

## APPENDIX

### Part A – Background

#### 1. Characteristics

##### 1.1 History of the Organisation

**All references to “foster care” include boarding out with private families.**

- a) When and how did the organisation become involved in the provision of foster care for children in Scotland?

In June Rose’s book – “For the Sake of the Children” - she states that since the sixteenth century it had been the practice in Scotland to place any ‘beggar’s bairn’ with a respectable family so that the child could grow up into a sober, industrious citizen.

By the nineteenth century the practice of boarding-out children with crofters or farmers was systematic and widespread in Scotland where it had proved to be both efficient and satisfactory. In ‘*Something Attempted-Something Done*’ written by Dr Barnardo in 1888/1889 he writes about the boarding-out system having spread like wildfire in Scotland. He states that 14,000 children were boarded-out in 20 years, and of 9,500 reported on from parochial boards, only 2.75% turned out partially or wholly unsatisfactory.

In the 1880s, Dr Barnardo started boarding-out orphans in the English countryside. In 1886 he announced that the boarding-out of children would become a separate branch of the charity’s work. In 1886 Dr Barnardo began to board out children initially in the south east of England.

In 1888 there were 426 children boarded-out in villages in the south east of England under the supervision of local committees.

#### Auxiliary Boarding-Out Scheme

In 1891, Dr Barnardo started the Auxiliary Boarding-out (ABO) Scheme under which grants were given to supplement the wages of unmarried mothers in domestic work to enable them to find reliable foster mothers to look after their babies. The finding of a foster mother was the mother or her employer’s responsibility and was not undertaken by the charity at that time. The earliest example of boarding out in Scotland located in the archive is 1943, when a child was boarded out in Aberdeen.

For every ABO child and mother, there was an intermediary, many of whom were trained ‘Moral Welfare Workers.’ A child who had been on the ABO list for two years or more had the right to full admission to the Branch homes on the request of the mother or in other suitable circumstances. Children benefitting from ABO grants were entitled to the full benefits of the charity’s after care support. A case in Glasgow in 1944 is an example of this. Her birth mother remarried and had further children. She asked for her to be admitted permanently into Barnardo’s homes, and signed an Admission Agreement.

### Special Assistance Scheme

Soon after 1939 a special assistance scheme was started. This extended Auxiliary Boarding-out and made it possible to give grants to married women with 'illegitimate' (we have used the language of the time, which rightly would be seen as offensive today) children. It also provided occasional grants for the legitimate children of widows or married women living apart from their husbands. There are two early examples of children in Scotland placed under this scheme found in the archive. A child was placed in Glasgow in 1945 and another placed in Edinburgh in 1948.

### Boarding-out in Scotland

In 1942 Barnardo's was committed to the new professionalism. They appointed a professional social worker Miss Muriel Dyson to take charge of boarding-out. In the late 1940's she established the Boarding Out Department, responsible for all foster placements with officers across the country, including Mrs Wenyon in Scotland. She later qualified as a psychiatric social worker.

The 1943 edition of the Barnardo Book states that "it is the settled policy of the Council that all children of suitable age and physical and mental conditions shall be boarded-out in private households rather than retained in Branch homes."

The 1943 Barnardo's Book outlines the belief held at that time that boarding-out provided a freer and more natural life than could be provided in a Branch home. Boarding-out was organised in centres, each consisting of a group of foster homes in a village or town, supervised by a local resident voluntary worker known as the Correspondent. The Correspondent's role was to keep in touch with the foster parents and children, reporting immediately cases of illness or other matters requiring attention. Correspondents were appointed from Head Office in London. At this time, the Barnardo's Book outlined that only children who were "healthy, of average intelligence and fairly easy to manage" were boarded-out.

The earliest example of boarding out in Scotland located in the archive is 1943, when a child was boarded out in Aberdeen. Children were not routinely 'boarded out' (placed in foster care) in Scotland until after the war when Barnardo's had established their first residential children's homes. The provision of residential and foster care in Scotland was seen as an extension to existing provision in England most notably concentrated in London and the South East.

In Ms Muriel Dyson's report dated 15 November 1950, she highlighted a significant drop in the number of children in foster homes across Barnardo's. The reasons given for this were: changes in the Inspectorate; fathers and sons returning from the war and gaining employment; increase in the birth rate; additional income no longer being required; and additional children in the home no longer being desired.

In the 1950s boarding-out in Scotland continued to be administered from Head Office (HO), under the Area Chief Executive Officer (Scotland) and assisted by the Boarding-out Executive (HO) and Welfare Officers resident in Scotland.

A copy of the agenda from the conference held from 4 to 6 October 1950 has been retained in the archive. Mrs Wenyon, the boarding-out officer for Scotland, was in

attendance. Items discussed included allowances, children's books, girls' after care and the ABO Scheme.

The information that Barnardo's has found in the archive indicates that between 1943 and 1961 there were 38 children placed in Scotland under the Special Boarding Out (a term used to describe when a child who was in Barnardo's care was placed by us in an outside institution such as a boarding school suitable for children with particular special needs or a hospital for children with severe physical or learning disabilities), ABO and boarding out schemes. The majority of children admitted into Barnardo's care in Scotland were accommodated in residential children's homes.

- b) How has the involvement of the organisation in the provision of foster care changed/developed over time?

Pre-war practice in Barnardo's was to recall children in foster care on their fourteenth birthday, when they would be taken back into a Branch home for technical and domestic training.

In foster care, as in most aspects of child care, a new phase appeared to begin from 1946. Both the Curtis (England and Wales) and Clyde (Scotland) Committee Reports critically examined residential work. The Clyde Report recommended that "a good foster parent system" should be encouraged as the best solution, with better selection and inspection of foster parents, that the boarding-out (local) authority should be ultimately responsible for the child, that boarded-out children be visited (by officials) every six months, that the existing control of voluntary homes be extended to all institutional homes in which children may reside, and that large institutions be divided into smaller units.

In the Children Act 1948, boarding out became the first aim, and placing a child in a home, whether local authority or voluntary, was to be an option only when boarding out was considered to be not practicable or not desirable.

After 1946, living standards steadily improved and some of the basic causes of family breakdown diminished with support from social security measures. As a result, the impetus of modern case work practised by trained social workers began to influence conceptions of foster care handed down from the past. Now, efforts were made to retain links with parents and relatives during periods of foster care and the possibility of restoration was positively worked towards where appropriate.

Another change was that Barnardo's became a registered adoption society in 1947. Like most other adoption societies at the time, Barnardo's would only consider children under three for adoption. They demanded a two year probationary period for adoptive parents. Many of the earlier adoptive parents were well known to the charity through long-term fostering. The first priority was to enable long term foster parents to adopt their children. The records show that 9 children were adopted by their foster parents out of the 38 placed between 1943 and 1961.

In the early **1950's** Barnardo's began to give grants to mothers who arranged for their children to live with relatives.

The Home Office in a series of reports between **1957 and 1963**, strongly recommended fostering as being appropriate for both short and long stay placements.

Barnardo's has carried out a review of a sample of 35 children's files where the child was placed in foster care from 1944 to 2010. This review revealed that during the **1950s and 1960s**, most children were admitted to a residential children's home first before being boarded-out. By the **end of the 1960s** children were directly admitted to foster homes and this was considered preferable to admitting children to a home first.

The **1969** working party on racial integration made sixty four principle recommendations and conclusions in their report. The 1969 working party report used language which was commonly adopted in that era but which Barnardo's would now – and has for many years – considered inappropriate. We use the original language here solely for accuracy in referring to the report. In relation to the boarding out of “coloured children” nineteen recommendations were made including: the principle that same race placements should be sought; that higher rates should be paid to foster parents in recognition of the difficulty in placing coloured children; and that the presence of other coloured adults and children in the area should be an influencing factor on the placement of a child.

The report states that in 1965 there were eight coloured children in Barnardo's care in Scotland. It is not broken down into those in residential and those in foster care.

Barnardo's Scottish Divisional Plan **1975 to 1979** highlighted local government re-organisation and that Barnardo's would primarily work with two authorities; the Lothian and Strathclyde Regions.

The Divisional Plan acknowledged that caring for other people's children required greater skill than attempting to bring them up as one's own. The development of skills required training which marked the start of professionalism in fostering. Included in the Plan was the development of a fostering service and a salaried foster parent scheme. An assistant children's officer was appointed in November **1975** to establish the scheme. In addition a Barnardo's social worker, Morag Aitchison, was spending half of her time building up expertise and knowledge about fostering. There was such a large response to the first recruitment campaign that she had to be freed from her other responsibilities to concentrate all her time on this task.

There was recognition amongst local authorities that there was neither the staff capacity nor skills available to make much headway in finding families for children in care who urgently needed ordinary and permanent family care.

During the **1970s**, Barnardo's Scotland's desire to find new solutions and innovative practice led them to concentrate their voluntary income on meeting the 'unmet needs' of children who were unable to live with their biological families.

The concept of Barnardo's partnership with local authorities and health providers was well established with many looking to Barnardo's to 'fill the gaps' and provide specialist provision where there was no effective local solution.

On **1 November 1976** New Families opened in Glasgow. The service concentrated on finding specialist new homes for children growing up in the care of the local authority who had no realistic chance of returning to their own family. It was the first project in Scotland to concentrate solely on home finding for 'hard to place' children. The project aimed to help older school children and adolescents, black or mixed race children, those who were physically or mentally disabled in varying degrees, brother and sisters who wished to stay together and emotionally disturbed children. The project focussed on the Strathclyde area. Barnardo's guaranteed to sponsor the Project for a minimum of three years. A contribution to the initial funding came from the Social Services Work Group and the Job Creation Scheme. Barnardo's set up a policy advisory committee to develop new ways of working within the project and maintain the lines of communication with the local authority.

Barnardo's Scottish Divisional Plan **1977 to 1981** reports on the main developments as being "a strong move into preventative services in the widest sense, e.g. day care, community work and special fostering and adoption services." It goes on to say that there is considerable interest and enthusiasm for re-defining the purpose and increasing the effectiveness of the existing fostering service.

In 1980 Barnardo's fostering scheme in Edinburgh was set up. Initially these were two separate services, **New Families** and **Special Families**. **Special Families** provided foster placements mainly for children with a high level of need who had either not secured a previous foster placements or whose previous placements had broken down, the purpose being to prepare them for permanence, ie a permanent foster placement. **New Families** concentrated on adoption and permanence. Initially these services were in different offices but began to work closely together and were merged under one Assistant Director in 1992 and was renamed Family Placement Service.

In **1981** six children were in foster placement. Reporting in the May 1981 edition of Barnardo's News, Paul Waring, project leader said, "*a key feature of the scheme has been the fortnightly meetings which we hold in Edinburgh for those families who have already joined us. Through these they share their problems, offer advice and help each other out if necessary. Eventually we plan to form new families into similar groups so they can meet together in the same way.*"

In **1982** New Families opened, building on the success of the project in Glasgow. Edinburgh New Families worked with five local authorities in south-east Scotland and aimed to find permanent homes for the older, harder to place and handicapped children, who otherwise could remain in long term residential care.

In October 1982, Barnardo's News reported that "*The need for the service had become increasingly apparent over the previous two and a half years, with over six hundred children in the care of five authorities having been identified as needed permanent substitute family care. The local authorities were concentrating their efforts exclusively on the under-12's...*"

Mary McKenna, project leader, in an article in the Summer 1982 edition of the Guild Messenger magazine said "*there has been a similar project running very successfully in the west of Scotland and in the five years of its existence, they have*

*placed 114 children in families. The vast majority of these children have been adopted by their new families and it a measure of their success that a number of families are coming back for their second child."*

In **1985** the Fred Martin Project was established within the grounds of Jordanhill College of Education in Glasgow. The project was a joint venture between Barnardo's, Greater Glasgow Health Board and Strathclyde Regional Social Work Department. The project worked with children and young adults with learning difficulties who had previously been accommodated in hospital. The project enabled children and young people to move into domestic residential homes and then on to family placements supported by the project. By 1995, the project was supporting 26 people (11 in three domestic houses and 15 in family placements). The service was transferred to Quarriers that same year as Barnardo's Scotland had made the decision to transfer all its adult services at that time.

In June **1986** the Dundee Contract Fostering Scheme (Side by Side) opened at 1, Dudhope Terrace. This was a family placement scheme for children with severe or profound disabilities. The service developed and became the Dundee Family Support Team which provided a range of supports to families with disabled children including short breaks, summer play schemes and a sitter service. In 2007 there was a decision that the short breaks element of the service should be moved over to the fostering service to ensure consistency of approach across Family Placement. The service exists to this day.

In **1995** the Family Placement Project opened, providing a network of specialist foster carers to teenagers in care as a result of sexual abuse.

In **2000** the Shield Service in Drumoyne Primary School, Glasgow was developed, providing a family placement and education outreach support service for children under 13 who would otherwise be looked after and accommodated in residential schools. Each child received a service not only from the foster carers but project teachers, children's workers and befrienders. This was an intensive service that attempted to meet all the needs of the children placed and was a partnership between Barnardo's and Glasgow's social work and education services.

Following the end of this project, Barnardo's continued to offer foster placements to Glasgow City Council using the original group of carers. The service manager at the time started to build links with neighbouring local authorities in the West of Scotland. This was the start of foster carers being recruited for a range of fostering placements as opposed to services being created within the context of local authority partnerships to respond to need in that particular local authority. As the reach of the service grew the name changed to Glasgow Fostering then latterly to Barnardo's Scotland Fostering Glasgow in 2008 when the service moved from locality based management to a single Scotland wide service under one assistant director.

The Home from Home Service officially launched on 31 January 1999. This was a short break service where children lived full time in their families and spent regular weekends with a fostering family. The project was jointly funded by Aberdeen City Council and Barnardo's. At the launch on 28 April 1999 there were 16 carer families

providing respite for 18 children. 15 new placements were made in the first two years.

Chrysalis was set up in summer 2006 in Aberdeen to recruit and support foster carers for young people who had experienced family trauma and to provide them with a permanent placement.

In **2008** all fostering services came under one Assistant Director. Barnardo's Scotland Fostering Aberdeen and Barnardo's Scotland Fostering Dundee were merged to one service known as Barnardo's Scotland Fostering North in 2012.

### **Present**

By **December 2014** there were three fostering services in Scotland: Edinburgh, Glasgow and North (split over two sites with an office in Aberdeen and one in Dundee). The provision across the three services was and remains a mix of short breaks, emergency, interim, long-term and permanent care. A specialist short break service remained in Dundee providing short breaks to disabled children to enable them to remain at home or within their kinship placements.

**March 2014** saw the Children and Young People (Scotland) Act enacted. In response to this legislation Barnardo's Scotland family placement service unit developed comprehensive policies and procedures in relation to Continuing Care. Continuing Care was the continuation of fostering services beyond age 16. All three services registered with the care inspectorate as adult placement services in **Summer 2019**.

All services have qualified social workers who support the foster care placements. There are also children's workers who provide direct work and support to children and young people, psychotherapists and an art therapist employed to provide individual and group therapy.

The services are always looking at ways to develop and respond to the needs of the infants, children and young people in our care. Barnardo's has a core priority programme focussed on mental health and well-being. All senior managers received three days of input by Karen Treisman on trauma-informed practice and this training is now being rolled out to all staff. The training will also be made available to foster carers.

Other current developments include the provision of story stem assessment training to a core group of staff and employing temporary education workers to help support foster carers and the children they look after to promote access to education and support positive outcomes. We are also working with the Fostering Network to pilot the Mockingbird approach in our Edinburgh service. <https://www.thefosteringnetwork.org.uk/policy-practice/projects-and-programmes/mockingbird-programme>

## 1.2 Funding of Foster Care

Past

- a) How were the organisation's operations and activities, so far as relating to the provision of foster care, funded?

### Funding of Barnardo's

During Dr Barnardo's time all the work including boarding-out was funded from donations by evangelists and wealthy families many of them bankers, like the Barclays, Bevans, Dennys and Tritons. They all knew each other and quickly spotted Barnardo's gifts as a speaker, writer, fundraiser, teacher and philanthropist.

Further income came from voluntary funds raised through collection boxes and events. Children admitted to the charity and boarded-out on a voluntary basis were funded by the charity with a contribution from the parent if they were able to afford it.

In 1959 Barnardo's began selling Christmas Cards. In 1961 an Appeals Department was established which brought together all the strands of fund raising to keep services going. In 1973 the first Barnardo's shop opened.

From the 1950's boarding-out was funded through a mixture of donor funds, now called voluntary income, and government funding. Funding is now predominantly from local government, with very little additional voluntary income.

### Boarding-out payments

The 1955 Barnardo Book has sections at the back for Welfare Officer Circulars and Branch Home Circulars. In addition to the main sections of the book these circulars covered all aspects of a child's care and were filed alphabetically for ease of reference. These were issued in most instances by the General Superintendent at Head Office.

A circular to welfare officers dated 1 June 1956 details Boarding-out Special Payments. These included maintenance, clothing, pocket money, music and other cultural lessons, bicycles, scout, guide and youth clubs, and holidays.

In addition, the circulars detailed boarding-out regulatory requirements and how Barnardo's would comply with them in conjunction with its own policies and procedures. There were frequent circulars sent out to staff that were meant to be added to their copy of the Barnardo Book. The circulars covered residential care as well as foster care. The copies we have in the archive cover the years 1943-1962.

Management of Committee minutes between 1945 and 1960 have been reviewed for the purpose of providing evidence of practice to the Inquiry. The minutes show that the allowance paid to foster parents for maintenance, clothing, and pocket money was annually reviewed taking into consideration such issues as hard to place children, and those with 'handicaps' and medical problems such as enuresis.

The information we have relating to New Families and Special Families in

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Edinburgh is that Barnardo's heavily subsidised the services through voluntary funds in the early years. Part of the reason the services were amalgamated was to rationalise resources and make them more financially viable. The placement fee was the main source of income, over time as the attitudes towards foster care changed with an increased 'professionalisation' of the role Barnardo's fee increased. Barnardo's would also charge the local authority additions for individual work with children. There is reference to payments of a 'settling in' grant of up to £500 being paid to some foster carers in the Edinburgh service during the 1990's. This was paid by Barnardo's although attempts were made to have this reimbursed by the local authority.

- b) To what extent, if any, did the organisation receive funding from central government or local authorities for the purposes of provision of foster care?

In the **1950s** children began to be referred to Barnardo's for boarding-out by local authorities in Scotland. None of the case files for the 1950s reviewed for the purposes of preparing this response contain details of payment by local authorities. The case file samples are all children who were admitted under a voluntary agreement with a parent. In these cases a contribution was sought by Barnardo's from the parents dependent on their individual circumstances.

In **April 1961** the Management of Committee minutes state that *"the Ministry of National Insurance had ruled that foster parents were eligible to draw family allowance in respect of children boarded out with them."* It was agreed that this ruling should be brought to the notice of foster parents. A circular was proposed for approval at the next meeting.

A Conference Report dated **24 to 27 May 1965** reported that the sum received from local and central authorities in the UK in 1964 amounted to 10% of the charity's total income. For the remaining 90%, 10% came from investments and 80% from voluntary sources. The accounts for the year 1964 detailed the total expenditure cost to be £3,300,000, against an income of £3,309,000. Of that total expenditure £273,000 was spent on boarding-out over 1,600 children. A further 3,000 children were helped by Family Assistance Grants at a total cost of £128,000. There is no separate figure available for Scotland.

An article in the **Summer 1979** edition of the Guild Messenger gives some information about the level of funding New Families, Glasgow received from the local authority. It reads: *Since April 1977 Barnardo's has taken overall financial responsibility, the only income being the £250 fee paid by the local authority concerned for each child placed. This represents less than 10% of the actual cost of making one placement."*

Barnardo's News **April/May 1979** in an article about Special Families, Edinburgh it is reported that *"the families will be paid a fee of £1,500 per annum which will be paid by Barnardo's, but in turn the organisation will charge the relevant social work department. In addition, families will receive a weekly maintenance allowance of £15.40p which is paid directly by the social work department. The two combined makes an overall weekly payment of around £44."*

By **1981** the fee had increased to £2,530 per annum, plus weekly maintenance of

£19.60. The two payments added up to around £68 per week. (Barnardo's News, May 1981)

Prior to 2011/12 each foster placement was negotiated with the local authority on a case by case basis. There would have been an overarching agreement with each local authority which was a generic Barnardo's contract stipulating the total amount the local authority would spend on Barnardo's services. The funding per child was not broken down.

The amount paid to foster carers was standardised within the separate services but differed across the Scotland. As the provision of fostering expanded this became problematic as local authorities could have children placed within different Barnardo's fostering services and be charged different amounts depending on which service the child was placed with. This became more apparent following the creation of a single Scotland Family Placement under one Assistant Director in 2008. Around this time the then Assistant Director agreed standard rates across Scotland. There followed a process of rationalisation to align charges across Scotland between 2008 and 2011.

- c) How were foster carers made aware of any financial support available from the state or from the local authority? How was that financial support accessed by foster carers?

Prior to children being placed by local authorities, foster parents would have been notified of any financial support available to them through their Barnardo's correspondent and later their welfare officer. An example of this is given at 1.2 (b) where foster parents were eligible to draw family allowance for their boarded out children.

From the 1970s, foster carers would have been made aware of their entitlements from their social worker or the social worker for the child in placement.

From December 2010 Barnardo's paid for membership of the Fostering Network for all foster carers, a membership organisation that provides access to an advice line, carers receive a newsletter which includes information about training opportunities, changes to legislation and guidance and advice on tax related matters. Other methods of communication included regular foster carer newsletters which are sent out by the service, for example the North fostering service Winter Newsletter 2012 included information for foster carers about claiming tax credits. The Foster Carer Handbook details information about claiming Disability Living Allowance and other benefits that children might be eligible for. Local authorities complete Individual Placement Agreements for each child placed and these also include information about whether a child is in receipt of or eligible for Disability Living Allowance.

- d) Did the organisation provide any financial support to foster carers directly? If so, what was the extent of that support and what criteria were applied to the distribution of funds?

The 1943 Barnardo Book details in Appendix 1 the scale of payments for Boarded-out children as follows:

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Age	Maintenance	Clothing	Pocket Money
Up to 1	12/-	3/-	
1-4	10/-	3/-	
5-11	11/6	5-10 - 3/- 10+ - 3/6	
12+	12/6	5/-	
Secondary, Grammar and Technical School Children	13/-	6/-	>14 – 6d 14+ - 1/-

A memo dated **3 July 1948**, confirmed that a decision had been made to pay pocket money to all children in foster care. See below:

Age	Amount
Up to 4	6d
5-9	9d
10-11	1/-
12-13	1/6
14-15	2/-

In a **1955** Report titled "Notes on Boarding Out" there is a section on payment to foster carers: "In addition to providing pocket money, payment is made for the maintenance and clothing of boarded-out children at rates aimed at ensuring that foster-parents are not out of pocket in meeting essential expenses, without being high enough to show much margin of profit." Page 15 details the payments to be made as shown in the table below.

Age	Maintenance	Clothing	Pocket Money	Total
0-4	15/-	5/-	6d	20/6
5-9	17/6	6/-	9d	24/3
10-11	18/6	7/6	1/-	27/-
12-13	21/-	8/6	1/6	32/-
14	21/-	8/6	2/-	31/6
15	23/6	8/6	2/-	34/-
16	23/6	8/6	3/6	35/6

The notes state that "if a child is heavy on clothes or shoes, is enuretic, particularly difficult or there is a financial difficulty in an otherwise good home, the visitor may make a recommendation that a special rate is paid. Special rates can be fixed for children who are particularly difficult to place..."

Maintenance and pocket money allowances were made monthly in advance and clothing allowances were paid every twelve weeks.

The notes make reference to retention fees, stating that if a child was away from the foster home for more than two weeks the maintenance payment would be reduced to a retaining fee of 5/- per week.

The notes contain a list of additional expenses for which the foster parents could ask for assistance from Barnardo's. These included:

- Grammar and Technical school outfits
- Fares to school
- School outings
- Medical, optical and dental expenses
- Some holiday expenses
- Cycles, prams, beds and bedding
- Music and dancing lessons

In March **1956** a revised list of boarding out payments was submitted for consideration, pointing out that it was difficult to find foster placements at the current rates. The recommendation was to increase the total fees by an average of 5/- per week.

From archival information reviewed it appears that payments to foster carers were regularly reviewed and increased in line with the cost of living and/or regulatory standards.

There is evidence from the Management of Committee minutes that have been reviewed that Barnardo's senior management discussed and were mindful of payments paid by other voluntary organisations and local authorities; and sought where possible to match these allowances (**October 1951, February 1956, April 1962**).

There was very little fostering undertaken in Scotland during the 1960's and early 1970's. While the Scottish Divisional Plan 1977-1981 set out the ambition around the development of fostering services, in the early days these services developed quite separately often in response to the demands of the local authority in question. An example of this is that in Edinburgh, Special Families was set up in 1980 as a professional fostering service with quite prescriptive expectations set for the carers e.g. around attendance at support groups and engaging with learning and development opportunities. The carers in this service were paid a fee in recognition of their skills and knowledge as well as an allowance to meet the costs of caring for the children. Foster carers in the New Families service were not paid a fee as they were not seen as doing a job but rather as having a vocation. When the two services merged in 1992 there was an equalisation of payment terms with all carers receiving a fee.

From the mid 1980's there is evidence from some carer files in Edinburgh Special Families that they were able to claim for expenses that related to the fostering task e.g. mileage for attending foster carer support group. Similarly there is reference to foster carers in the service receiving a retainer payment when they did not have a child in placement. It was unusual in the mid-1980s for foster carers in Scotland to be paid a fee.

Barnardo's Home from Home Project Carer Newsletter dated **April 2007** stated 'we are working towards standardisation of rates for Barnardo's Scottish fostering services and with these increases we move significantly nearer to this. The

allowances paid are the ones recommended by Fostering Network'. We do not hold records of what these fees were.

- e) What other sources of funding were available to foster carers in relation to the provision of care for children?

Gifts in kind were given to children in foster care. These took the form of donations of toys, games, sweets and chocolates at Christmas; and eggs at Easter. In addition sponsors and donors paid for children to attend outings such as a Pantomime or other social events during the year.

Some children received money from trust funds. The Barnardo's Procedure Guide in 1992 listed a number of trusts funds to which Barnardo's staff could apply on behalf of any Barnardo's young people. There are accounts of children in foster care in Scotland receiving money from the 'in-house' trust fund which was the Barnardo's fund. There is also reference to money being received from Telethon '90 and the Winifred Ellen Cherryman Trust. A number of other Trust Funds had made contact with Barnardo's and there are copies of memos sent reminding staff of available funding.

- f) Was the funding adequate to properly care for the children?

In the 1940s and 1950's prior to local authority grants, boarded-out children benefitted from a good level of donations to Barnardo's. The Barnardo's Book was very specific on the level of support to be provided as indicated in the tables above.

In addition, as stated under e), boarded-out children benefitted from local and national donations of gifts, trips and holidays. The report 'Barnardo's New Family Project Glasgow: the first two years' written in 1980 by Carol Lindsay Smith and Emmet Price outlines the learning from setting up the project and the first two years of operations. The report states that foster carers received the COSLA (Convention of Scottish Local Authorities) recommended one-off fee for each child of £500.

In the 1980's and 1990's Barnardo's continued to pay the COSLA boarding out rate, an annual cost of living uplift was applied. Barnardo's then moved to pay the Fostering Networks recommended minimum allowances as stated in a Carer Newsletter dated April 2007 (Barnardo's Home From Home Project); 'we are working towards standardisation of rates for Barnardo's Scottish fostering services and with these increases we move significantly nearer to this. The allowances paid are the ones recommended by Fostering Network'.

Barnardo's does not hold information which would enable us to say whether these recommended allowances were adequate to care properly for children. We have not seen any records which would indicate that the allowances were inadequate.

- g) If not, why not?

N/A.

Present

[APG]

- h) With reference to the present position, are the answers to any of the above questions different?

Yes.

- i) If so, please give details.

The fostering service continues to be funded in the main through the payment of fees and allowances by local authorities.

**March 2013** saw Barnardo's first contract with Scotland Excel. This was a framework agreement where Barnardo's set out costs for different services dependant on the skills of the foster carers and the needs of the children.

Scotland Excel re-tendered in **2017** and Barnardo's again became part of the framework. Glasgow City Council and Falkirk Council are not currently part of the Scotland Excel Contract and have their own frameworks. Barnardo's have successfully tendered to be on these frameworks.

There is no minimum fee or allowance payable to foster carers in Scotland. Barnardo's has relied on information from the Fostering Network's recommended fees and allowances and applied a cost of living uplift when tendering to these frameworks.

The short breaks service which operates in Dundee developed from the Dundee Contract Fostering Scheme referred to above. This is a service to disabled children and young people who live with their birth families and provides a short break, usually an overnight or weekend stay, to the young person. The service was always jointly funded between Barnardo's (voluntary funds) and Dundee City Council – with each paying around half of the overall running costs each. Following negotiations with Dundee City Council the Council agreed to move the short breaks service to the National Contract and the service has been fully funded by Dundee City Council since 1 April 2019.

Foster carers are provided with clear information about the fees and allowances that Barnardo's pay. Information about this is included in the initial information packs sent to prospective foster carers when they make an inquiry. At Skills to Foster Training and during the assessment process prospective carers are given an explanation about fees levels and guidance about how much the boarding out allowance is for the child. This includes a further breakdown of the things the boarding out allowance should be spent on e.g. clothes, pocket money, trips, and toiletries and that it also covers household expenses includes heating and food. Information about fees and allowances is included in the Carer's Handbook and induction information.

A retainer is paid to foster carers under certain circumstances where they have a gap in placements. Some foster carers have accessed discretionary payments for equipment e.g. a foster carer who had an on-going back injury was bought an adapted pram to facilitate the care of a baby by the service. The supervising social worker is expected to monitor the spending of the allowances including making sure

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that children are well turned out, making sure the physical environment within the carers' home is at an acceptable standard and generally checking that there is evidence that money is being spent on the children.

The service produces a Foster Carer Handbook which is a guide for foster carers regarding their roles and responsibilities underpinned by legislation and regulation. The version which was in place in 2014 was subsequently refreshed and an updated version distributed in 2019 and this highlights carers may be eligible to apply for Disability Living Allowance, it also includes information about retainers, expenses, tax and other benefits.

Scotland doesn't have a minimum fostering fee so in calculating the fees and allowances for the purpose of tendering to the framework Barnardo's referred to the Fostering Network information and benchmarked against other services in setting the fee. We have subsequently applied cost of living uplifts.

Foster carers receive an additional payment in summer of £100 and in winter of £50 to help with the cost of school holidays and Christmas. In some services children receive a £10 voucher and card on their birthday.

Other sources of additional income that are accessed by foster carers include further education grants and other support for looked after or previously looked after young people when they become students. Some children have also made successful applications to the Criminal Injuries Compensation Board as the result of incidents that have occurred prior to becoming looked after. Some carers are able to claim disability living allowances for children they foster. The service is not expected to rely on voluntary funds but individual teams do access a Barnardo's in-house grants for activities such as their annual camp or visit to the pantomime.

### 1.3 Legal Status

#### (i) Organisation

##### Past

- a) What was the legal basis which authorised or enabled the organisation to become responsible for the provision of foster care for children in Scotland?

In **1899**, Barnardo's was incorporated as a company limited by guarantee in England and Wales (number 61625) as the National Incorporated Association for the Reclamation of Destitute Waif Children otherwise known as Dr Barnardo's.

Barnardo's remains a company limited by guarantee, changing its name as follows:

- 25 May 1906 – Dr Barnardo's Homes: National Incorporated Association
- 31st December 1965 – Dr Barnardo's
- 11 November 1988 – Barnardo's

Barnardo's was entered on the register of charities in England and Wales (number 216250) and in Scotland (number SC037605) on 28 November 2006.

Under the 1899 Memorandum and Articles of Association (M&A), the objects for which the Association was established included to 'seek out rescue maintain educate teach useful trades handicrafts and industries and generally train industrially and religiously tread medically and place out in life Orphan Destitute and Waif Children and young persons of both sexes in the Homes or Institutions of the Association or in other Homes or Institutions carried on in connection therewith either in the United Kingdom or in any of her Majesty's Colonies or Dependences or abroad and to board out children and young persons in any suitable Cottages and Homes...'.

The 1899 Articles remained substantively the same in terms of the objects and powers (with some amendments) until 1975, when they were modernised and the powers revised to include: 'to seek out and bring help to children and young people of both sexes in need; to maintain, provide board, lodging, clothing, medical or other treatment, family care services, education or craft training with a view to enabling them to achieve a full independent and beneficial life; to receive such children and young people irrespective of race, creed or colour into Homes, foster homes or other places managed by or under the supervision of the Association in the United Kingdom or elsewhere...'.

Professor Norrie reports that prior to **1934**, boarding-out by voluntary organisations was carried out without any legislative guidance.

The extension of Barnardo's Homes into Scotland was approved by the Council (the Board of Trustees at the time) in **1943**. Barnardo's became responsible for the provision of residential care and foster care in Scotland from this point. The **Clyde Report 1946** commented on the system of boarding-out and emphasised the importance of identifying high quality foster parents. It recommended that the boarding-out authority should visit the child every six months.

The **Children Act 1948** followed the recommendation of the Clyde Report that boarding-out with foster parents was the preferred solution, after adoption.

The **Boarding-Out Committee of the Scottish Advisory Council on Child Care produced a report in 1950** on boarding-out which confirmed that there had been a long tradition in favour of boarding out. The **Boarding-out of Children (Scotland) Regulations 1959** were the first regulations which applied to the boarding-out of children by voluntary organisations. These regulations required voluntary organisations to:

- Assess the suitability of the child, carer and home for boarding-out;
- Board-out children of the same family together, where possible;
- Advise the child's parent/guardian of the address of the home where the child was to be boarded-out where possible and appropriate;
- Arrange for dental and medical treatment for the child;
- Visit the child within two months of being boarded-out, and thereafter at no more than three monthly intervals;
- Terminate the placement where it is no longer in the best interests of the child;
- Keep a case record of all children boarded-out by them;



The **Social Work (Scotland) Act 1968** gave the Secretary of State power to make regulations governing how authorities exercised their boarding out functions, including that the children boarded-out and the places where they were to be boarded out were to be supervised and inspected by local authorities or voluntary organisations. The Act also created the Children's Hearings System. The Act placed a greater emphasis on working with parents and promoting the social wellbeing of the child and their families.

The **Children Act 1975** gave title to foster parents to apply for the custody of children of whom they had had care and possession for stated periods, or on cause shown. Making a custody order would have the same effect, transferring responsibility for the child from the local authority to the foster parent. The Act also gave local authorities the power to pass a resolution vesting in voluntary organisations parental rights and powers in respect of any child being cared for by the organisation.

The **Boarding-Out and Fostering of Children (Scotland) Regulations 1985** applied to local authorities and voluntary organisations. The regulations required voluntary organisations to:

- Appoint a fostering panel to consider the placement of children with foster carers;
- Enter into an agreement with foster carers to include: the financial arrangements between the carers and the organisation; the organisation's policies and practice regarding the welfare of the child; and the arrangements for the organisation to review at appropriate intervals its approval of the foster parent;
- Make arrangements with the foster carer as to contact between the child and his family;
- Make arrangements with the foster carer as to his education, dental and medical treatment, and ensure the child receives such treatment as may be required;
- Have regard to the wishes and feelings of the child, as far as practicable;
- Ensure that the child is fostered with a family of the same religious persuasion, which failing, obtain an undertaking that the foster carer will bring the child up in accordance with the child's religious persuasion;
- Place siblings in the same foster home where appropriate and practicable;
- Visit the child within one week of the placement being made and thereafter at not more than three monthly intervals, with written reports being made of such visits;
- Provide foster carers with information about the child including their background, health, mental and emotional development;
- Remove the child from the placement if remaining there is no longer in the child's best interests.

These were replaced by the **Fostering of Children (Scotland) Regulations 1996**. The 1996 regulations placed responsibility for approving foster parents, placing children and reviewing placements with local authorities. Local authorities could, however, discharge these duties to a voluntary organisation by agreement. The

agreement provided for consultation and exchange of information between the authority and voluntary organisation. The duties which could be discharged included:

- Setting up fostering panels for the assessment of a child's suitability for fostering, and approval of the carer and home;
- Entering into fostering agreements with carers which addressed financial matters, training for foster carers, the procedure for handling complaints against foster parents, the foster carer's obligation not to administer corporal punishment, and to care for the foster child as if he was a member of the carer's own family.
- Reviewing whether the carer continues to be a suitable person with whom to place children at intervals of not more than a year, revising the terms of approval or terminating approval as appropriate.

The **Regulation of Care (Scotland) Act 2001** established the Scottish Commission for the Regulation of Care and the Scottish Social Services Council. It also made provision for the regulation of care services, including fostering services. It set up the Scottish Commission for the Regulation of Care and the Scottish Social Services Council.

In 2004 the Scottish Executive developed the 'Getting it Right for Every Child' (GIRFEC) framework. This is a practice model for supporting children and young people. It was intended as a framework that allows organisations who work on behalf of the country's children and their families to provide a consistent, supportive approach for all. It requires that services aimed at children and young people adapt and streamline their systems and practices and work together. The approach encourages early intervention by professionals to attempt to avoid crisis situations at a later date. It incorporates the SHANARRI outcomes which consider whether children are safe, healthy, active, nurtured, achieving, respected, responsible, and achieving.

**The Protection of Vulnerable Groups (Scotland) Act 2007** provides for a list of individuals considered unsuitable to work with children ("the list") to be established and maintained. Organisations are required to refer people who are or have been working in child care positions for inclusion in the list if they harm a child or put a child at risk of harm and, as a consequence, are dismissed or transferred from those positions or where their employment is otherwise terminated in such circumstances.

The **Looked After Children (Scotland) Regulations 2009** built on the 1996 regulations requiring the social worker to visit the child within one month of placement and then at three monthly intervals. Records were now required to be kept until the child's 100th birthday. The regulations detailed provisions for foster care including approval, review and termination of approval and arrangements for Fostering Panels.

The Children's Hearing (Scotland) Act 2011 reduced the number of people who can be deemed relevant persons for the purpose a children's hearing to those with parental rights and responsibilities. This meant that foster carers no longer had an

automatic right to attend a hearing for children in their care. Foster carers have to make application to be considered relevant persons.

**The Children and Young People (Scotland) Act 2014** gave statutory enhancement to the GIRFEC framework for early intervention. It gave greater clarity to the requirement for and content of children's plans and created the provision of a named person for each child. Introduced Continuing Care which provides the opportunity for young people to remain in their foster placement up to the age of 21 years.

- b) Did that legal basis require the organisation to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.

See (a) above, in particular the **Boarding-out of Children (Scotland) Regulations 1959** and subsequent regulations.

- c) Did the organisation have a legal duty of care to each child in its care?

In addition to compliance with the specific statutory matters set out above, Barnardo's had a duty to take reasonable care of each child for as long as they were resident in a foster placement.

After leaving their foster placement and Barnardo's care, Barnardo's continued to provide a high level of aftercare support regardless of whether there was a duty to do so. This support was originally provided by Barnardo's Aftercare service and is now provided by Making Connections. Making Connections provides an access to records service for those formerly in foster care and help and assistance in times of need.

Present

- d) With reference to the present position, are the answers to any of the above questions different?

Yes.

- e) If so, please give details.

Barnardo's Articles of Association have been amended several times over the years. Amendments are required to be approved by the company's members (in accordance with company law) and are then filed at Companies House, so available on public record:

<https://beta.companieshouse.gov.uk/company/00061625/filing-history>

The **Looked After Children (Scotland) Regulations 2009** revoked the 1996 Regulations and continue to govern public fostering arrangements today. The regulations continue to make provision for local authority appointment of fostering panels to consider the suitability of foster carers and the use of fostering

agreements. There is no longer any restriction on the type of family structure that could be considered as suitable foster carers. Local authorities can discharge their obligations, including the establishment and use of fostering panels, to fostering services such as Barnardo's.

The **Children and Young People (Scotland) Act 2014** is partly in force. As a result of its provisions, Barnardo's registered all three fostering services (Edinburgh, Glasgow and North) with the Care Inspectorate as adult placement providers for the purpose of providing Continuing Care to young people over the age of 16 years old (although more commonly 18 years old). In line with good practice and to provide an environment more akin to that of their non-looked after peers, continuing care promotes the idea that young people who are no longer 'looked after' can remain within their foster placement on a continuing care basis up to the age of 21 years old.

The **Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016** introduced a duty of candour in health and social settings whereby organisations are required to inform people and their families when they have been harmed as a result of the care or treatment they have received. Barnardo's has in place a system for reporting duty of candour cases on their website on an annual basis. To date, there have been no duty of candour cases on which to report.

(ii) Foster carers

Past

a) Did foster carers have a special legal, statutory or other status?

Barnardo's foster parents were not employees of the organisation and prior to the 1970's foster parents were all volunteers. From the late 1970s all foster carers were considered to be self-employed or volunteers. They became classified as foster carers following satisfactory completion of preparation training, a full assessment process, recommendation from a fostering panel or advisory group and a decision from the Agency Decision Maker that they were suitable people to foster children.

Barnardo's approved foster carers independently of legislation or regulation prior to the introduction of the 1959 regulations. Subsequent to these regulations coming into force, Barnardo's approved foster carers in accordance with these regulations. After the 1996 regulations were brought into force, Barnardo's approved foster carers as a result of formal agreements with local authorities.

There are circumstances under legislation relating to the Children's Hearing system whereby foster carers can have a special legal status. Foster carers were granted relevant person status in the Children (Scotland) Act 1995 however as outlined in 1.3 b) automatic status was removed under the Children Hearings (Scotland) Act 2011. Where foster carers apply to become a relevant person and this is granted they then have the right to attend the Children's Hearing, receive all relevant documentation and challenge decisions taken within the proceedings.

The Adoption and Children (Scotland) Act 2007 introduced the Permanence Order. A very small number of the Barnardo's foster carers who look after children on a permanent basis have had some parental rights and responsibilities vested in them under the ancillary provisions permitted under that legislation.

b) If not, how did the organisation classify a foster carer?

Barnardo's approved foster carers independently until 1996 and latterly by agreement with local authorities.

Prospective foster parents (including an individual or married couple) would have approached Barnardo's to foster a child. This usually occurred following an appeal or from word of mouth.

A Boarding-out Visitor was appointed to visit the proposed foster parents and complete an application form. Some examples of foster care application forms from the **1940s** and **1950s** have been retained in the archives. These were sent to the Boarding-out Department at Barnardo's Head Office, Stepney Causeway for processing.

If the Boarding-out Visitor thought the applicants suitable, names and addresses of two references were obtained along with details of the school and local doctor. At least one referee had to be a woman, one had to be a person of some standing in the locality, at least one must have had reasonable intimate knowledge of the home life of the foster parents' and one should have known the individuals personally over a long period. The boarding-out notes state that there is no objection to taking up more than two references, and if the applicant's doctor was one of the references then there must be three references obtained in total.

The **Boarding-out of Children (Scotland) Regulations 1959** provided that a child could only be boarded-out with a married couple, a woman, or a grandfather, uncle or elder brother of the child. Where possible, the child was to be boarded-out with a person of the same religious persuasion, which failing, a person who undertook that the child will be brought up in accordance with the child's religious persuasion. The organisation was required to satisfy themselves in all practical ways that the prospective foster parent was of good character and was in all respects suitable to look after the child. The regulations also placed requirements on Barnardo's in relation to assessing the suitability of the foster home.

Foster parents were not employees of the organisation, rather acting as volunteers or were self-employed to provide a home environment to children in need of accommodation.

The Scottish Division's revised four year plan **April 1975 to March 1979** contains a report on professional home care. The concept had been discussed for a number of years. The report says that "*part of the difficulty in thinking about paying foster parents for looking after children has been in the area of thinking about what kind of children are going to benefit from the particular skills which such people would have to offer.*" One of the ways under consideration was using professional home care for children whose "*behaviour is too bizarre or whose needs are too great to be met or*

*be able to be coped with within an ordinary family.”*

Research had been undertaken into professional foster care schemes in other parts of the country which included support for adolescents to become independent and securing homes for children with particular physical or mental ‘handicaps’. The report concluded that the best way to justify using professional home care is to think of paying people for using marketable skills, for example employing people who would be expected to offer a fairly intensive therapeutic family experience for a child for a period of between one and two years.

In 1979 the Special Families pilot scheme was set up in Edinburgh for children aged between five and twelve years old with emotional and behavioural problems.

The **Boarding-out and Fostering of Children (Scotland) Regulations 1985** required care authorities (which included local authorities and voluntary organisations) to establish fostering panels to consider prospective foster parents and to make recommendations based on the requirement to safeguard and promote the welfare of the child and give consideration to their wishes. Organisations could place children in households where there was a man and woman living and acting jointly together, or a man or woman living and acting alone.

The **Fostering of Children (Scotland) Regulations 1996** placed responsibility for establishing foster panels and approving foster parents exclusively with local authorities. Local authorities could place children in households where there was a man and woman living and acting jointly together, or a man or woman living and acting alone. Local authorities could, discharge their responsibilities towards looked after children to voluntary organisations by way of written agreement.

The Scottish Government introduced the Protection of Vulnerable Groups (PVG) Scheme on 28 February 2011. From this date anyone seeking work with children or protected adults had to apply to join the Scheme in order to be eligible to take up a post either in a paid or voluntary capacity. Applications for PVG Scheme membership are processed and assessed by Disclosure Scotland who provides this service as a means of enhancing security, public safety and protecting the vulnerable in society. Foster care is regulated under the Protecting Vulnerable Groups Scheme and as such foster carers must hold a current PVG which is updated every three years. Foster carers are also expected to self-disclose if they are charged/convicted of an offence whilst working as a foster carer.

Prior to the PVG scheme Barnardo’s foster carers were subject to enhanced disclosures, a similar means of checking whether they had previous or current convictions. Again these were updated at least every three years to ensure on-going fitness for the role.

- c) What was the legal basis which authorised, or enabled, a foster carer to become responsible for caring for children?

We refer to answers (a) and (b). Prospective foster carers were approved by Barnardo's. The **Boarding-out and Fostering of Children (Scotland) Regulations 1985** provided that voluntary organisations had to enter into an

agreement with approved foster parents regarding the care to be provided for any children who might be placed with them. Such agreements are still used today.

- d) Did that legal basis require a foster carer to meet, or fulfil, any legal and/or regulatory requirements in respect of children in his or her care? If so, please give details.

Historically, foster parents were not required to meet or fulfil any legal or regulatory requirements.

The **Boarding-out of Children (Scotland) Regulations 1959** applied to voluntary organisations. They provided that if a child was placed with carers who were not of the same religious persuasion that the carers required to undertake to bring the child up in accordance with the child's religious persuasion. Children were to be removed from carers which may have been injurious/dangerous to the child's health, did not have adequate sleeping accommodation, or have a sufficient supply of water or sufficient sanitary facilities. The carers were required to notify the voluntary organisation if the child died, ran away, was removed without lawful authority or suffered an illness or injury likely to result in death or a serious disability.

The **Boarding-out and Fostering of Children (Scotland) Regulations 1985** obliged voluntary organisations to enter into a contract with foster parents. This included the financial arrangements between parties and the way in which foster parents were expected to follow the organisation's policies and practices. Again, if a child was placed with foster parents who were not of the same religious persuasion, the parents would have to undertake to bring the child up in accordance with the child's religious persuasion.

The **Fostering of Children (Scotland) Regulations 1996** required local authorities to enter into a written agreement with foster carers in relation to a number of matters including support and training, financial arrangements, the obligation not to administer corporal punishment, the obligation to care for the child as if he/she was a member of the foster carer's family and to promote their welfare. The local authorities could discharge these duties to voluntary organisations by agreement.

In line with schedule 6 of the Looked After Children (Scotland) Regulations 2009, Foster Carer Agreements were in place that set out the duties placed on foster carers by Barnardo's. This was reinforced by the Foster Carer Handbook. This was an internal document which was prepared and issued by Barnardo's providing foster carers with a practice handbook underpinned by legislation and regulation.

The Scottish Government introduced the Protection of Vulnerable Groups (PVG) Scheme on 28 February 2011. From this date anyone seeking work with children or protected adults had to apply to join the Scheme in order to be eligible to take up a post either in a paid or voluntary capacity. Applications for PVG Scheme membership are processed and assessed by Disclosure Scotland who provides this service as a means of enhancing security, public safety and protecting the vulnerable in society. Foster care is regulated under the Protecting Vulnerable Groups Scheme and as such foster carers must hold a current PVG certificate

which is updated every three years. Foster carers are also expected to self-disclose if they are charged with/convicted of an offence whilst working as a foster carer. Prior to the PVG scheme Barnardo's foster carers were subject to enhanced disclosures, a similar means of checking whether they had previous or current convictions. Again these were updated at least every three years to ensure on-going fitness for the role.

As outlined above being a relevant person or holding parental rights and responsibilities under a Permanence Order would invest a legal duty of care on some foster carers.

e) Did the foster carer have a legal duty of care to each child in his or her care?

The local authority had a legal duty in respect of children they placed in foster care and 'looked after' children through the Children's Hearings System.

Foster carers did not have parental rights or responsibilities in relation to foster children but they did owe them a duty to take reasonable care.

Present

f) With reference to the present position, are the answers to any of the above questions different?

Yes.

g) If so, please give details.

The **Looked After Children (Scotland) Regulations 2009** continue to govern public fostering arrangements. There is no restriction on the type of family structure that could be considered as suitable foster carers and the decision to approve rests with the local authority. The local authorities' duties of care to children are discharged to Barnardo's by agreement.

Foster carers are self-employed and enter into an agreement with Barnardo's to provide a foster care service. In line with schedule 6 of the Looked After Children (Scotland) Regulations 2009, foster carer agreements are used. They set out the duties placed on foster carers and are supplemented by the foster carer handbook.

The Foster Carer Handbook and Foster Carer Agreements were updated in 2019. Copies of both were placed within the Charms information management system and foster carers were asked to familiarise themselves with the content. It is usual practice to share important documents with foster carers through the Charms database. Charms is an information management system that contains client information about all Barnardo's foster carers and children placed. The system allows foster carers to record logs which document their care of the children placed with them, these can then be signed off electronically by their supervising social worker. A new foster carer agreement is sent to foster carers following their registration being subject to statutory review before the fostering panel and they are

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requested to sign this to indicate receipt and acceptance of the terms.

#### 1.4 Legal Responsibility

##### (i) Organisation

###### Past

- a) Did the organisation have any legal responsibility for the children in its care?

Barnardo's owed a duty of care to children in its care. Barnardo's had a legal responsibility to comply with the legislation in relating to children in foster care as listed under 1.3.

- b) If so, what was the nature and extent of that legal responsibility?

As listed in 1.3 above.

- c) Did any other person, organisation or local authority have any legal responsibility for the children while they were in the organisation's care?

In the 1940s and 1950s most of the children were placed in Barnardo's care under a voluntary agreement signed by a family member. The parents retained legal responsibility for their child whilst in the care of Barnardo's.

Later, the local authority that placed the child would retain legal responsibility. If the children had parents/guardians, they retained parental rights and responsibilities.

- d) If so, what was the nature and extent of that responsibility?

Whilst the day to day care was delegated by Barnardo's to the foster carers, the overarching responsibility remained with the organisation and parents if their whereabouts was known. Later, responsibility for decisions made about each child remained with the placing authority and the parents where they retained parental rights and responsibilities.

- e) If the organisation had no legal responsibility for children in its care, where or with whom did legal responsibility lie?

Not applicable.

###### Present

- f) With reference to the present position, are the answers to any of the above questions different?

Yes.

- g) If so, please give details.

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The present situation reflects the fact that the organisation has always had a legal responsibility to each child placed and under present legislation recognises that the children are placed by the local authority with Barnardo's foster carers.

Current responsibilities are outlined in 1.3 – consent from the local authority is vested through the Individual Placement Agreements (IPA). The IPA effects a placement for the named child or young person between the purchaser (local authority) and provider (Barnardo's) in accordance with the Framework Agreement. IPAs are governed by the Individual Placement Terms as set out in the Framework Agreement including the Service Specification and any additional or differing terms relevant to the Individual Placement. The IPA contains information relating to the child, information relating to the foster placement, information about the parties to the IPA and the financial arrangements for the placement.

The Framework Agreement through Scotland Excel places obligations on Barnardo's, for example to maintain Care Inspectorate grades at 4 and above, to uphold fair working practices and to pay the living wage.

(ii) Foster carers

Past

- a) Did the foster carer have any separate legal responsibility (separate from the organisation or local authority) for children in his or her care?

Yes.

- b) If so, what was the nature of that responsibility?

Foster carers owed a duty of care towards children placed in their care.

Present

- c) With reference to the present position, are the answers to either of the above questions different?

No.

- d) If so, please give details.

Not applicable.

1.5 Ethos

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Past

- a) What did the organisation see as its function, ethos and/or objective in terms of the foster care service it provided for children?

Barnardo's was one of several philanthropic organisations that proliferated in the 1860's and 1870's. Dr Barnardo was motivated by his strong religious conviction which was a powerful force that drove him forward with his work. His evangelical conversion at aged seventeen meant that by the time he was eighteen years old Thomas Barnardo had found a platform, a voice, a cause. Children were seen as blameless and by 'saving' them he hoped to mould them into good Christian adults and bring them to spiritual salvation. In order to be saved children had to be rescued from the degradations that were destroying their lives as well as denying them spiritual salvation.

Dr Barnardo believed that all children have a right to kind treatment, decent surroundings and a good education. He believed that all children should grow up free from poverty, abuse and discrimination. And he devoted his life to fighting for that cause. Barnardo adopted the policy that 'No destitute child should ever be refused admission'. This became known as the 'Open Door' policy, and became the principle upon which Barnardo took children into his care. Parents were usually expected to relinquish their rights to their children for a lengthy period in return for free shelter, food clothing and education. His religious faith, and the passion with which he spoke and preached, earned him a reputation, and were important factors in his ability to win people over to his cause, and persuade people to donate money to his work.

- b) What did the organisation see as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?

Dr Barnardo believed that children should not just receive shelter, clothing, food and education. He was a passionate advocator of vocational training. Barnardo wanted to save children from a life of destitution by preparing them for future employment.

The function of foster parents was to provide children with the advantage of a normal home life in which they could grow up as one of the family. As one of the family the foster parents would provide stability, security and learning things that children would usually learn in families including rules and responsibilities.

Dr Barnardo believed that young children would most benefit from the boarding-out scheme, embracing education, and leisure activities such as family holidays, before they had chance to develop 'bad habits.'

He set up workshops where boys were taught carpentry, boot-making, brush-making and other crafts. In 1903 he opened his first naval training school followed by a school for merchant seaman in 1919. In 1922 the William Baker Technical School in Hertfordshire was opened which accommodated 300 boys and provided, in addition to the traditional trades, training as motor mechanics and electricians. In

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1927 Warlies in Essex was opened to provide girls with training in domestic duties, becoming a domestic training school in 1940, where girls could train as nursery nurses.

Before World War 2 (1939) when boarded-out children reached the age of fourteen years they were recalled to the Branch homes. Boys from Scotland travelled to England to attend the sea schools or the William Baker Technical School (Goldings, which closed in 1967). Some girls from Scotland travelled south for domestic and nursery nurse training.

By 1947 the school leaving age had been raised to 15 and while some children were still sent to England for training more children were able to find training, apprenticeships and work locally in Scotland. There was also less call for domestic work and girls increasingly undertook nursing and nursery nurse training. Other girls found work as secretaries and as clerks in offices and factories.

Having carried out a review of fifteen children's case files from 1940's to 1960's there is evidence of two boys travelling south in the 1950's. One went to Goldings and from there applied to join the Marines. The other boy went to Parkstone Naval Training School from where he joined the Merchant Navy. Other roles mentioned in the boys' case files include a painting and decorating apprenticeship, a panel beating apprenticeship, apprenticeship in a bank, work in a bias binding factory and joining the Army.

There is no evidence in the file review undertaken of girls going to England for training. Two girls undertook nursing training in Scotland in the 1950's.

- c) Were there changes over time in terms of what the organisation saw as its function, ethos and/or objective in terms of the foster care service it provided for children?

Yes.

- d) If so, what were the changes and when and why did they come into effect?

In March 2012 the Board of Trustees of Barnardo's agreed a fundamental change to how Fostering and Adoption services across the UK were organized and managed at that time. This involved the strategic direction of Family Placement being managed as one business line. The Board approved the following vision statements relating specifically to Family Placement (these vision statements have been expanded to show the objectives within each):

**Vision: To place more children who are most disadvantaged, achieving excellent outcomes through our stable and high quality foster carers and adopters**

- a) There is a shortage of high-quality family placements in the UK. Barnardo's has a track record of meeting the needs of children with the highest level of disadvantage, for example disabled children and those emotionally and sexually abused. With this experience and

accessing the expertise from across Barnardo's child care services, we can grow our delivery and increase the specialism of family placement.

- b) We aim to nearly double the number of whole time equivalent fostering placements from approximately 540 at March 2012 to c.1000 placements March 2016. We also aim to double the number of adoptive placements from 71 in March 2012 to 173 by March 2016.

**Vision: To be the go-to destination for prospective carers because of the welcome they receive when they contact us and the level of support they enjoy when working with us.**

- c) Every prospective carer is treated by everyone with whom they have contact as a highly valued individual making a very significant offer of service. There will be a presumption that everyone has something to offer unless there are very clear indications otherwise.
- d) Enquirers have instant access to the information they require on our website or are provided with it by next day's post.
- e) If an initial home visit is required, an immediate appointment, within five working days, will be made with a named social worker by whoever they first contacted.
- f) Applicants will be provided with a written programme for their training, home visits, referees visits, and panel dates immediately after an application is received.
- g) Carers will have excellent support and the training they require in order to provide high quality care to the child in placement.

**Vision: To be the go to destination for Local Authorities and Trusts by delivering value through effective and efficient services.**

- h) Evidence high levels of stability, quality outcomes for children in our placements and excellent service delivery.
- i) All contact with any Local Authority or Trust demonstrates they are a highly valued customer. Endeavour to understand and meet their needs first time and every time.
- j) Cost our delivery model.
- k) Ensure a streamlined system for clear access any placements (either adoption or fostering) available throughout the UK for Local Authorities and Trusts.
- l) Provide pricing schedules to Local Authorities and Trusts that are clear, easy to understand and meet their requirements, and have an explainable consistency throughout the UK.

There then followed a gradual move to the new structure and the 'business line' went live in September 2013. The business line model came at a time when local authorities were dealing with austerity with an emphasis on placing children with

their own in house foster carers as a priority.

- e) Were there changes over time in terms of what the organisation saw as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?

Yes.

- f) If so, what were the changes and when and why did they come into effect?

See under ii) b)

Over the years there were changes in the way the organisation saw its function, ethos and/or objectives in terms of foster care service. This was influenced to some extent by the needs of the local authorities but also by research and by wider professional and governmental strategy, policy and practice. For example the 1975 Act focussed on permanence planning for children who could not be looked after by their families. By the time of the 1995 Act there was more of an understanding that some young people do not require a permanent alternative family and an emphasis was placed on family contact. There was also over the years a professionalisation of foster care which was reflected in increased expectations on foster carers to keep diaries or logs, attend training etc.

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Yes.

- h) If so, please give details.

As outlined above the Children and Young People (Scotland) Act 2014 led to the development of a continuing care service. This reflected a change in ethos and culture. Previously young people would 'leave care' at 16 years old. The Act provided that most young people continued to be 'looked after' until 18 years. Current expectations and ethos are that foster carers continue to offer a home to young people up to the age of 21 years. As part of the process of providing continuing care, the foster carer and the young person complete a 'Living Together' contract which leads to discussions about various matters including: having partners to stay over; the young person remaining at home while foster carer has a weekend away; and having a front door key.

The service now operates as a 'business line'. As the practice of strategic commissioning in relation to family placement has become more common through the creation of the Scotland Excel Framework, so Local Authority partners' expectations have increased in terms of the charity evidencing value for money. We continue to provide high levels of training and support to foster carers, children and staff.

[APG]

## 1.6 Numbers

### Past

- a) How many children did the organisation accommodate at a time in foster care and in how many placements?

From the information available in the archives the number of children who were only 'boarded out' or fostered, as the term became known, during the period 1930 to 2014 is 2,656.

Barnardo's are of the view that we need to offer an explanation about our previously quoted figure(s) for the number of children fostered by Barnardo's in Scotland.

We initially quoted a figure of 4,408 children fostered in Scotland during the specified dates covered by the Inquiry. This figure was calculated by a staff member that no longer works for Barnardo's and we are now confident that this represents an over-statement of the true number. While we cannot be completely sure, it would appear that the staff member arrived at that figure by incorrectly adding those children that were "boarded out only" to the figure for "residential and boarded out" from our historical records, before then adding in those from our current records. It is clear to us now that this would have led to a significant amount of double-counting and also a number of children who were only in residential care being incorrectly included.

Given this error, we have gone back to re-calculate the figure. To arrive at a much more accurate figure, we have added together the historic fostering records that we hold in our Making Connections Service which is some 2,180 files that have been returned by the Fostering Services to be stored to the records held on our current recording system which holds our more recent figures which amounts to 476 files. This means that we are now quoting a figure of 2,656. There is a possibility of some children having both a historical file stored at Making Connections and a file on our current recording system leading to a degree of double-counting. Unfortunately, the only way the degree of double-counting could be established is by checking the 476 names against the card index we hold of all our historical records at Making Connections. This would be a very time-consuming exercise at any time, but particularly at a time when our Making Connections office is closed and we have a skeleton staff team due to the Covid 19 situation. Therefore it is likely that 2,656 is a maximum, but far more accurate, figure than the previously quoted figure of 4,408. We are currently converting the long-held card-index system of around 700,000 cards into a searchable database, which will allow for far more accurate searching and filtering. However, as you can imagine this is a work of months, if not years.

There is some information in the archives about children who were boarding out in Scotland during the 1950's. The Management of Committee minutes of February 1952 reported that; *"Boarding Out in Scotland is making steady progress, there now being 34 children in foster homes compared to 16 in 1950. Miss Garland was able to give good reports of boys and girls on the Aftercare list."*

In 1953 the number of boarded-out children was 29 and it remained at around that

figure throughout the 1950's and the 1960's.

There appears to have been fewer children placed in foster care during the 1970's. The Scottish Divisional Plan 1977 – 1981 stated that during 1975 there was one child boarded out, and in 1976 there were three.

The main reasons for this decline were changes in Government's attitudes towards children and increased responsibilities placed on local authorities to provide services to enable families to remain together. Day centres started to open to provide help and advice and local authority child care officers took on a more proactive role supporting families.

The recession of the 1970's resulted in cost becoming a major factor in local authorities referring children. Barnardo's noticed that welfare officers were being asked to take on children from ever-more challenging backgrounds. Now, the children who needed loving families could be as old as eleven or twelve, disabled or have learning difficulties, have a variety of backgrounds, with many years in a children's home or successive foster placements.

This resulted in Barnardo's in Scotland moving into the development of specialised fostering as described in 1.1 b) and therefore a period of little activity in mainstream fostering.

- b) How many foster carers were approved by/registered with the organisation at any given time? How many placements for children did this represent? How many placements were in use at any given time?

The records located in the archives covering the 1950's show that there were on average 26 foster placements in Scotland. Each home had one child or family group in placement. Three homes, for example, had two siblings in placement.

Prior to the fostering files moving to an electronic system on our content server in 2004, services held paper files. Around 250 of those have been scanned to a database and are retained and some have been destroyed in line with the 2007 retention of records policy which stated that "foster carer files should be retained for six years after the last child placed reaches 18 or at least 10 years after placements are concluded and approval terminated, whichever is longer."

In more recent times the most accurate numbers can be provided from 2006 which is the date from which we have copies of statistical returns to the Care Inspectorate which provide a snapshot at a given point in those years. The returns do not record how many placements were in use at any given time (i.e. some may have been vacant) but they do highlight how many available placements there were within the service and the number of children accommodated in the service at a given time.

<b>Year</b>	<b>No. Children Accommodated</b>	<b>No. of Placements</b>
2006	Edinburgh: 78 Glasgow: 31 North: 40 Total: 149	Edinburgh: 62 Glasgow: 22 North: 35 Total: 119



2010	Edinburgh:68 Glasgow: 32 North: 31 Total: 131	Edinburgh:68 Glasgow:30 North: 34 Total: 132
2014	Edinburgh:84 Glasgow: 77 North:79 Total: 240	Edinburgh:68 Glasgow:57 North: 65 Total: 190

- c) If foster carers were approved by/registered with the organisation as providing only specific types of care – e.g. respite care, short-term foster care, long-term foster care – please provide details of the categories and the numbers of placements in each.

Prior to the 1970's foster parents were not registered to provide a specific type of care. They were approved by Barnardo's Boarding-Out Committee to provide both short term and long term care. In reality the majority of foster parents between the 1940's to the 1960's provided long term and in many cases permanent foster care for those children placed with them.

From the late 1970's Barnardo's in Scotland developed specialist foster care provision where carers were recruited to care for children which more complex needs. Each service was developed in partnership with the local authority of health board to cater for the needs of a specific group of children, whether by age, health, disability or behaviour.

Early Fostering Panels did not include a category of registration, foster carers were at that time recruited for specific fostering services with a distinct remit so the carers were approved to look after children who were referred because their needs fitted with the remit of the project. For example an extract from the minute of the Advisory Panel held in Edinburgh on 12 April 1989 states:

“Everyone felt that ■ and ■ do have something positive to offer a child and should be accepted into the project with the following proviso:

They should begin at once attending group meetings.

They should be given children on holiday or weekend respite to open up their experience. Befriending a child first could be another option.

A placement with a clear initial plan would be best, preferably without direct involvement with natural parents, the idea being to avoid too much pressure on them when they are learning parenting through practice. Afterwards great care will have to be taken in the choice of a first placement and it was agreed that the present panel should be involved in the matching.”

A panel minute from 1 May 1996 reflected that foster carers were recruited to meet the needs of children referred to the specific project: “Panel members were unanimous in their recommendation of approval for this couples' application to foster a sibling group of children with emotional/behavioural problems”

By the early 2000's panel minutes detail categories of registration in relation to prospective foster carers e.g. short term, long term, respite etc.

- d) Please provide details of any material changes in numbers of children, placements or foster carers, and the reasons for those changes?

In general terms the Edinburgh service has remained reasonably static in relation to numbers of foster carers and children placed over the past twenty years. Both Glasgow and North had been on a growth trajectory. In Glasgow this hit a peak around 2008/9 with at one point 100 children in placement. However the service found this to be an unsustainable number and as can be seen at b) above this had reduced to 79 by 2014. The growth trajectory reflected increased demand from local authorities alongside a cultural shift within Scotland away from relying solely on local authorities' resources and acknowledgement of the need to rely on the third sector to fill unmet need. In 2012 as Family Placement moved to become one service across the UK, there was more of a focus on services being financially self-reliant with an emphasis on identifying and responding to unmet needs locally and an expectation that there should be little or no recourse on Barnardo's voluntary funds.

- e) How many children in total were accommodated by the organisation (whether in foster care or otherwise)?

During 2016 Barnardo's undertook a six month research project to create a data spreadsheet for archived case file material on microfilms and from the current electronic database. Due to the nature of the early records it has only been possible to give an approximation of the total number of children accommodated by the organisation.

Between 1930 and 2014 a total of 4,815 children were either placed in residential children's homes, residential school, or foster care.

According to the Charms database, which is the client information system for Barnardo's family placement services, 476 children have been accommodated in foster care in the Scotland services since January 2012 to December 2014.

- f) In general terms, was the main service provided by the organisation the provision of residential care for children in establishments, or was it the provision of foster care?

From the 1940's through to the 1980's the main service provided by the organisation was residential care.

With the closure of many of the residential children's homes and schools the balance of provision changed to foster care and adoption.

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Yes.

- h) If so, please give details.

The Scottish Government established a Foster Care Review, in December 2012 to address a number of issues identified by stakeholders and by foster carers. The Review put forward six recommendations on the issues of placement descriptions, a national foster carer database, placement limits for fostering households, learning and development of foster carers and allowances and fees.

Some of the work from that group is still ongoing and some has been stalled whilst awaiting the findings of the Independent Care Review. Two of the recommendations have come into force.

In December 2014 an amendment to the Looked After Children (Scotland) Regulations 2014 made it unlawful for children to be accommodated in a foster placement with more than two other unrelated looked after children. This did not have a particular impact on the numbers of children in Barnardo's foster care placements at the time as existing practice was to ensure careful matching of children with foster carers and not to overload foster carer households.

In 2015 the Government introduced placement descriptors which defined the different categories of registration. These were introduced to provide a level of uniformity across Scotland which had been missing previously. All three Barnardo's services in Scotland use the placement descriptors when approving and reviewing foster carers and this has achieved uniformity and supported more accurate data gathering and analysis.

There has been a downward trend in the numbers of children placed in the service since December 2014 and an increase in the numbers of foster carers. The decreasing numbers of children is believed to be in part due to an increased focus by local authorities on kinship care as a viable and positive care option for children.

Total number of foster carers approved in Scotland:

18/03/20 – Glasgow 58 + Edinburgh 65 + North 61 = 184

1/4/18 – Glasgow 53 + Edinburgh 57 + North 50 = 160

1/4/16 – Glasgow 42 + Edinburgh 47 + North 37 = 126

Total number of children placed in Scotland (including external short breaks):

18/03/20 – Glasgow 86 + Edinburgh 92 + North 94 = 272

1/4/18 – Glasgow 86 + Edinburgh 98 + North 99 = 283

1/4/16 – Glasgow 94 + Edinburgh 101 + North 98 = 293

[APG]

## 1.7 Children's Background/Experience

### Past

- a) Did the children placed in foster care generally have a shared background and/or shared experiences?

Children shared similar histories of family breakdown due to a range of contributing factors including: poverty; neglect or other abuse; parental sickness or substance abuse (alcohol); the child being extra-marital or otherwise illegitimate e.g. teenage pregnancy; the parent having learning or physical disabilities or a mental health condition; child has a disability causing parental rejection or request for support with physical care; child has behaviour or mental health problems often related to one of the above.

- b) Were children admitted into the care of the organisation, or were they admitted into the care of particular foster carers?

Children were admitted to the organisation as a whole, well into the 1960s. Barnardo's styled itself as "The Largest Family in the World" and children were encouraged to feel they belonged to Barnardo's.

In the late 1960s and thereafter children were increasingly likely to be placed in Barnardo's because they could offer a suitable foster home in the right geographic location to meet the child's individual needs and to support contact with family, or relatives.

With the increasing responsibility for the placement of children resting with local authorities, following the enactment of the Social Work (Scotland) Act 1968, children ceased to be admitted into Barnardo's care. They were referred by the relevant local authority to one of Barnardo's fostering services depending on the individual needs of the child.

Following the creation of the Children's Hearings System in 1971 there is evidence in the case files of a condition of residence for certain children with named foster carers.

- c) Who placed children with the organisation?

In the early years, children were placed by voluntary agreement. Latterly, the bodies responsible for placing children with Barnardo's included: the RSSPCC (now Children 1st); local authority children's departments; the court system; and moral welfare agencies.

- d) From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the organisation receive children mainly through the Children's Hearing system?

Barnardo's did not receive children directly through the Children's Hearing System. Children were placed into the care of the local authority that in turn made

appropriate decisions about placement.

An order made by the Children's Hearing may include a named place of residence and this could have been the address of a Barnardo's foster placement. The local authorities would have negotiated the placement with Barnardo's prior to the Children's Hearing and recommended that an Order was made placing the child with Barnardo's foster carers. Of the 396 children placed between January 2012 and December 2014, around 84 were placed on a voluntary basis or as a result of other arrangements such as having been freed for adoption or were placed under English legislation, the remaining children were placed by the local authorities as a result of a legal order from the Children's Hearing.

There are examples within the case files reviewed of Children's Hearings making a 'condition to reside' with named foster carers. For example: [REDACTED], [REDACTED] and [REDACTED]

- e) If not, generally how did children come to be admitted into the care of the organisation?

See 1.7 c)

Between the 1940's and 1960's the majority of children who were admitted into Barnardo's were by voluntary agreement with their parents.

In cases of neglect referrals were received from Moral Welfare, charities and the RSSPCC.

From the 1970's onwards, referrals were received from local authorities requesting a specific type of care for an individual child.

- f) How long did children typically remain in the care of the organisation?

The length of time that a child spent boarded-out or in foster care ranged from one to five years and beyond. Following Barnardo's registration as an Adoption Society in 1946 many boarded-out children were adopted by their foster carers.

Between 1943 and 1961, thirty-eight children were placed in foster care. Of these nine were adopted by the foster carers.

Up until the late 1950's it was Barnardo's practice to recall children from their foster homes on their fourteenth birthday to send them to training facilities run by the organisation. This practice ceased with the advent of local authorities placing children and retaining responsibility for them. There is evidence in the case files reviewed of two boys going to England for training.

Of the fifteen case files reviewed covering the 1940's to 1960's, eight children remained living with their foster parents post sixteen when they were training or working, two were restored to parents, two went to England to train, two moved to a Barnardo's children's home, and one went into lodgings.

Children placed from the 1970's onwards were subject to care plans, and reviews which determined the type and length of the placement. From a review of child care files from the mid 1980's many of the children who were placed in a specialist foster care provision either remained permanently until their support passed to adult services when they were twenty-one; or were short term placements whilst a permanent foster or adoptive family was sought.

- g) In respect of children who were admitted into the care of the organisation, who made the decision as to whether they should be placed in foster care?

Since the founding of the organisation, decisions about placement of children had been made centrally at Barnardo's Head Office. Decisions were based on age, gender and where the vacancies existed at any given point in time. This continued through the 1940s and 1950s.

From the late 1960s planning for placements became more regional and increasingly localised. As the role of local authorities in decision-making increased, the choice of fostering as an option for a child or children would ultimately be made by the authority through application to Barnardo's Scotland for a foster vacancy in either a particular location, or for foster carers with expertise in a particular area such as disability or behavioural difficulties.

- h) If the decision was made by the organisation, what criteria were applied?

Between the 1940's and the 1960's when the majority of children were placed by voluntary agreement, the decision about the placement of children would be made by the Placement Committee at Barnardo's Head Office. If foster care was the preferred option a referral would be made to the Boarding-out Department.

For Scottish children the process was similar although more autonomy was given to the Scottish Representative. In the Management of Committee Minutes dated 9 November 1948, it noted that:

- 1) *Applications in Scotland to be received by, and enquiries made by the Scottish Representative and her staff.*
- 2) *The decision whether a child shall be admitted or not to be made at headquarters and communicated to the Scottish Representative. All Scottish children to be admitted to homes in Scotland unless there is a specific reason.*
- 3) *The Scottish Representative to have power to transfer children from one branch home to another or from one foster home to another, subject to a report to Headquarters.*
- 4) *For an experimental period, the Scottish Representative to be responsible to the General Superintendent for all boarding-out and ABO work in Scotland.*
- 5) *The Scottish Representative to undertake the supervision of education of children in foster homes.*
- 6) *The Scottish Representative to be responsible for the placement of boys and girls in situation after consulting the appropriate Chief Executive Officer, and to be responsible to the Chief Executive Officers for aftercare*
- 7) *Applications for restoration to be submitted by the Scottish Representative to*

*the Deputy General Superintendent.*

Membership of the Placement Committee included four chief executive officers (boys, girls, reception centres, boarding out), a medical advisor, educational advisor, a psychiatric social worker and the head of the general administration and records department. Anyone else whom it was thought advisable to consult could be asked to attend.

Barnardo's has not been able to locate any specific criteria for the boarding-out of children, but the representation from different disciplines on the Placement Committee suggests that all aspects of a child's welfare was considered before a decision was made.

From the 1970's onwards an assessment of need and later a care plan would determine what type of placement was in the best interests of the child.

i) Were children moved between different foster care placements?

Children were moved between different foster placements, although in Scotland this appears to have happened less frequently. The children whose files were reviewed for the purposes of this case study only had one foster placement. Some started out as ABO's and then turned into permanent placements with the same carers.

In most cases children came from residential children's homes into foster placements which became permanent. Two children returned to children's homes, one at his own request as he missed having lots of children around him.

From the late 1970s when Barnardo's provided specialist placements, the case files show that it was usual for the children in placement to have respite care. Sometimes this was with relatives of the foster carers and other times the same regular respite carer.

j) If so, in what circumstances?

See i) above.

Children were moved between foster placements for a number of reasons. A placement may breakdown due to changed circumstances of the foster parents or the changing needs of a child which could no longer be met in the current placement.

From the 1980's in Barnardo's Scotland Fostering it was recognised that both children and foster carers may benefit from a short break. Permission for this to happen came from the local authority and latterly would have been part of the child's care plan. It would be Barnardo's responsibility to ensure all checks were in place prior to a short break taking place. In the main these have been provided through a mix of dedicated short break foster carers or full time foster carers providing short breaks for other carers.

- k) Generally did children typically stay in one, or more than one, foster care placement?

It was Barnardo's aim to enable children to stay in one foster placement. This may have not been possible for the reasons given under j).

- l) What was the process for review of children's continued residence in foster care, in terms of whether they continued to require to be (a) in foster care and/or (b) in that particular placement?

In the case files from 1940s to 1960s there is evidence of visits to children in foster homes. These would be undertaken every three months by the boarding-out officer in Scotland. A report of the visit was written which covered all areas of the child's welfare. At the end of the form there was the opportunity to make further notes and general comments on the suitability of the placement and its continuance.

From the late 1970s and beyond, children's placements were subject to six monthly reviews and for many children in foster care, a Children's Hearing Review. Local authorities had their own policies around Reviews that we followed and such Reviews were convened by local authorities.

- m) When children left foster care, what was the process for discharge?

In the 1940s to 1960s, when children in foster care approached school leaving age, it was Barnardo's responsibility to assist them to obtain further education, training or employment. There is evidence of this in the case files reviewed. The young people would then be transferred to the Aftercare department who would continue to visit for as long as was needed. Young people were encouraged to keep in touch with the Scottish Representative and there is evidence of this in the case files.

When a young person left the care of Barnardo's they were given a "farewelling" and a bible. Upon marriage they were given a £5 as a gift, noted in the file of a child. Farewelling was the term used to describe the process that happened when a young person left Barnardo's care. We do not have records of the "farewelling" process in Scotland but have spoken to two women about their experiences from 1959 and 1971 with Barnardo's in London. The woman who left in 1959 was invited to Stepney Causeway (our Head Office at the time) along with others being farewelled where they were given lunch and there was a service in the chapel with prayers for their future, they were presented with a bible and a copy of their short birth certificate and had their photograph taken, copies of which are in our archive. The lady who left in 1971 was resident at Barkingside and had a special church service. Ahead of the day she was given a choice of which version of the bible she would receive on the day. She was given a small suitcase, a leather writing set and a copy of her short birth certificate.

After 1960, as most children were placed by the local authorities they remained their responsibility post placement however Barnardo's would advocate to ensure their post care needs were met and many young people maintained links to the



services. Some have gone on to become volunteers within the service. Many young people continue informal links to their foster carers and their Barnardo's workers

n) What support was offered to children when they left foster care?

See m) above.

o) What information was sought by the organisation about what children leaving foster care planned to go on to do?

See m) above.

p) Was such information retained and updated?

Yes, there is evidence in the case files of information being updated on the situation and Index cards.

q) What was provided in terms of after-care for children/young people once they left foster care?

See m) above.

Barnardo's After Care Department, which dates back to Dr Barnardo's era, existed to actively support young people for as long as needed: After Care Officers (later Welfare Officers) assisted young people to find accommodation and employment, and visited on a regular basis. If necessary, a young person's wages would be supplemented to ensure their accommodation costs were covered, and to ensure they had appropriate clothing and tools for work.

Residential homes were expected to accommodate former residents on return visits for weekends and holidays. This could also happen in foster homes, if relationships remained positive between carer and young person.

After Care ran a Guild membership for former residents, and distributed magazines up to 4 times a year with news of the homes, former residents' progress, weddings and children. It funded wedding gifts for girls when they got married. After Care also helped former residents to renew contact with old friends from the homes and foster homes.

After Care continued to support young care leavers in this way between the 1940s and 1960s.

From the 1970s the focus of the After Care service moved away from welfare support for young people and developed a focus on adults cared for as children by the charity, and today its main function is to provide access to records services, with support.

Help for young people leaving care was then provided by direct referral to Youth Employment services, with maintenance financed by the DHSS. This support began to take place in Leaving Care services provided by Barnardo's on behalf of various

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Local Authorities.

Barnardo's also set up a number of units of supported accommodation for young people leaving care, to help them transition into independent living. Though perhaps more relevant for young people leaving directly from residential establishments, these were also available to those leaving foster care who would not otherwise have been prepared for independence.

Present

- r) With reference to the present position, are the answers to any of the above questions different?

Yes.

- s) If so, please give details.

Over time our understanding of the effects of complex trauma on the development of young children and what that means in terms of the type of reparative care they might need has grown and developed and our practice has changed and adapted in response to this.

Children placed by local authorities are admitted into the care of a particular foster carer and there is a process in place to match the needs of the child to the skills, knowledge and experience of the foster carers.

As long as a foster placement is able to meet the needs of the child and the foster carers are willing to care for that child we would endeavour to sustain that placement. Some children have short breaks as part of the Individual Placement Agreement with the local authority. Barnardo's starting point is that we would want children to be included in foster family holidays and activities but we also recognise that some foster carers and some children benefit from having a break from each other. Where resources allow we match children to a particular short break carer within the service so that we know what their skills and capacity are. By providing a consistent short breaks arrangement, children build a relationship with the short break carers so that they see the break as an extension of their placement and somewhere they are positive about going. It is not unusual for a foster carer's family members to provide short breaks following appropriate checks and assessment. This allows for a natural pattern of respite as would happen in most families where for example children go off to stay with grandparents to give their parents a break.

Wherever possible the services have planned endings to placements and the Scotland Excel Framework has promoted and reinforced expectations that a 28 days' notice period is given for placement endings. On many occasions the service has agreed to have a more open ended date to allow time for an alternative placement to be found. Where a foster placement is not sustainable we will offer to try to keep the child within Barnardo's offering an alternative foster care resource if we have one so there is some continuity for the child. On an individual basis where it is right for the child, on-going contact with the foster carers is supported.

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## 1.8 Organisation staff and foster carers

### (i) Organisation

#### Past

- a) How many people were employed by the organisation who had some responsibility for foster care services for children?

All staff appointments were centralised at Barnardo's Head Office. There is very little information in the archives about the number of staff who had some responsibility for foster care services from the 1930s to 1980s. The earliest staff files dating back to the 1940s give no indication of role or responsibilities.

Later staff records are archived by year of leaving. A name is needed to search for a file.

The Divisional Plan 1977 to 1981 has been retained and provides the following Divisional and Senior Administrative Staff Establishment:

- 1 Divisional Children's Officer
- 1 Assistant Children's Officer (residential)
- 1 Assistant Children's Officer (fieldwork)
- 1 Divisional Administrative Officer
- 2 Senior Residential Officers
- 1 Fieldwork Teacher
- 4 Senior Social Workers
- 9 Social Workers
- 8 Heads of Residential Establishments
- 1 Head of Day Care
- 1 Community Project Leader

- b) How many people were employed by the organisation at any one time who had some responsibility for foster care services for children?

Between the 1940's and the late 1950's in Scotland there would have been the Scottish Representative and the Chief Executive Officer for Boarding-out. Mrs Weynon undertook the majority of visits to children in foster care due to the relatively low numbers. She was assisted by correspondents who were independent lay people with an interest in children's welfare within their area. This could have been a vicar, doctor, teacher or other representative from the community.

In the 1950's welfare officers were appointed to assist with the visits.

Staff files for the 1980's and 1990's have been destroyed in line with retention of files policy which means we are unable to provide an accurate breakdown.

Care Inspectorate returns from 2006 indicate that staffing levels were as follows: Edinburgh as the largest service had 26 members of staff of whom 20 were full time equivalent, Glasgow had 9 members of staff (5.4 FTE) and North had 6 members of

staff who were all employed full time.

The Fostering and Adoption Annual report which was completed in 2012 had the following staffing levels across family placement in Scotland: Director, Assistant Director Adoption and Fostering, Fostering Manager x 3, Team Leader x 6, Supervising social workers x 31, administrators x 11, training coordinator x 4, and Scotland wide posts which were 2 x psychotherapists, 1 x marketing officer and 1 x recruitment officer. The report does not give details of whether staff worked full or part time hours.

- c) What roles and responsibilities did such staff have? Please specify in which roles staff met with children and foster carers.

See (a) and (b) above.

- d) In relation to each role, what experience/qualifications did such staff have?

It is unclear what if any qualifications early welfare officers would have had, as very few staff records from that period remain. Where records were kept, only the staff member's year of departure was noted.

- e) When were fostering panels set up? What was their purpose and remit?

In the early 1980's both Special Families and New Families in Edinburgh had their own panels or advisory panels as they were referred to at that time. When the two services came together, the panels also merged. In some services the local authorities' panel was utilised, for example while Shield Service in Glasgow remained partnered with Strathclyde Regional Council, the Glasgow City Council panel considered all Barnardo's foster carers.

This practice in Barnardo's of having panels pre-dated the legislative change which came in the Boarding-Out and Fostering of Children (Scotland) Regulations 1985 which placed a requirement on care authorities to establish fostering panels. The purpose and remit was laid out in the regulations and essentially set out the means by which a panel would consider and make recommendations in respect of 'prospective foster parents'.

The early panels were used to approve, review and de-register foster carers. The advisory panel also provided staff with an opportunity to discuss challenging professional situations and offer advice. The panels for New Families also considered matches of children, minutes from the 1980's reflect that on occasions more than one family would be considered for particular children and the advisory panel would recommend the foster carers they believed to be the best match.

- f) How were fostering panels constituted? What skills and experience were the members required to have?

Barnardo's have copies of minutes and associated panel paperwork dating back to 1979 when the advisory panel for New Families in Edinburgh was convened. There is evidence in the form of letters to panel members that they were drawn from a

wide range of backgrounds including a social work lecturer from the University of Edinburgh, a Clinical Psychologist from the children's hospital and a Director from a local authority as well as staff members. The constitution of the panel was discussed at the panel with reference on one minute to the need to recruit an adoptive parent as a panel member and in another there was recognition of a need to achieve a better gender balance.

Inspection reports from 2006 to the current day reflect that panels were appropriately constituted with panel members demonstrating a good mix of relevant

Present

- g) With reference to the present position, are the answers to any of the above questions different?

The responses remain broadly the same although when considering diversity of panel membership we have expanded our thinking to include diversity in relation to protected characteristics such as disability, race and sexual orientation.

- h) If so, please give details.

In Scotland the current staffing team is as follows:

<b>Scotland</b>	
<b>Assistant Head of Business</b>	1 x FTE
<b>Edinburgh</b>	
Position	Number
Operations Manager	1 x FTE
Practice Manager	2 x FTE
Admin Manager	1 x FTE
Social Workers	7.2 x FTE
Children's workers	1.8 x FTE
Psychotherapist	0.7 x FTE
Recruitment Assistant	0.6 FTE
Administrators	2.5 x FTE
<b>Glasgow</b>	
Position	Number
Operations Manager	1 x FTE
Practice Manager	2.2 x FTE
Admin Manager	1 x FTE
Social Workers	6.5 x FTE
Children's Workers	3 x FTE
Art Therapist	1 x FTE
Psychotherapist	0.2 x FTE
Recruitment Assistant	0.6 x FTE
Administrators	2 x FTE
<b>North</b>	
Position	Number

[APG]

Operations Manager	1 x FTE
Practice Manager	2 x FTE
Admin Manager	1 x FTE
Social Workers	7.8 x FTE
Children's Workers	1 x FTE
Recruitment Assistant	0.6 x FTE
Administrators	1.9 x FTE

Staffing levels have fallen very slightly over recent years. A FTE social worker would be expected to carry a caseload of up to 10 fostering families as well as a lead role responsibility.

Social workers continue to have a role in supervising foster carers in their care of children and young people, carrying out screening and assessments, delivering training. Children's workers tend to work directly with the children and young people in placement including supporting them to share their views for foster carer reviews. Therapists either work directly with children and young people or provide direct advice to staff and foster carers. Social workers are qualified and registered with the SSSC and Fostering Panels continue to be constituted in line with the relevant regulations and guidance. Panel feedback that collates the views of all three major participants has been gathered since at least 2015 from carers, staff and panel members.

Panel feedback is shared with the practice managers who will raise any concerns or compliments with the relevant staff member. Feedback will influence PDRs and supervision or may lead to further exploration of areas of a workers capability.

There is evidence that feedback from panels have led to changes in practice. For example the inclusion of a summary at the start of a foster carer review report, using the first names of children in reports rather than initials, work that is on-going to find new and innovative ways to support children and young people to provide information/feedback about their carers for foster carer reviews.

(ii) Foster carers

Past

a) How were foster carers identified and approved/registered?

The Barnardo Book, first produced in 1943 with later editions in 1952 and 1955, was the earliest form of a policy manual. It provided written guidance to staff of Dr Barnardo's covering all areas of the work undertaken. It was split into chapters including one devoted to 'Boarding-out.' The Barnardo Book was phased out in the 1960's and was replaced by a policy manual.

Chapter IX covered all aspects of boarding-out from the types of children suitable, visiting, duties of inspectors, education, health, religious training, sex education, clothing, siblings, recreation, and employment.

A manual titled 'Notes on Boarding Out' was produced to be read in conjunction

with the Barnardo Book. It is not dated but seems to have been produced in the 1950's.

The notes stated that *'unless it originates from her the Boarding-out Visitor first hears of an application when she received from the Boarding-out Department here the questionnaire that has been filled in by the applicant.'*

The notes tell us that the usual procedure was that the Visitor called at the foster home and if she thought the application was suitable, she would obtain the name and address of two references, of the school and of the doctor. Both references were to be taken up personally and not in writing.

The fostering services that grew in Scotland in the 1980's tended to be developed as partnerships with specific local authorities and apart from recruiting to the specific service needs there was no other recruitment activity taking place. The Barnardo's Policy Manual for Social Work dated 1996 set out the process for approval and registration of foster carers from initial inquiry to approval to file closure.

In the early 2000's Barnardo's became more proactive in recruiting foster carers to meet a range of needs. This was in response to increased opportunities to fill gaps in local authorities' capacity.

During this time there was an increase in the number of recruitment events, advertising, a dedicated phone line was available, drop ins and information events took place and current carers were asked to be part of those.

The service started to analyse the information on existing carers and would send leaflets and fliers targeting areas where existing carers came from. At that time there was always an initial telephone conversation to a prospective foster carer with a follow up visit by a social worker. At the initial meeting, information was shared about the types of placements, the needs of the children and the expectation of the role. Clarification was sought about people's capacity and capability and their current circumstances e.g. convictions, health, whether they had a spare room. Fostering assessments were allocated to qualified social workers and applicants were invited to "Skills to Foster" training.

b) What experience and/or qualifications, if any, did a foster carer require to have?

In the early days, Barnardo's foster carers were not required to have any formal child care qualifications. From a selection of Scottish applications retained from the 1940's and 1950's it appears that the majority of foster parents were professional people, such as doctors, nurses, teachers, chemists, and one had her own laundry business. Some foster fathers were ex-servicemen, one worked down the mines, one was a railwayman and one a gardener.

From the 1960's onwards Barnardo's provided training days for foster carers on relevant topics such contact with biological families, medical conditions and protection.

With the professionalism of social work and specialist foster care, foster carers underwent a vigorous training programme prior to approval, and were encouraged to attend training days to continue their professional development post approval. Fostering panel reports and minutes from Edinburgh Fostering from the 1980's onwards refer to training that foster carers have done and make recommendations for further training.

The fostering service started to complete competency based assessments in the early 2000's with a focus on prospective foster carers providing concrete evidence of their capability to meet a range of competencies.

- c) What checks were carried out in relation to a prospective foster carer, including criminal record checks, references and interviews?

*The notes say that 'at least one reference had to be a woman, one must be a person of some standing in the locality, and at least one must have reasonably intimate knowledge of the home life of the foster parents. At least one reference must have known the foster-parents personally over a long period. There is no objection to taking up more than two references, and if the Doctor is one of the references there must be three.'*

The school that the child was due to attend had to be visited. The foster-parents' doctor was not required to be consulted unless there was doubt about the health of either foster-parent and in that case it was necessary to obtain consent to consult the doctor.

Barnardo's did not normally make police enquiries, but the notes state that an arrangement existed in most countries whereby the Children's Officer could make an enquiry. Criminal Records Bureau checks did not come into effect until 2002.

If the Boarding-out visitor was satisfied with the proposed foster home, she would make a second visit. No foster home was accepted unless it had been visited at least twice, the foster-father seen, if possible other members of the family seen, and at least two references taken up.

No foster home was considered if either of the parents was a Roman Catholic. It wasn't until the 1960's that this rule was relaxed. Under no circumstances was a child whether boy or girl to be placed with a bachelor or widower. See above at 1.3 (ii) (b).

Prospective foster carers applying to the New Families Edinburgh Project completed an application form. In doing so they signed to give consent to Barnardo's "making enquiries of the Local Authority, Police, Family Doctor, Area Health Board and two personal references as to our health and character. Sampled files contain evidence that these checks were carried out.

Archived foster carers files have copies of medical checks, local authority checks & PVG certificates. Applicants to foster were expected to provide at least 3 references, plus one from their employer. A sample of employer references would also be followed up with an interview.



- d) What checks were carried out in relation to other persons residing with the prospective foster carer, including criminal record checks, references and interviews?

As previous answer above, the Visitor was required to meet all occupants of the house where possible.

Close friends and family living with foster carers would have a Disclosure check and local authority check. Anyone living in the same house as the foster carer would also be interviewed as part of the assessment process. There is evidence of these checks routinely taking place within carer files in the North Home from Home service from 2000.

- e) What checks were carried out in relation to other family members and friends of a prospective foster carer including criminal record checks, references and interviews?

There is no specific guidance in the notes about checks to be carried out on family members and friends. There is however in the case files examples of visits made to foster-parent's relatives, particularly parents who acted as substitute grandparents to the children in placement.

Personal references would be followed up by an interview. An Enhanced Disclosure and Risk Assessment would be completed for any friends and family willing to provide babysitting. Again there is evidence of this practice routinely taking place within carer files in the North Home from Home service from 2000

- f) To what extent, if any, were the checks referred to at paras (c) to (e) above reviewed? If so, how frequently and what checks were done? If not, why not?

The Barnardo's Book from 1943 provided some guidance on supervision of placements. For example every child was to be visited within six weeks of arrival in a boarding-out home, and thereafter four times a year.

The early case files reviewed have examples of visits to the children in foster homes. On each occasion, the report captured changes in the household occupancy, as well as employment status and health of the foster parents.

From around the early 1960s very little fostering was taking place in Scotland until the opening of the New Families project in November 1976.

Files from the 1980's and 1990's have recordings to state that medicals and police and local authority checks on foster carers were updated although the frequency of this was not clear.

- g) What checks were carried out by the organisation of the available accommodation? How frequently were these carried out? Were they repeated? If so, how frequently? If not, why not?

See answer above.

There is evidence in files from the 1980's through to current day that the organisation carried out risk assessments of the family homes of foster carers. The risk assessments were repeated and updated although the frequency of such updates is not recorded.

- h) Was the gender of the foster carer of any relevance to approval as a foster carer or in relation to the placement of a child with a particular carer? If so, why?

There is evidence on the application forms of consideration being given to the gender of foster-parents in relation to each child; for example a good male role model for a 'boisterous lad' or a placement with two spinsters for a 'timid child.'

The Looked After Children (Scotland) Regulations 2009 allowed same sex couples to foster in Scotland for the first time. Records suggest that Barnardo's Scotland approved their first same sex couple in August 2012.

- i) Was the gender of other persons (including children) residing in the same house of any relevance to the approval of a foster carer or to the placement of a child with a carer? If so, why?

Age, gender and temperament were considered when matching a child with foster-parents. Most of the foster-parents had their own children, so this was looked at when selecting a suitable candidate. There is evidence of consideration being given to whether the foster child should be of similar age to the foster parents' children and whether they would be required to share a room.

- j) Were foster carers required to provide any services for children in their care beyond accommodating them? If so, what were they?

No. In the later years, the foster carer's role was covered in the fostering agreement. See above at 1.3 and below at 2.1(c).

- k) Did children work manually in the placement or externally (e.g. farming work or other labour), or both? If so, did that change at any point? If so, why?

No. Children were expected to undertake chores associated with being part of a family for example washing up, keeping bedroom tidy and so on.

- l) Were fostering agreements entered into? If so, were these in a prescribed form or created on an ad hoc basis?

Very lengthy foster care agreements were entered into as detailed under 2.1 c).

Present

m) With reference to the present position, are the answers to any of the above questions different?

Yes.

n) If so, please give details.

Recruitment of foster carers now relies more heavily on the use of social media platforms although word of mouth whereby existing foster carers recommend to a friend or family member that they consider fostering for Barnardo's remains one of the most successful means of recruitment.

While foster carers are not required to have specific qualifications, they are asked to evidence a range of competencies and capabilities as part of the assessment and on-going registration process. Barnardo's operates a level system which is based on the skills of carers. To move from level one to level two foster carers must complete SVQ level 3 qualifications or equivalent, they must then evidence continuous learning and development to maintain their level.

The 2009 Regulations placed a duty on the organisation to complete checks in respect of family members in addition to the foster carers and Barnardo's remains compliant with this expectation. A babysitter assessment is in place which allows for family members or close friends to be assessed to provide babysitting to a child in placement. The assessment includes requesting a disclosure Scotland check and two references prior to management sign off.

Fostering agreements are still in existence; these were updated in 2019 to reflect changes in the new Foster Carer Handbook. The agreement sets out the foster carer's category of registration i.e. ages of children and type of care they are approved to provide. The agreement sets out Barnardo's responsibilities to foster carers in relation to support, finance, learning and development, review of approval and complaints and representations. The procedure with regards to the placement of young people is set out. The agreement lists the foster carer's responsibilities including any changes in circumstances that need to be communicated to Barnardo's, expectations in relation to confidentiality and regarding the welfare of any child in their care. An updated agreement is sent following the foster carers being reviewed at the Fostering Panel.

Home Risk Assessment prior to approval & updated annually. Child specific Risk Assessment completed at point of placement & updated annually.

In addition, checks are reviewed as follows –

Medicals – full AH1 medical information form is completed by the prospective foster carer prior to approval and again in year 7 if they are approved. An updated medical (AH2) in year 3 & 5. In years 2, 4 & 6 the foster carers complete a self-health assessment.

PVG certificates are renewed every 3 years.

[APG]

Local authority checks are renewed every 2 years.

## 2. Organisational Structure and Oversight

### 2.1 Culture

#### Past

- a) What was the nature of the culture within the organisation in relation to the provision of foster care?

During Dr Barnardo's time religious beliefs provided the strong motivation for many of his initiatives and gave those involved in the charity at that time a missionary confidence in what they did.

These religious convictions influenced the work of the charity and attitudes of the staff and were, in many cases, the reason that people came to work for Barnardo's. During the early 1880s Barnardo studied boarding-out in Europe and the Scottish system of boarding-out children on croft farms. He saw that children thrived in country homes if the scheme was well organised.

He believed that the children who would benefit most were those aged between five and nine years who he thought suffered most from institutional life.

*"Foster parents must have enough accommodation and be well intentioned,"* he wrote. From his foster homes he demanded high standards. *"They should be working-class people, living in homes that promised satisfactory sanitary conditions, pure moral surroundings and a loving and Christian influence."*

They received a small payment for each child, but they must not, he stipulated, be motivated merely by the *"greed of gain"*, nor should widows be solely dependent on foster fees for their living.

Much of the protection Barnardo devised for foster children anticipated the 1948 Children Act by over sixty years. His first consideration was that foster parents should not be irreligious, no matter how respectable they might otherwise be. His organisation was excellent and his style caring and careful.

The fundamentals of this ideology prevailed until the 1960's when the requirements placed on local authorities by changing attitudes and legislation impacted on the provision of foster care by Barnardo's.

- b) Was that culture reflected in the organisation's policies, procedures and/or practice in relation the provision of foster care?

Yes.

c) How can that be demonstrated?

Foster parents were required to sign a lengthy agreement. The earliest agreement located in the archives relating to Scotland is from 1949. A child was placed with a family in Dunfermline on [REDACTED] 1949 aged six years and eight months. The foster parents agreed to undertake the following:

- 1) To bring up carefully, lovingly and in all aspects as one of our family.
- 2) To provide her with a good diet and clothing.
- 3) To do all that is in our power to see that she develops into a useful and happy member of the community.
- 4) To take care that she shall attend regularly at Church or Chapel in accordance with rule 3 below. (name of church to be attended)
- 5) To see that, when of suitable age, unless prevented by sickness or other urgent cause, she shall attend regularly the appropriate school.
- 6) To communicate with the local representative of Dr Barnardo's in the district upon all matters affecting her welfare, and if she is ill to call in the assistance of a Doctor.
- 7) To forward for inspection to CEO Boarding-out before handing to child, all letters which may be received direct from relatives or friends, and to do likewise all letters written by her, and not to enter into any correspondence with any person who may claim to have any relationship or interest in her, except by arrangement with Head Office.
- 8) To allow her to be visited at any time by any person appointed by the CEO Boarding-out and to permit no visit from her relatives or friends without authorisation from Head Office.
- 9) To restore her with all her clothes and belongings to any person sent by the CEO Boarding-out to receive her. It is understood whenever possible no less than a fortnight's notice of removal will be given.
- 10) To give our assistance in carrying out whatever plans may be made for her when she reaches school leaving age. We understand that when good opportunities are available locally, any suggestion that a child should remain in the foster-home will always receive sympathetic consideration.

The foster carer agreements were reviewed and amended during the next twenty years to reflect changing societal views and attitudes and in response to new legislation, rules and regulations. There are examples of foster carer agreements from the 1950's in the case files reviewed.

d) Did the provision of care by foster carers reflect the organisation's culture, policies and procedures?

There is evidence in the visitor reports seen in the case files reviewed, of care which reflected the culture, policies and practice of Barnardo's during the 1940's to the 1960's.

A 'Report of Visit to a Boarding-Out Child' form from 23 January 1947 in the file of a child details areas that were reviewed or inspected. These included:

- 1) Health and medical treatment

- 2) Attendance at Sunday School or Chapel
- 3) School: report from teacher, progress, behaviour
- 4) Does the child appear well fed and cared for?
- 5) Clothing: satisfactory when sent out, and in replacement
- 6) Does the child appear happy?
- 7) Special interest and out-of-school activities. Please try to give some idea of personality.
- 8) Is it your opinion that the child had adequate opportunities for all-round development? If not, what do you suggest?
- 9) Section for working children
- 10) Further notes and general comments

The report was signed by the visitor, counter signed by the Scottish Representative and a copy sent to the Boarding-out department at Head Office.

Forms were amended to reflect the regulatory requirements of the time. For example a form dated 23 October 1951 in the same file now includes the following questions.

- 1) Occupants of the house. Are they in good health?
- 2) Sleeping accommodation
- 3) Source of foster-parents income
- 4) Is the home in your opinion satisfactory?

By 1955 the form had been amended again to include information about the current health of the child, evidence that moral and religious training is cared for in the home, the child being seen alone and contact with relations. Again an example is found in the file of a child dated 3 December 1955.

- e) If not, please provide a representative range of examples and explain, by reference to those examples, why particular foster carers did not, in material ways, work in accordance with the organisation's then culture, policies and procedures and what, if anything, was done to change that?

N/A.

- f) When and why did any changes in the culture of the organisation in relation to the provision of foster care come about?

Experiences of children growing up in Barnardo's care enabled the organisation to gain a greater understanding of the impact of separation and loss, ethnicity and the potential for mistreatment and abuse of children in foster care.

The move away from long term care for children in the 1960's towards the development of prevention policies implied that children, and more importantly their parents, were now seen as victims of their circumstances. This inspired a new confidence in the ability of parents to manage if they were given enough support at the right time.

Barnardo's understood that families' problems did not fit neatly into the remit of any

single organisation and that to be effective help had to be co-ordinated and agencies had to work together in the best interests of the child and their family.

The creation of children's departments within local authorities and the regulatory requirements placed upon them, forced Barnardo's to embrace change and focus their efforts on where there was the greatest need and finding ways to finance the work.

From the 1970's onwards Barnardo's in Scotland concentrated on the development of specialist foster care provision in partnership with a number of local authorities across Scotland.

- g) Were any changes in culture driven by internal influences, incidents, experiences or events within the organisation, or any of the foster care placements?

After World War II, a growing number of offspring of local women and American servicemen, many of them black, were admitted to Barnardo's care. One example is a child born in 1944 and boarded-out in Midlothian in 1951. These admissions were added to during the 1950's and 1960's by an increasing number of immigrant children from the Caribbean, Africa and Indian sub-continent. Despite the issue being discussed by the Council the subject of race was not effectively tackled by the charity until the early 1960's. A working party was set up to look at race and their recommendations published in a report in 1966 entitled 'Racial Integration.' Recommendations from the report relating to foster care have been covered under 1.1 b).

An internal survey entitled 'Racial Integration and Barnardo's – Report on a working party' was produced in 1966. The copy we have in the archive is the second edition from 1968. It established that more than half the black children in Barnardo's care were 'anti-church' and 'anti-religion.' This had a significant impact on the charity's Christian ethos and culture where for almost one hundred years the religious training in Barnardo's had remained unchanged. In 1971, after nearly a decade of debate, Barnardo's Council resolved to accept non-Christian children without attempting to influence their religious beliefs. Barnardo's is now completely non-denominational helping children and families from all faiths and none.

- h) Were there any changes in culture that were driven by abuse, or alleged abuse, of children in foster care?

Barnardo's has not been able to find evidence of change in culture as a result of abuse of children in foster care.

- i) If so, when did they occur and how did they manifest themselves?

See answer above.

- j) Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?

See above at (g).

#### Present

- k) With reference to the present position, are the answers to any of the above questions different?

Yes.

- l) If so, please give details.

The Independent Care Review in Scotland concluded in March 2020. While the messages and ethos at the heart of the Care Review sit very well with Barnardo's values, as a service we are always striving to reflect, learn and improve. As such the fostering service is looking to implement all aspects of the review and to embed the five foundations which are: 1) **voice** of the children must be heard at all stages; 2) what all **families** need to thrive; 3) **care**, that builds childhoods for children for whom Scotland has responsibility 4) **people**, with a relentless focus on the importance of relationships and 5) **scaffolding**, so that the structure is there to support children and families when needed.

- m) To what extent, if any, has abuse or alleged abuse of children cared for in foster care caused, or contributed to, the adoption of the current policies, procedures and/or practices of the organisation, in relation to the provision of foster care services for children including the safeguarding and child protection arrangements applying to its current foster care placements?

Barnardo's have robust processes in place for reporting serious safeguarding incidents. These are scrutinised by senior managers in the organisation and remain under 4 weekly review until satisfactorily resolved. The process was reviewed following the Oxfam child abuse scandal in 2018 and led to additional scrutiny of safeguarding processes at a senior level and a tightening of reporting timescale.

There are policies and procedures in place to deal with allegations against foster carers and disclosures by children and young people. Safer caring training for foster carers is mandatory and fostering families must have a safer caring plan in place for each of the children they look after. These plans are reviewed at least annually. Staff and carers must undertake annual child protection training.

The organisation utilises safe recruitment practices both for staff and foster carers. For example we require references from foster carers' ex-partners following the Brighton and Hove review into the death of an adopted child in 2001.

The internal safeguarding review process was introduced in response to a case where there was evidence of disguised compliance by foster carers and a number of low level concerns in relation to the care of a sibling group of three over a number of years. The children were subsequently removed from the placement and



the foster carers were de-registered and there was evidence that the care the children had received fell short of the standards expected.

The internal safeguarding review process involves the collation and analysis of a chronology of a foster carer's fostering journey leading to a range of possible outcomes:

- No further action
- Deferred decision to access additional information (a date should be agreed to reconvene the meeting as soon as practicable)
- Recommendation carers access specific learning and development opportunities and the implications of not doing so
- Review at fostering panel to recommend change to categories of registration
- Review at fostering panel to recommend de-registration
- Immediate/planned removal of children in placement

As a result of the situation referred to above and a similar situation in another service south of the border, disguised compliance training was devised and delivered to Family Placement staff UK wide. This will be refreshed and available on a rolling programme.

There are examples of recent practice where Barnardo's fostering services have challenged practice in the local authority including escalating a child protection issue where we did not believe the local authority had taken it seriously. On another occasion the service complained about the practice of a local authority children's social worker where it fell below expected standards and was undermining work being undertaken with a fostered child who had sexually harmful behaviour.

## 2.2 Structure, leadership and accountability

### Past

- a) What was the structure of responsibility within the organisation in relation to foster care?

The late 1960's saw a change in Barnardo's divisional structure. Although Dr Barnardo had set up the beginnings of a divisional structure, the major weight of Barnardo's resources was still going into the South East of England. The greatest concentrations of deprived children were to be found in inner cities across the UK.

In April 1968 an internal report recommended that Barnardo's should site its work where it was most needed. This demanded the transfer of many Barnardo's services to the Midlands, the North, Scotland, Wales and Northern Ireland. With the divisional structure, accountability was achieved through direct management, reporting, policy and procedural directives, and a system of UK meetings that aimed to ensure consistent implementation across the UK.

By the start of the 1970's the re-organisation was complete and the Charity shifted its focus towards families and regional development.

Until the late 1960's the responsibility for boarding out of children in Scotland came under Barnardo's Head Office and the Boarding-out Executive Officer, Miss Dyson. Responsibility for the initial recruitment of foster parents and the proposed placement of children slowly shifted to the Scottish Representative as covered under 1.7 h), although Head Office made the final decisions.

Some early devolution of responsibilities from Head Office at Barkingside, London can be seen in a memorandum from June 1972 relating to the reorganisation of the medical department. Significant functions such as human resources and finances were centralised for some time further. During the 1980's greater divisional devolution occurred for example: finances; recruitment and other personnel functions; and media and fundraising which then became the responsibility of Barnardo's in Scotland.

Fostering and Adoption continued to come under the umbrella of Head Office as it was viewed as an organisation wide provision. Scotland developed its own specialist provision within the legislative and regulatory framework in which it operated. The fostering and adoption project leaders would meet regularly and receive support from the local assistant divisional director, later known as an assistant director and supported by a national adviser based at Head Office.

Care Inspectorate returns from 2006 indicate that staffing levels were as follows: Edinburgh as the largest service had 26 members of staff of whom 20 were full time equivalent, Glasgow had 9 members of staff (5.4 FTE) and North had 6 members of staff who were all employed full time.

The Fostering and Adoption Annual report which was completed in 2012 had the following staffing levels across family placement in Scotland: Director, Assistant Director Adoption and Fostering, Fostering Manager x 3, Team Leader x 6, Supervising social workers x 31, administrators x 11, training coordinator x 4, and Scotland wide posts which were 2 x psychotherapists, 1 x marketing officer and 1 x recruitment officer. The report does not give details of whether staff worked full or part time hours.

- b) What were the oversight and supervision arrangements by senior management?

The General Superintendent was the Principal Officer responsible to the Council for the administration and welfare of all children past and present. He was the channel through which all instructions of the Council and its committees were conveyed to all members of staff employed for the care, training and education of children and staff.

The Assistant General Superintendent dealt with the execution of Council and Committee of Management instructions and the checking of Home Office requirements and co-ordination of work in the divisions.

There were four Executive Officers, boys, girls, boarding-out and administration and general records, each reporting to the General Superintendent. In addition there were medical, domestic, education and social work advisors who travelled the UK

providing advice and support to each division and type of service.

Each division had a Representative later known as a Divisional Children's Officer and later a Regional Director responsible for the work in their Division.

c) What were the lines of accountability?

Between the 1940s and early 1960s welfare visitors would regularly visit children in foster care. They would report to the Scottish Executive Officer for Boarding-out, Mrs Weynon, who in turn would report to the Scottish Representative. Boarding-out Visitors reported to Mrs Weynon. Lay correspondents would also visit children in their foster homes would report into Mrs Weynon. Mrs Weynon would have a dotted line management responsibility to Miss Dyson the Chief Executive Officer for Boarding-out based in London, who was responsible for the develop of early policy and practice in relation to foster care.

The Scottish Representative would provide six monthly written reports on the work in Scotland, and any issues, to the Management of Committee. She would be required to attend in person and present her report, answering questions as appropriate. Minutes from that meeting would be sent to Council members.

With devolution in the 1980s, project leaders reported to their assistant child care officer who in turn reported to the divisional child care officer.

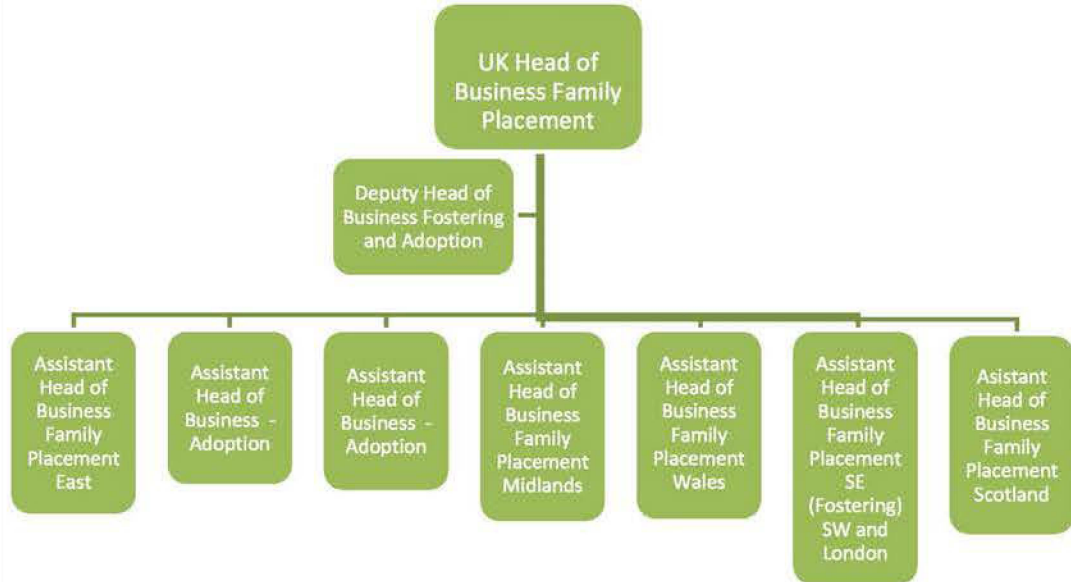
As mentioned above, fostering and adoption services came together under one Assistant Director in 2008. Prior to this the services had been locality based with an Assistant Director in each area having oversight of all services in that area. The amalgamation of the services under one Assistant Director was to allow for consistency of approach and a national overview of the service provision. At that time the Assistant Directors reported to the Scotland Operations Manager who in turn reported to the Scotland Director. When the Scotland Operations Manager moved to another job in 2013 her post was not replaced. This coincided with plans to move Family Placement to become a UK wide service under one assistant director.

Prior to 2008 responsibility for foster care services sat under the Assistant Children's Officer for the area the service was in. In 2008 recognition of a need for a more consistent approach across the country led to the creation of a foster care service for Scotland with the following structure:

Director Barnardo's Scotland  
Scotland Operations Manager  
Assistant Director Fostering and Adoption  
Family Placement Programme Manager (Edinburgh)  
Family Placement Programme Manager (Glasgow)  
Children's Services Manager (Aberdeen)  
Children's Services Manager (Dundee)

This structure remained until 2013 when the Scotland Operations Manager left. This post was not replaced and coincided with Fostering and Adoption moving to a UK wide service sitting under one Head of Business (Director) for Family Placement UK.

In 2013 the structure was as follows:



In May 2015 the then UK Head of Business Family Placement left and the Deputy Head of Business Family Placement successfully applied for the post. This coincided with a downturn in the numbers of children available for adoption creating some capacity at Assistant Head of Business level so the decision was taken not to fill the Deputy Head of Business Family Placement post at that time.

- d) Within the organisation, who had senior management/corporate/ organisational responsibility for the managers/management teams/leadership teams who had responsibilities in relation to children in foster care?

See (a), (b) and (c).

- e) Who, within the organisation, took decisions on matters of policy, procedure and/or practice in relation to foster care?

See (a), (b) and (c).

Since 2013 decisions on matters of policy, procedure and/or practice were taken by the UK Head of Business.

- f) To whom were foster carers accountable?

Foster parents were accountable to Barnardo's.

- g) Who, within the organisation, was responsible for the implementation of, and compliance with, the organisation's policies, procedures and/or practices in foster care both by organisation staff and by foster carers?

See (a), (b) and (c).

Ultimate responsibility sits with the CEO who is in turn accountable to the Board of Trustees. However day to day, employees would be responsible for carrying out their duties in line with their employment contracts, contracts with commissioners and Scottish legislation and regulation.

Barnardo's has an internal Corporate Audit and Inspection Unit and there are reports of the unit undertaking inspections of Barnardo's Fostering services in Scotland dating back to 2008.

- h) To whom were fostering panels accountable?

Minutes from fostering panels dating back to the 1980's evidence that there was a panel co-ordinator who tended to be a team manager within the service with responsibility for ensuring panels were operating within the relevant service procedures and wider legislation and guidance. The panel was ultimately responsible to the Agency Decision Maker. Archived panel paperwork dating back to the mid 1980's evidence decisions being made by the Agency Decision Maker who initially was the locality based Assistant Director for Children's Services and latterly was the Assistant Director for family placement in Scotland. The panel only ever makes a recommendation. Decisions in respect of panel business have always been made by the Agency Decision Maker.

- i) What were the oversight and supervision arrangements in respect of fostering panels?

Oversight and supervision arrangements for fostering panels have remained largely unchanged in that the panel co-ordinator, later known as the panel advisor would have a role within the panel of ensuring panel members were made aware of any policy or procedure needed to support them to make a recommendation. I have not been able to find evidence that panel members received any formal supervision, if panel members required support or guidance then that was provided by the Panel Chair or the Panel Advisor. Panel business was always recorded in a minute and this was available to the Agency Decision Maker. Panel development days were held on a regular basis and these meetings allowed panel members an opportunity to consider changes to legislation, policy and procedure as well as picking up on any specific panel issues.

A panel member who has also chaired panels in Edinburgh and Glasgow for Barnardo's over the past 25 years stated that if there were any concerns about a panel member's practice then that would have been dealt with outwith the panel by the Service Manager and Chair. There was also an opportunity at the end of panel for a debrief and any practice issues could be raised there or if it was not possible to resolve them would be taken forward as an agenda item to the next Business Panel.

Present

- j) With reference to the present position, are the answers to any of the above questions different?

Yes.

- k) If so, please give details.

In March 2012 the Barnardo's Board of Trustees approved maintaining the charity's historic commitment to Family Placement work, approved the strategic direction of Family Placement being managed within one business line, and approved the following vision statements relating specifically to Family Placement:

**Vision: To place more children who are most disadvantaged, achieving excellent outcomes through our stable and high quality foster carers and adopters**

- a) There is a shortage of high-quality family placements in the UK. Barnardo's has a track record of meeting the needs of children with the highest level of disadvantage, for example disabled children and those emotionally and sexually abused. With this experience and accessing the expertise from across Barnardo's child care services, we can grow our delivery and increase the specialism of family placement
- b) We aim to nearly double the number of whole time equivalent fostering placements from approximately 540 at March 2012 to c.1,000 placements March 2016. We also aim to double the number of adoptive placements from 71 in March 2012 to 173 by March 2016.

**Vision: To be the go-to destination for prospective carers because of the welcome they receive when they contact us and the level of support they enjoy when working with us.**

- c) Every prospective carer is treated by everyone with whom they have contact as a highly valued individual making a very significant offer of service. There will be a presumption that everyone has something to offer unless there are very clear indications otherwise.
- d) Enquirers have instant access to the information they require on our website or are provided with it by next day's post.
- e) If an initial home visit is required, an immediate appointment, within five working days, will be made with a named social worker by whoever they first contacted.
- f) Applicants will be provided with a written programme for their training, home visits, referees visits, and panel dates immediately after an application is

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received.

- g) Carers will have excellent support and the training they require in order to provide high quality care to the child in placement.

**Vision: To be the go to destination for Local Authorities and Trusts by delivering value through effective and efficient services.**

- h) Evidence high levels of stability, quality outcomes for children in our placements and excellent service delivery.
- i) All contact with any Local Authority or Trust demonstrates they are a highly valued customer. Endeavour to understand and meet their needs first time and every time.
- j) Cost our delivery model.
- k) Ensure a streamlined system for clear access any placements (either adoption or fostering) available throughout the UK for local authorities and Trusts.
- l) Provide pricing schedules to local authorities and Trusts that are clear, easy to understand and meet their requirements, and have an explainable consistency throughout the UK.

By April 2014 Family Placement Services had made the transition to being a UK wide service under one Director.

In Scotland the current structure is that the Assistant Head of Business is line managed by the UK Head of Business. There are four family placement services Fostering Edinburgh, Glasgow and North and one Adoption Service. Each of these services has an Operations Manager, two or three Practice Managers, an Admin Manager and then a range of staff including social workers, children's workers, therapists and administrators.

In terms of the accountability of fostering panels, the Operations Manager has responsibility for overseeing the panels day to day. The Operations Manager completes an annual appraisal of the panel chair and the panel chair carries out appraisals of panel members. The Panel is also quality assured by the Assistant Director who fulfills the role of Agency Decision Maker. On occasions an Assistant Director from another fostering service will be asked to act as ADM if the Scotland Assistant Director believes she is unable to evidence a level of impartiality (e.g. in a situation where she has had to intervene in the case planning). The Assistant Director also aims to attend at least one panel per year from each service for the purpose of quality assurance.

Panel development days continue to take place and cover a range of learning and development opportunities. Twice a year the panel chairs meet with the Scotland management team (Assistant Director and Operations Managers) to discuss and

progress strategic developments.

Current Family Placement management structure is below:



**AHoB = Head of Business F&A = Fostering and Adoption**



As outlined above individual employees continue to be accountable for their own areas of work in line with their employment contracts and relevant Barnardo's

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policies and procedures and wider legislation and guidance. There are internal mechanisms for reporting on a quarterly basis against a range of performance indicators (e.g. performance against the business plan, compliance with safe recruitment practices, monitoring of staff attendance, compliance with safeguarding protocols etc.).

The Corporate Audit and Inspection Unit continue to operate and last inspected fostering service within Scotland in July 2014.

### 2.3 External Oversight

#### Past

- a) What were the arrangements for external oversight of the organisation's foster care services?

Barnardo's has not been able to find any information regarding external oversight of the organisation's foster care from the 1940s to the 1960s.

The local authorities' increased role and responsibilities over the years included a requirement to visit children they had placed in foster homes. Again, Barnardo's has not been able to locate any reports of visits by local authority children's officers.

In October 1977 John Rea, the Divisional Director for Scotland, compiled a booklet entitled Barnardo's in Scotland which showcased all the services that Barnardo's were operating in Scotland at that time. Writing about the New Families Project in Glasgow, the article states that the project team were supported by a Case Committee whose members included a child psychiatrist, educational psychologist, residential care workers, a psychiatric social worker and medical advisor. The committee acted like an early fostering panel providing on-going guidance about how to proceed in particularly complicated cases and for making final decisions about acceptance of applicants and placements. Members of the case committee could also provide direct support to families.

In addition to the case committee there was a policy advisory committee representing legal, academic, local authority and community interests task was to tackle problems as they arise and to consider ideas for future development. There is also evidence that the Edinburgh Special Families Project and the Aberdeen Home from Home Service both had Advisory Groups which were made up of a range of professionals and provided external oversight of the services.

The minute from the meeting of the Special Families Advisory Group dated 6 October 1983 reflects that following a question being raised about the procedure to be followed if anyone had serious reservations about a particular family's ability to "handle disturbed children appropriately". There then followed a discussion about best practice in making second placements with foster care families after a child has moved on. A process was agreed upon by the Advisory Group.

An agenda for the Advisory Panel of the merged Special Families and New Families services in Edinburgh dated Wednesday 26 October 1994 included a group

exercise. The purpose of the exercise was to identify:

- One thing the group believes should continue under the work of the (fostering) panels
- One thing the group believes should be changed in order that panels can more accurately reflect changes in the project since merger
- One thing the group believes should be discontinued.

The Aberdeen Home from Home Annual Report 2000 states "The Advisory Group comprises a range of professionals, a parent and a carer. Four meetings were held in the first year, considering issues such as risk assessments, publicity/recruitment, transitional arrangements post 16 and medical consents. We are now in the process of establishing a parents' and carers' group and reducing the frequency with which the wider Advisory Group meets."

The Regulation of Care (Scotland) Act 2001 established a national regulatory body (Care Commission) and a system for regulation, registration and inspection of a whole range of care services including fostering and adoption. It set up the Scottish Commission for the Regulation of Care and the Scottish Social Services Council. In the same year the National Care Standards: Foster Care and Family Placement Services. These standards applied to all fostering services in Scotland and applied to the following activities:

- recruiting, selecting, approving, training and supporting foster carers;
- matching children and young people with foster carers;
- supporting and monitoring foster carers; and
- the work of agency fostering panels and other approval panels.

Part 5 of the Public Services Reform (Scotland) Act 2010 replaced the Care Commission with Social Care and Social Work Improvement Scotland (SCSWIS), commonly known as "the Care Inspectorate". This legislation remains in force. All providers of care services are required to register with the Care Inspectorate.

Reports relating to the inspection of the three Barnardo's fostering services which were operating at that time are available on the care Inspectorate website dating back to 2010. There are also copies of inspection reports by the Care Commission evidencing external scrutiny of fostering services held within the services.

The fostering services have been parts of the Framework Excel fostering framework since 2013. As part of the current framework agreement services must attain a grade of four or above in care inspections.

Barnardo's fostering services have always worked closely with Local Authority partners. In the 1970's and 80's fostering services were delivered to meet the needs of particular commissioning local authorities, often there were joint fostering panels hosted by either Barnardo's or the local authorities (e.g. New Families, Glasgow panel was hosted by Glasgow City). As the fostering service has moved to provide placements from all local authorities more formal scrutiny in the form of regular formal commissioner meetings with individual local authorities to report on outcomes for children have taken place.

External scrutiny also takes the form of feedback from children's social workers who have had a statutory duty to visit children in foster placements since 1959 and the Boarding Out of Children (Scotland) Regulations. There are opportunities for both informal feedback through partnership working with local authorities and formally as the child's social worker is asked to complete a written report for foster carer reviews

- b) Who visited the organisation's foster care services in an official or statutory capacity and for what purpose?

See 2.3 a)

- c) How often did this occur?

The following inspection reports are available to review on the Care Inspectorate website. These include reports of inspections that were undertaken by the Care Commission:

Edinburgh Service: 17/07/06, 21/11/07, 27/10/08, 18/02/10, 11/11/10, 27/02/12, 04/03/14, 06/03/15, 30/03/16, 16/04/18.

Glasgow Service: 03/03/09, 27/11/09, 30/11/10, 02/07/12, 14/05/13, 26/05/14, 30/11/15, 07/09/17, 09/10/18

North service: 23/10/06, 04/12/07, 28/01/09, 01/03/10, 16/12/10, 21/12/12, 10/12/13, 10/12/14, 03/02/17, 05/07/17, 30/09/18

- d) What did these visits involve in practice?

The inspections have followed a similar pattern whereby the inspector has considered evidence to help reach a conclusion about whether certain quality themes have been met. The quality themes against which the service was inspected were: care and support; environment; staffing; and management and leadership. A range of methods were used including reading files, questionnaires to staff, foster carers, children, children's social workers and panel members, interviews with stakeholders, consideration of policies and procedures.

Children's social workers in the main provide a service to children including visiting children and young people in placement, they do also see children out with the placement, they may see the child alone and they may inspect the child's bedroom.

Present

- e) With reference to the present position, are the answers to any of the above questions different?

Yes.

f) If so, please give details.

Fostering continues to be a registered service and subject to regular, at least every two years, inspection visits from the Care Inspectorate. The fostering service has recently developed a tool for self-evaluation based on similar tools available from the care Inspectorate.

Barnardo's continues to be part of the Scotland Excel Framework and to provide the majority of placements through this platform.

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