

22 MARCH 2011

Response to the Report on Time to be Heard: A Pilot Forum

Shona Robison MSP, Minister for Public Health and Sport

Adam Ingram MSP, Minister for Children and Early Years

Fergus Ewing MSP, Minister for Community Safety



Response to the Report on Time to be Heard: A Pilot Forum

Shona Robison MSP, Minister for Public Health and Sport

Adam Ingram MSP, Minister for Children and Early Years

Fergus Ewing MSP, Minister for Community Safety

The Scottish Government, Edinburgh 2011

© Crown copyright 2011

ISBN: 978-1-78045-106-0 (web only)

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Government by APS Group Scotland
DPPAS11428 (03/11)

Published by the Scottish Government, March 2011

Introduction

In September 2009 we gave approval for a Pilot Forum, now known as Time to be Heard, to test out a Confidential Committee to hear testimony from adults who had formerly been residents of Quarriers, with the aim of making recommendations on the wider rollout of such a forum.

The aims of Time to be Heard were:

- To listen to former residents
- To acknowledge and record their experiences
- To provide a historical record of their experiences
- To signpost available services for survivors and support, advocacy, advice and information about these services
- To enable lessons to be learned which can assist in the further improvement of residential services for children, including protection from harm
- To test out a particular model - a Confidential Committee model

We would firstly like to thank Tom Shaw, the Chair of Time to be Heard and Dr Anne Carpenter and Kathleen Marshall, the Commissioners for the skill and care they brought to the hearings with participants, the thorough arrangements established for Time to be Heard and the excellent Report that provides valuable observations on finding a way forward for survivors of in-care abuse and other residents in child-care institutions.

We are pleased that the Pilot Forum has proved so successful. We have already indicated our support for a national confidential forum. The Time to be Heard report helps to inform our views on what needs to happen next and provides an invaluable model for the national confidential forum to follow.

In responding to this, the Scottish Government has considered in detail each of the main recommendations identified by the Chair and Commissioners of Time to be Heard and how these can be or are being put into practice.

The valuable lessons learned from the Time to be Heard pilot forum will undoubtedly help in the development of a full national confidential forum in the future.



Shona Robison MSP
Minister for Public Health
and Sport



Adam Ingram MSP
Minister for Children
and Early Years



Fergus Ewing MSP
Minister for Community
Safety

Recommendation 1

An independent national confidential forum should be established in Scotland for all adults who, as children, were cared for in any of the following types of provision: residential schools and children's homes, residential educational provision for children with special needs, long-stay hospital provision for children with acute medical and/or mental health needs, residential youth justice provision, boarding departments of schools and private homes through boarding-out and foster care arrangements.

We support the recommendation to establish a national confidential forum. More work needs to be done before decisions can be taken about who should be eligible to participate in such a forum. We would wish to start with general residential care but there is clearly more work required to identify the wide range of child care arrangements which existed in the past, to establish how we can contact people who were previously part of these arrangements and to include them in consultation on what happens next. We intend to commission research to help identify these organisations and the number of children who were part of these arrangements. Then we will be able to consider in a more informed way the parameters for a national confidential forum and proposals for legislation can reflect those findings.

Recommendation 2

Appropriate legislation should be introduced to give the necessary protection for the effective operation of a national confidential forum.

We fully endorse this recommendation and agree that legislation should be developed as soon as possible.

Recommendation 3

Any future national confidential forum should engage with survivors at the earliest date to devise a communication and project development mechanism that will ensure that survivors' interests are kept at the centre, while paying due regard to the human rights of everyone involved.

We fully endorse this recommendation. We have already begun to engage with survivors and other stakeholders through previous consultations, through events following the publication of the Time to be Heard Report and through the SurvivorScotland website. We have received considerable interest in future involvement following these events and intend to build on this and reach out to a wider range of survivors than those with whom we previously had contact.

Recommendation 4

The Chair, Commissioners and staff for the national confidential forum should be in post sufficiently far in advance of the commencement of hearings to allow them to be the only contact with prospective participants.

We fully endorse this recommendation. As indicated in response to recommendation 2 we accept that legislation should be introduced as soon as possible. Such legislation will include in general terms any major appointments to the national confidential forum and these will be undertaken in line with the policies already set out for public appointments.

Recommendation 5

The arrangements for and administration and operation of the national confidential forum should be based on the model and informed by the experience of TTBH.

We accept that the administrative and operational arrangements for a national confidential forum should be independent of the Scottish Government. These arrangements would be considered in general terms in the development of the legislative framework and more specifically in subsequent preparatory arrangements.

Recommendation 6

Applications from any person who spent time in care as a child should be accepted. Those who do not consider themselves to have experienced abuse in care can be given the opportunity to provide written testimony initially.

We fully support the recommendation. However, as with recommendation 1 there is clearly more work required to identify the wide range of child care arrangements which existed in the past, to establish how we can contact people and to consult further on the best way of giving all those who were in residential child care the opportunity to contribute to a national confidential forum while recognising the particular position of those who define themselves as survivors.

Recommendation 7

The Scottish Government should collate information on care leavers who commit suicide or who experience suicidal ideation, quantify the extent of the problem and shape a multi-disciplinary response to address this enduring tragedy.

The Scottish Government is working with NHS Health Scotland to produce a database that will help us to understand what lies behind some suicides and to get a clearer picture of all the factors underlying suicides in the general population. We will investigate the possibility of including in the database information on whether someone was a care leaver.

Recommendation 8

The Scottish Government should fund research to identify which factors make some individuals more resilient to the effects of abuse.

We are conscious that a significant amount of research has already been carried out on resilience. We would, in the first instance, wish to consider that existing evidence. Following this, if there is still a requirement for further evidence we would consider commissioning additional research.

Recommendation 9

The Scottish Government should commission research to explore the impact of a history of residential child care on attitudes to care of older people. The results should inform professional training, assessment of older people and the choices made available to them.

The Scottish Government, COSLA and NHS Scotland, recently published "Reshaping Care for Older People: A Programme for Change 2011 – 2021," following extensive public engagement. The Scottish Government is working in partnership with local authorities, health boards, third sector and private sector providers, and is committed to ensuring that all older people can be provided with the care that is right for them either at home in or in a homely setting. The programme will work towards significant improvements in outcomes for all those receiving care, and personalisation is central to this work.

The Scottish Government does not therefore support the recommendation to commission specific research on the impact of a history of residential care on attitudes to care of older people. Embedding personalisation into the delivery of all care services will ensure that all individual's specific needs are taken into account, and this will include those with a history of residential child care. Good communication about changes in the delivery of care for older people is also an important part of the reshaping programme and will aim to keep people up to date with improvements in the way in which care is delivered. This will help to re-assure those who have concerns about moving into residential care.

Recommendations 10 to 15

The Scottish Government recognises the importance of the recommendations that have been made for providers of residential care and would encourage all organisations to give careful consideration to how these recommendations can be implemented. The Scottish Government will, through the SurvivorScotland Team co-ordinate information on existing work which addresses these recommendations and identify areas where further work may be required.



**The Scottish
Government**

© Crown copyright 2011

ISBN: 978-1-78045-106-0 (web only)

APS Group Scotland
DPPAS11428 (03/11)

w w w . s c o t l a n d . g o v . u k