

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?
- b) If so, what is the local authority's assessment of the extent and scale of such abuse?
- c) What is the basis of that assessment?

Yes. East Dunbartonshire Council accepts that between its inception in 1996 and 2014 children in foster care were abused.

The Council does not have access to the files spanning this entire period prior to 1996 nor are any staff members who were employed throughout that period available to consult with. It is not possible for the Council to respond for the entire period.

We have conducted a rigorous file audit of the records that are available and the complaints of abuse are detailed in the response to Part D of the section 21 notice.

The files detailed in the Part D response include complaints of physical and sexual abuse. All the files that contained a complaint of abuse were reviewed carefully. We do not consider that some of the complaints recorded in these files constitute abuse. At least one relates to an incident which did not involve a foster carer at all. Several relate to occasions where concerns have been raised in relation to the standard of care and the care delivery. When this occurred, further support was given to the foster carers. This was the appropriate response. Having reviewed these files carefully, the Council's witness will be able to explain this further to the Inquiry when giving evidence.

Accordingly, it is the Council's assessment that the extent of abuse for the period 1996 to 2014 appears to be limited. This assessment has been reached following careful consideration of the files which contained complaints of abuse.

The Council, however, does recognise that there may be instances of abuse which were not recorded in the files or where the victim did not feel able to make a complaint. Should the Inquiry establish that this is the case then this would be a matter of great concern and the Council will reflect on any findings carefully in order to improve current practice. In the intervening years, the Council has also taken significant steps to make it much easier for children in foster care to report concerns – of any nature – including the implementation of an app for children in care to report their experiences. The Council has also instituted a champions' board to ensure that the voices of young people are heard, and has employed a care experience modern apprentice. We address this in more detail in Part C but again the Council's witness will be able to give evidence on each of these and to explain how we seek to use them to provide greater safeguarding and to respond much more swiftly to any concerns.

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?
- b) What is the local authority's assessment of the extent of any such systemic failures?
- c) What is the basis of that assessment?
- d) What is the local authority's explanation for any such failures?

Subject to the answer to section 3.1 above, and based on the information available to it, the Council does not believe that its systems failed to protect children in foster care in the period following the disaggregation of Strathclyde Regional Council. This view has been reached following careful consideration of the files which made reference to abuse.

As stated in the answer to section 3.1, the Council considers that the complaints in some of the files are concerns raised in relation to the quality of care rather than detailing incidents of abuse. For the files that contain complaints which fall within the categories of abuse, the Council considers these to be circumstances that were so individual or particular that it was not a failure of the Council's systems that these incidents took place.

We are sorry these incidents happened. We would not want any child in our care to suffer any harm, particularly from a foster carer. However, we do not consider, based on these files, that the systems failed to protect children in foster care. We have reached this conclusion following careful consideration of these files and this can be supplemented with oral evidence which will be provided to the Inquiry.

The Council acknowledges the remit of the Inquiry in investigating any failings in the system. Accordingly, the Council will, of course, respect and reflect on any conclusions reached by the Inquiry and follow any recommendations made.

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?
- b) What is the local authority's assessment of the extent of any such failures in its response?
- c) What is the basis of that assessment?
- d) What is the local authority's explanation for any such failures/deficiencies?

Yes. Having carefully considered the files referred to in the Part D Response, the Council accepts that there were some deficiencies in the response to allegations of abuse. It is a matter of regret and concern to the Council that some of the files listed do not record the following:

- the outcome of the complaint following investigation;
- whether the Council provided a specific response to the complaint; and
- the form of response provided.

The Council acknowledges that the failure to record this information is unacceptable and the extent of such failures is unacceptable. The Council will ensure these deficiencies are addressed.

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?

Pursuant to the above answers, the Council has not seen a requirement to amend its policies and procedures. However, in light of 3.3, the Council will reinforce with staff the importance of recording outcomes of complaints, who has been advised of the outcome and what has been stated. This is the current expected practice. This reinforcement of the expected practice is being taken forward as part of the Council's overall reflections from the file reading process.

Over time, policies and procedures have been amended to reflect changing legislation, guidance and professional practice. The Council has also sought to reflect on incidents/issues which have occurred elsewhere to ensure that any learning or practice points are reflected in current policies, procedures and practice.