

SCOTTISH CHILD ABUSE INQUIRY

SECTION 21 – FOSTER CARE, DUMFRIES AND GALLOWAY COUNCIL

PART B – CURRENT STATEMENT

3. Retrospective Acknowledgement/Admission

3.1 Acknowledgement of Abuse

a)	Does the local authority accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?
<p>Dumfries and Galloway Council accept that some children cared for in foster care may have been subjected to some level of abuse. We are aware that in some instances allegations against foster carers were made, however, as a Local Authority we have had no record of any foster carers being convicted of an offence against a child.</p> <p>From perusal of the historical records we are aware that there are instances, on a small number of occasions where children were removed from foster care placements due to allegations of abuse or cruel treatment. Throughout the period of the 1930's to the early 1970's the reasons for children being removed from a fostering placement appear to be largely as a result of challenging behaviour, physical chastisement, offending behaviour and/or a breakdown in the relationship between child and foster carers.</p> <p>From an extensive review of historical fostering panel records post 1984 with the introduction of the Fostering panels children were often removed from a fostering household due to an allegation being made which although not subsequently proven as a result of an investigation or a criminal conviction a decision was taken to seek an alternative placement arrangement at that time for the child.</p> <p>We have paper copies of all fostering panel minutes since the introduction of the first fostering panel in 1984 to 2014. The minutes of fostering panels post 1984 records when an allegation was made and the outcome in relation to the child and whether they remained in their fostering placements or not.</p>	
b)	If so, what is the local authority's assessment of the extent and scale of such abuse?
<p>The Local Authority has read many files and to date the records do not reflect a culture of abuse while living in foster care. We have read children's casefiles for the 1930's, 40's and 50's and all Fostering panel notes from 1984 – 2014. We have a team in place who continue to undertake file reading work which we shall report in Section D when we present our submission in April 2020. In relation to social work files from 1930's to 1968 it is important to note that the culture of society was different and the acceptance of practices involving corporal punishment was different. Children were also until 1968 permitted by law to undertake light work while living in foster care.</p> <p>At this time, we can share that we have reviewed all of our children's files retained in the 1930's, 40's and are still working through the 50's, 60's and 70's. We are aware of all reported incidents post 1984-2014 having undertaken a review of all fostering panel minutes held throughout this period and which provides us with detailed information on why children were moved from one fostering placement to another or alternatively to a residential placement. Fostering panels throughout this time reviewed all foster carer arrangements so incidences of allegations were discussed at our Fostering panels and recorded in the</p>	

minutes. We have a full set of all minutes from 1984-2014 which have been reviewed. Some of the reasons recorded include the following:

- Challenging and difficult behaviour presented by the young person
- Young person involved in offending behaviour
- Young person being chastised by being smacked and/or required to eat soap due to using offensive language or swearing
- Behavioural chastisements including use of a cold shower and being asked to walk around with a rucksack full of potatoes

Our historical files of LAAC young people are recorded by date of birth but not the time frame in which they were placed in care. We don't hold figures for those children which were specifically in Foster Care. We can only provide numbers for the overall LAAC by their decade of birth and we therefore have to assume the young people were in care within that decade. The figures are as follows

1930 – 1939 = 82
 1940 – 1949 = 475
 1950 – 1959 = 853
 1960 – 1969 = 905
 1970 – 1979 = 700
 1980 – 1989 = 1097
 1990 – 1999 = 1159
 2000 – 2009 = 668
 2010 – 2014 = 162

We are currently undertaking a file audit of all of our Looked After Children in an attempt to further refine and identify of the above numbers how many were placed at home, with relatives, in foster care or in residential care. This work is progressing. Initial findings reflect that there is a lower number in foster care than we first thought but this may change as our file reading findings progresses and nears completion. Our initial finding reflects a small number of children in foster care compared to those living with other family members.

c) | What is the basis of that assessment?

This assessment is based on reading of children's files from 1930's onwards. Our historical files of LAAC young people are recorded by date of birth but not the time frame in which they were placed in care. We don't hold figures for those children which were specifically in Foster Care. We can only provide numbers for the overall LAAC by their decade of birth and we therefore have to assume the young people were in care within that decade. The figures are as follows

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relatives, in foster care or in residential care. This work is progressing. Initial findings reflect that there is a lower number in foster care than we first thought but this may change as our file reading findings progresses and nears completion. Our initial finding reflects a small number of children in foster care compared to those living with other family members.

This assessment is based on reading of children's files from 1930's onwards. This has been undertaken by a small team of workers who have experience and knowledge of file retention and children and families social work. These staff members are overseen by an experienced worker who is co ordinating all section 21 notices and a qualified social worker and manager who has current oversight of all fostering arrangements throughout the region. Dumfries and Galloway have created a small team to ensure that the files read are read consistently and that we are robust in collation of our information in relation to children in foster care. One staff member has extensive historic knowledge of fostering services in Dumfries and Galloway and has been employed as a council employee working in the fostering and adoption team since the 1990's.

To our knowledge Dumfries and Galloway Council have no foster carers who have been convicted of any offences against a child in their care between 1930 to the present day. This is based on the above file reading and review of fostering panel minutes.

3.2 Acknowledgement of Systemic Failures

a)	Does the local authority accept that its systems failed to protect children in foster care between 1930 and 17 December 2014 from abuse?
Dumfries and Galloway Council accept that some children cared for in foster care may have been abuse. We are aware that in some instances allegations against foster carers were made but as a Local Authority we have had no foster carers convicted of an offence against a child.	
b)	What is the local authority's assessment of the extent of any such systemic failures?
<p>We currently have no evidence to verify or support that there was a systemic failure. We have a significant number (6,102) of children's files from 1930 onwards which we continue to retain and the information in the files does not evidence this.</p> <p>As already stated above this is the total number of children's files retained which will include children living at home, with family members in foster care and in residential care.</p> <p>To our knowledge to date we have not had any claims made by Adults in relation to this period prior to the formation of the National Child Abuse</p> <p>Due to the retention of foster carers records being for 25 years we have very few foster carer records other than those who have ceased fostering in the last 25 years with the exception of existing foster carers.</p>	
c)	What is the basis of that assessment?
We have a significant number (6,102) of children's files from 1930 onwards which we continue to retain and the information in the files does not evidence this.	

d)	What is the local authority's explanation for any such failures?
<p>We currently have no evidence to verify or support that there was a systemic failure. We have a significant number of children's files from 1930 onwards 6102 which we continue to retain and the information in the files does not evidence this.</p> <p>As already stated above this is the total number of children's files retained which will include children living at home, with family members in foster care and in residential care.</p> <p>To our knowledge to date we have not had any claims made by Adults in relation to this period prior to the formation of the National Child Abuse</p> <p>Due to the retention of foster carers records being for 25 years we have very few foster carer records other than those who have ceased fostering in the last 25 years with the exception of existing foster carers.</p>	

3.3 Acknowledgement of Failures/Deficiencies in Response

a)	Does the local authority accept that there were any failures and/or deficiencies in its response to abuse, and allegations of abuse, of children in foster care between 1930 and 17 December 2014?
<p>Dumfries and Galloway Council accept that some children cared for in foster care may have been abuse. We are aware that in some instances allegations against foster carers were made but as a Local Authority we have had no foster carers convicted of an offence against a child.</p> <p>However due to the standards of practice at the time not being sufficient there may have been some failings over the decades. the information available between 1930 – 1980 is quite different to the information which is now retained in Children's files post 1980 – 2014.</p>	
b)	What is the local authority's assessment of the extent of any such failures in its response?
<p>Our file reading has evidenced that records were retained and the standards of the times in which children were accommodated were supported and overseen by the Council in terms of the requirements, regulation and legislation of the times. Our records show that information was taken and discussed at Children's committees throughout the decades to ensure management and council oversight of fostering services</p> <p>Our file reading to date has evidenced that between 1930 and 1968 that children's officers and members of children's committees would visit foster carers at their homes on a regular basis. This is recorded in children committee minutes and occasionally referred to in some children's files. Clearly with the introduction of the 1968 Act there was greater level of scrutiny which increased following the introduction of the Children's (Scotland) Act in 1995.</p>	
c)	What is the basis of that assessment?
<p>We have reviewed and continue to review Children's files up to the present day. Our case file reading does not provide evidence of systemic failure but in fact does provide evidence of adherence to legislation at the time.</p> <p>This assessment is based on reading of children's files from 1930's onwards. This has been undertaken by a small team of workers who have experience and knowledge of file retention and children and families social work. These staff members are overseen by an experienced</p>	

worker who is co ordinating all section 21 notices and a qualified social worker and manager who has current oversight of all fostering arrangements throughout the region. Dumfries and Galloway have created a small team to ensure that the files read are read consistently and that we are robust in collation of our information in relation to children in foster care. One staff member has extensive historic knowledge of fostering services in Dumfries and Galloway and has been employed as a council employee working in the fostering and adoption team since the 1990's.

To our knowledge Dumfries and Galloway Council have no foster carers who have been convicted of any offences against a child in their care that we are aware of to date between 1930 to the present day. This is based on the above file reading and review of fostering panel minutes.

d) What is the local authority's explanation for any such failures/deficiencies?

Due to the standards of practice at the time not being sufficient there may have been some failings over the decades. the information available between 1930 – 1980 is quite different to the information which is now retained in Children's files post 1980 – 2014.

3.4 Changes

a) To what extent has the local authority implemented changes to its policies, procedures and practices as a result of any acknowledgment in relation to 3.1 – 3.3 above?

Changes over the years have been in response to new research informing of good practice in fostering services. Further changes have been in line with the implementation of new regulations and national legislation to improve outcomes for children. We have made changes over the years in line with the implementation of Health and Safety guidance impacting on children living away from home and the assessment of pets within fostering households. Lessons from national Child Abuse Inquiries have also informed social work practice over the years.