's case record was retrieved and reviewed.

The findings of this review are contained within this report. The findings are recorded primarily within parts B and D of this report.

ix. **How have the outcomes of investigations been used to improve systems, learn lessons?**

The establishment was no longer in operation when this review was carried out.

x. **What changes have been made?**

The establishment was no longer in operation when this review was carried out.

xi. **How are these monitored?**

The establishment was no longer in operation when this review was carried out.

xii. **Did the organisation/establishment afford former residents access to records relating to their time at the establishment?**

Yes. The organisation encourages former residents to request access to their case records relating to their time at the establishment.

xiii. **If so, how was that facilitated?**

Former residents can request their records in any way (for example, by telephone, e-mail or mail request). In order to ensure files are not released to the wrong person the organisation asks former residents to provide proof of their identity before providing a copy of their case record to them.

A copy of the former resident's case record is then reviewed by the organisation and any information relating to other people (e.g. other residents of the establishment) is redacted. The file is then sent to the former resident along with a letter from the organisation.

xiv. **If not, why not?**

Access is provided.

Present

xv. **With reference to the present position, are the answers to any of the above questions different?**

The establishment is no longer in operation.

In terms of access to records by former residents, the information provided above reflects current practice.

xvi. **If so, please give details.**

Please see answer above.

xvii. **Please provide details of any records currently held relating to the establishment in respect of the following:**

- **Children in its care**

  The organisation holds case records for most of the children who were resident in the establishment.

These case records range in size and detail but generally contain: information about the individual's identity; their background and the reasons they were taken into care; family background if known; information about siblings and other family members; health information; details of the individual's belongings brought with them to the establishment; correspondence relating to the individual between the establishment and the relevant local authority, the child's family, any support service offered to the individual (e.g. psychologists, etc.) and potential employers/educators of the individual following their residence at the establishment; information about what the individual went on to do after their time at the establishment; reports and updates to social work departments; and "daily care" records relating to the individual which provide an insight into the individual's progress and any issues experienced.

- **Staff**

  Employment records are not generally held for more than seven years after an employee leaves the employment of the organisation. However, these are relatively recent rules and some basic records are still held for staff employed at the establishment. These records generally record the individual's name, date of birth, role, dates of employment, reason for leaving, basic training and induction information and qualifications.

- **Complaints**

  Information about complaints appears to have been held separately from the organisation's governance records and it has not been possible within the time constraints of this project to locate and review those documents. Additional information about complaints is likely held within the individual case records of the children in question but it is not possible to access those records without the name of a specific prior resident.

- **Investigations**

  Information about investigations relating to the organisation's establishments (internal and external – although note the lack of investigations carried out in relation to the establishment) can be found within the organisation's records of meetings of its governing body. Standalone records of investigations are no longer retained or, if these do exist, it has not been possible to locate these within the constraints of this project.

- **Discipline**

  Information about discipline policies and procedures and concerns relating to the way in which discipline was handled within the establishment can be found within the organisation's records of meetings of its governing body. The establishment recorded punishments within log books (as explained above) and some of these books are retained by the organisation. Otherwise, standalone records of discipline policies and procedures relating to the establishment are no longer retained.

- **Child Migrants**

  As explained above, the establishment did not take part in child migration during the period under inquiry.

- **Responding to requests from former residents for information/records**

The organisation now operates a data retention policy and no longer holds all information indefinitely. For this reason more recent records of requests made by former residents for information/records and the organisation's responses thereto may be retained by the organisation but it is unlikely records of all such records are retained.

Draft Inquiry Response – Part D Establishment – Quarryhill

Part D – Abuse and Response

The questions in Part D should be answered in respect of abuse or alleged abuse relating to the time frame 1930 to 17 December 2014 only.

5. Abuse

5.1 Nature

i. **What was the nature of abuse and/or alleged abuse of children cared for at the establishment, for example, sexual abuse, physical abuse, emotional abuse?**

The only evidence identified of conduct that would constitute abuse is a complaint by the father of a boy in 1979 that a staff member had pushed his son. The matter was dealt with in a review hearing the result of which was that no action was taken. There is no record of the matter being taken further. Reference is made to the information in Appendix 5A.

Please note, the records reviewed in order to provide the information contained in this report include the minutes of meetings of the organisation's governing body and relevant management committees; HR records so far as these are available during this period (please note that HR records are not generally retained for longer than seven years); and individual case records of residential service users have also been examined where specific allegations or complaints of abuse involving those service users have been made.

The organisation has access to extensive records within its archives, including individual child records. It is likely to be possible to locate and review individual child records if specific allegations are raised.

5.2 Extent

i. **What is the organisation/establishment's assessment of the scale and extent of abuse of children cared for at the establishment?**

Other than as noted above there is no evidence within the organisation's historic records of abuse having occurred at, or allegations of abuse having been made in relation to, the establishment.

ii. **What is the basis of that assessment?**

Other than as noted above there is no evidence within the organisation's historic records of abuse having occurred at, or allegations of abuse having been made in relation to, the establishment.

iii. **Against how many staff have complaints been made in relation to alleged abuse of children cared for at the establishment?**

Against one member of staff as noted above.

iv. **How many staff have been convicted of, or admitted to, abuse of children cared for at the establishment?**

None.

v. **How many staff have been found by the organisation/establishment to have abused children cared for at the establishment?**

None.

vi. **In relation to questions iii – v above, what role did/do those members of staff had/have within the organisation/establishment?**

There is no evidence as to the position of the member of staff against whom the complaint was made.

vii. **To what extent did abuse and/or alleged abuse of children cared for at the establishment take place during off-site activities, trips and holidays?**

There is no evidence within the organisation's historic records of abuse having occurred at, or allegations of abuse having been made in relation to, the establishment.

viii. **To what extent was abuse and/or alleged abuse of children cared for at the establishment carried out by visitors and/or volunteers to the establishment?**

There is no evidence within the organisation's historic records of abuse having occurred at, or allegations of abuse having been made in relation to, the establishment.

ix. **Have there been allegations of peer abuse?**

There is no evidence within the organisation's historic records of abuse having occurred at, or allegations of abuse having been made in relation to, the establishment.

5.3 <u>Timing of Disclosure/Complaint</u>

i. **When were disclosures and complaints of abuse and/or alleged abuse of children cared for at the establishment made to the organisation or establishment?**

As noted above, one complaint regarding the treatment of a child resident at the establishment was made in 1979. The details of this complaint are contained within Appendix 5A. The historic records relating to this matter contain no evidence of abuse having taken place in relation to the child in question or in general in relation to the establishment's operations.

ii. **To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?**

The complaint noted above was made at the time.

iii. **To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?**

There have been no complaints about abuse other than the complaint noted above.

iv. **Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?**

As noted above there is only one record of a complaint of conduct that might constitute abuse. No patterns are identified.

5.4. External Inspections

i. **What external inspections have been conducted relating to children cared for at establishment which considered issues relating to abuse and/or alleged abuse of children?**

There is no evidence within the organisation's historic records of external inspections which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

For each such external inspection please answer the following:

There is no evidence within the organisation's historic records of external inspections which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

ii. **Who conducted the inspection?**
iii. **Why was the inspection conducted?**
iv. **When was the inspection conducted?**
v. **What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children?**
vi. **What was the organisation/establishment's response to the inspection and its outcome?**
vii. **Were recommendations made following the inspection?**
viii. **If so, what were the recommendations and were they implemented?**
ix. **If recommendations were not implemented, why not?**

5.5 External Investigations

i. **What external investigations have been conducted relating to children cared for at the establishment which have considered issues relating to abuse and/or alleged abuse of children?**

There is no evidence within the organisation's historic records of external investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

For each such external investigation please answer the following:

There is no evidence within the organisation's historic records of external investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

ii. **Who conducted the investigation?**
iii. **Why was the investigation conducted?**
iv. **When was the investigation conducted?**
v. **What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children?**
vi. **What was the organisation/establishment's response to the investigation and its outcome?**
vii. **Were recommendations made following the investigation?**
viii. **If so, what were the recommendations and were they implemented?**
ix. **If recommendations were not implemented, why not?**

5.6 Response to External Inspections/Investigations

i. **What was the organisation's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse, of children cared for at the establishment?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

ii. **What was the organisation's procedure/process for responding to the outcomes of such external inspections and/or investigations?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

iii. **What was the organisation's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

5.7 Impact

i. **What is known about the impact of abuse on those children cared for at the establishment who were abused, or alleged to have been abused?**

The only complaint of which the organisation is aware is set out in Appendix 5A. There is no evidence that abuse took place and therefore no evidence of the impact of any such abuse.

ii. **Where does the organisation/establishment's knowledge/assessment of that impact come from?**

The only complaint of which the organisation is aware is set out in Appendix 5A. There is no evidence that abuse took place and therefore no evidence of the impact of any such abuse.

iii. **What is known about the impact of abuse on the families of those children cared for at the establishment who were abused, or alleged to have been abused?**

The only complaint of which the organisation is aware is set out in Appendix 5A. There is no evidence that abuse took place and therefore no evidence of the impact of any such abuse.

iv. **Where does the organisation/establishment's knowledge/assessment of that impact come from?**

The only complaint of which the organisation is aware is set out in Appendix 5A. There is no evidence that abuse took place and therefore no evidence of the impact of any such abuse.

5.8 Known Abusers at Establishment

i. **Does the organisation/establishment know of specific abusers, or alleged abusers, of children cared for at the establishment?**

The only complaint of which the organisation is aware is set out in Appendix 5A.

ii. **If so, what are the names of the abusers, and/or alleged abusers?**

The only complaint of which the organisation is aware is set out in Appendix 5A. The name of the staff member against whom the complaint was made is included in Appendix 5A.

iii. **For each of these persons, please provide as much as possible of the following information:**

The only complaint of which the organisation is aware is set out in Appendix 5A.

The information sought relates to the period 1967 – 1983. Comprehensive employment records for this period are no longer retained by the organisation (employment records are generally retained for seven years) and there is nobody employed by the organisation at present who can speak to the recruitment and dismissal procedures of the organisation during this period. For these reasons it is not possible to provide all of the information sought.

- **the period (dates) during which they are known or alleged to have abused children cared for at the establishment**

  1932 – one alleged incident only.

- **the role they had in the organisation/establishment during the period of abuse and/or alleged abuse**

  Unknown.

- **where they worked prior to, and following, their time at the organisation/establishment**

  Unknown.

- **the knowledge sought or received about them by the organisation/establishment at the point of recruitment, and while they were at the establishment.**

  Unknown.

- **any information sought by, or provided to, future employers or third parties after they left the establishment, including regarding abuse or alleged abuse**

  Unknown.

iv. **Were known abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation?**

There is no evidence that the staff member in question was moved.

v. **If so, why was this considered to be appropriate?**

There is no evidence that the staff member in question was moved.

vi. **If so, what process of monitoring/supervision followed at the new establishment?**

There is no evidence that the staff member in question was moved.

5.9 Specific Complaints

i. **How many specific complaints of abuse of children cared for at the establishment have been made to the establishment/organisation?**

One. The only evidence identified of conduct that would constitute abuse is a complaint by the father of a boy in 1979 that a staff member had pushed his son.

For each specific complaint, please answer the following:

As noted above a complaint was made by the father of a boy in 1979 that a staff member had pushed his son. The matter was dealt with in a review hearing the result of which was that no action was taken. There is no record of the matter being taken further. Reference is made to the information in Appendix 5A.

ii. **Who made the complaint?**
iii. **When was the complaint made?**
iv. **Against whom was the complaint made?**
v. **What was the nature of the complaint?**
vi. **When/over what period was the abuse alleged to have taken place?**
vii. **What was the organisation/establishment's process and approach in dealing with the complaint?**
viii. **What was the organisation/establishment's process and approach for investigating the complaint?**
ix. **What was the outcome of the complaint following that investigation?**
x. **Did the organisation/establishment provide a specific response to the complaint?**
xi. **If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?**
xii. **If there was no response, why not?**
xiii. **Was the information/content of the complaint passed to police?**
xiv. **If not, why not?**

5.10 Civil Actions

i. **How many civil actions have been brought against the organisation and/or establishment relating to abuse, or alleged abuse, of children cared for at the establishment?**

None.

For each such civil action, please answer the following:

There were no civil actions.

ii. **Who brought the action?**
iii. **When was the action brought?**
iv. **Against whom was the action brought?**
v. **What was the nature of the abuse, or alleged abuse, to which the action related?**
vi. **What were the names of the persons said to have, or alleged to have, committed abuse?**
vii. **When/over what period was the abuse said, or alleged, to have taken place?**

viii. **How did the action progress?**
ix. **What was the outcome?**
x. **Was the action settled on a conditional basis of confidentiality?**
xi. **Who was/were the organisation/establishment's legal representative(s) in relation to the civil action?**
xii. **Did the organisation/establishment carry insurance for meeting civil claims at the time the action was live?**
xiii. **How/where can copies of the court papers relating to the civil action be made available to the Inquiry?**

5.11 Criminal Injuries Compensation Awards

i. **Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for at the establishment?**

No.

ii. **If so, please provide details if known.**

5.12 Police

i. **How many complaints of abuse of children cared for at the establishment have been made to the police?**

None.

In relation to each known complaint to the police, please answer the following questions:

ii. **Who was the alleged abuser?**
iii. **Did the police conduct an investigation in relation to the complaint?**
iv. **If so, who conducted the investigation and when?**
v. **What was the outcome of the police investigation?**
vi. **What was the organisation/establishment's response?**

5.13 Crown

i. **To what extent has the Crown raised proceedings in respect of allegations of abuse of children cared for at the establishment?**

No such proceedings have been raised.

In relation to each time the Crown has raised proceedings, please answer the following questions:

ii. **What is the name of the person(s) against whom the proceedings were raised?**
iii. **What was the nature of the charges?**
iv. **What was the outcome of the proceedings, including disposal/sentence if there was a conviction?**
v. **What was the organisation/establishment's response to the proceedings and outcome?**