

## **East Renfrewshire response to the Scottish Child Abuse Inquiry additional information requests January 2022**

### Concerns regarding missing or unclear information

In relation to the Inquiry's requests for clarification of responses 4.2, 4.3, 4.4, 4.5 and 4.8, we sincerely apologise. The information we originally provided was present and correct, in order and titled by each sub question. However, our original formatting was flawed and resulted in the responses being wrongly numbered. We have now addressed this and have set out below the correct responses

#### **4.2 Local Authority**

##### **(i) Policy**

###### **Past**

##### **a) Was there local authority policy / guidance in relation to the provision of foster care?**

Yes, although we have been limited in what in we have been able to locate.

##### **b) Was there a particular policy and / or procedural aim / intention?**

From what we have been able to locate and information held within Glasgow City Archives, there was an increasing focus on child welfare and protection. Our response in section A sets out what we are aware of from review of available records.

##### **c) Where were such policies and / or procedures recorded?**

Information from Glasgow City Archives indicates that specific policy and procedures documents were produced. Policy intentions were also set in reports from the Director of Strathclyde Regional Council between 1975 and 1996.

East Renfrewshire subsequently produced its own policies and procedures. Existing documents include child protection, missing children, good practice, case recording and access to records.

##### **d) What did the policies and / or procedures set out in terms of the following:**

###### **i. Child welfare (physical and emotional)**

Glasgow City Archives boarded out information possibly dating to 60s / 70s indicates that foster carers are responsible for safeguarding the health of children under their care to the best of their ability. In addition to comments regarding physical health, it is noted that children may be anxious and require comfort and affection rather than scolding or punishment.

Information indicates that the fostering guidelines of this time period have a section on health and medical issues. The 1986 guidelines comments on the fact that awareness that foster children are more likely to suffer from ill health and medical problems than

other children and requiring the social worker to pay particular attention to the identification and amelioration of those health related disadvantages. Reviews were to consider the physical intellectual and emotional development of the child.

Child abuse procedures are evident within this timeframe, giving specific focus on allegations in foster care. The 1989 version highlights the need to safeguard the child remains paramount, but also notes that foster carers can be particularly vulnerable to allegations of abuse.

A Strathclyde Regional Council Foster Carers Handbook during this period also set out policy for foster care about a number of subjects including child welfare, discipline, placement review processes.

An East Renfrewshire 2009 document set out a health pathway for health assessments for looked after and accommodated children. A 2009 looked after children booklet states that children and young people will be offered a health assessment and stipulates their right to

- *Any treatment and health information you need*
- *A choice of healthy foods and have any special diet provided for*
- *Play and leisure activities*
- *Have someone who you can talk to about how you are feeling.*

It highlights an expectation that children's health needs will form part of their care plan.

The East Renfrewshire 2013 Child Protection procedures states that "all children and young people have the right to be cared for and protected from abuse and neglect, and to grow up in a safe environment in which their rights are respected and their needs met". It moves away from any particular consideration of any vulnerability of foster carers and focusses on the protection and wellbeing of children.

## **ii. The child's views**

Information from Glasgow City Archives highlights evidence from the 1990s of consideration of children's rights. A Charter of Right Responsibilities for Young People in Care (1991) was followed in 1994 by a 'Children's Rights Service'.

In 1980s the Strathclyde Regional Council introduced a charter of rights for children. The Social Work Department developed these proposals, with particular attention being paid to the need to complement such rights with clear procedural and practice guidelines and training for staff on their implication. Each child was given a copy of the guidelines on their admission to care.

From mid 2000s, East Renfrewshire had established independent advocacy support for children and young people through "Who Cares" Scotland. This supported children and young people to make their views heard, particularly in relation to looked after children's reviews and children hearings. The assessment reports for these meetings since the 90s all have to give consideration to the child's views.

A 2009 looked after children's booklet stipulates that children have the right to be involved in all decisions made about them and their future; be listened to and have their

feelings and wishes considered when plans are being made about them and complain if they are not happy about something that is happening.

**iii. Placement of siblings**

We have been unable to locate historic records regarding any specific policy. More recent children's records (2000s) highlight consideration of placing siblings together in line with looked after regulations. This is a particular consideration for children where permanent substitute care is being considered. A 2009 looked after children's booklet stipulates that the local authority would always try and keep siblings together.

**iv. The placement of a child in foster care**

Information from Glasgow City Archives highlights that Strathclyde Regional Council's child care strategy put an emphasis on the need to place children in a family setting. The assessment was, as far as possible, a collaborative effort, actively involving the social worker, family, child, carers if appropriate and any other staff requiring to be involved in the process.

**v. The particular placement of a child with foster carers**

Information from Glasgow City Archives indicates that fostering guidelines in the 1980s laid down the following:

- Preparatory discussion to establish information about the information about child's background, which should be shared timeously with foster family.
- Where possible, child to meet foster parents.
- Details of previous schooling and discussions about which school child should attend (foster carer to meet Social Worker).
- Discussion about contact with natural parents.
- Medical examination, preferably with own doctor and prior to going to foster home.
- Arrives with sufficient clothing.
- Check with foster parent what equipment is required.
- Ensure have all the necessary information about child and share with foster parents.
- Foster parents as well as the parents are aware of arrangements for next contact with the child, as prescribed in formal access agreement.

In the late 90s a suite of "Looked After Children" materials were developed to support the process of a child being placed, including a day to day placement agreement. A 2009 looked after children booklet noted practice including the opportunity for the child to visit and / or have access to information about their placement prior to moving in.

**vi. Contact between a child in foster care with his or her family**

Boarded out information from 60s / 70s states that foster parents should be guided by the Children's Officer in deciding whether the child's parents or relatives should be allowed to correspond with the child or visit them.

Information from Glasgow City Archives indicates that policies, handbooks and manuals in the 1970s and 1980s all emphasise the importance of the continued involvement with natural parents and other members of their families. The foster carer's handbook during

this period provides guidance / advice for foster carers and discusses contact between the child and their natural family.

There is a 2009 booklet for Looked After and Accommodated Children which states that children have a right to have contact with their family and friends if it was safe for them to do so.

**vii. Contact between a child in foster care and other siblings in foster care**

We have been unable to locate any historic policy information specific to siblings.

**viii. Information sharing with the child's family**

Information from Glasgow City Archives highlights that 1986 Fostering Guidelines made the point that the shared-caring nature of fostering demanded clarity of roles, good communication and information-sharing and explicit goals for placement of children.

**ix. Fostering panels (including constitution, remit, frequency and record keeping)**

Information from Glasgow City Archives indicates that the 1986 fostering guidelines includes details of decision-making process, its membership, role in assessment and review processes. The guidelines also included details of fostering panel records.

In the 1980s each Panel consisted of four Elected Members of the Social Work Committee, a Chair, a Medical Adviser, an Educational Psychologist, and the Divisional Organiser (Community and Field Work) or the Divisional Adoption and Fostering Adviser.

More recent practice has been guided by the British Association for Adoption and Fostering (BAAF) Scotland guidance "Effective Adoption and Fostering Panels" which provides guidance on regulations, process and good practice in adoption, permanence and fostering panels.

**x. Recruitment and training of foster carers**

We have been unable to locate any specific policy information although historic records do show emphasis being placed on recruitment of carers and campaigns.

Whilst earlier children's records indicate references, information from Glasgow City Archives highlights that Strathclyde Region policies, handbooks and guidelines etc., 1975 - 1996, show the following in relation to safe recruitment:

- Review of departmental records; police; Area Health Board enquiry.
- Initial interview, plus at least two others, with both partners present. All members of household to be seen at some time.
- Personal references.
- Medical reports and x-rays.

These are similar requirement to checks being carried out today.

More recent practice is guided by the National Care Standards, the "Skills to Foster" materials and training through the Fostering Network and safe recruitment practice in line with the 2007 Protection of Vulnerable Groups (Scotland) Act.

**xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority**

We have been unable to locate specific historic policies. Practice is likely to have been guided by legislation.

**xii. Reviewing a child's continued residence in foster care or in a particular foster care placement**

We have been unable to locate any earlier policy or guidance in relation to the review of a child's continued residence in foster carer or in a particular foster placement.

Information from Glasgow City Archives indicates that fostering guidelines in the 70s and 80s laid down the processes for review.

The guidelines outline areas of interest in the review, including:

- Physical, intellectual and emotional development of the child.
- Any changes relating to the family, the foster family or other important persons in their life.
- Child's legal situation and whether any changes need to be made.
- Relationship between the foster parent and Social Work Department.

It was Strathclyde policy to invite everyone interested in the care of the child to a review. Foster children and natural parents were also encouraged to attend. The social worker and senior social worker attended. Sometimes a school teacher, doctor or child psychologist would attend.

The timetable for a review was:

- First full review no later than four weeks after date of admission into care.
- Subsequent reviews to be held as appropriate but not less than at six-monthly intervals.

The 1986 guidelines detail the main function is to review the child, their circumstances and needs, and include the following:

- Review of the original plan, monitoring how effectively the recommendations of any former reviews have been implemented and reassessing the appropriateness of any decisions.
- Exchanging and coordinating information on the child's physical, emotional, intellectual and social development with all invitees.
- Child's legal situation and whether this continues to be appropriate to present needs.
- Agreeing a plan for the future, for example rehabilitation, permanent care, and detailing tasks to promote its implementation.
- Formal recording of decisions regarding child's future care, which would become an integral part of the child's case file.



Composition of the review team would vary depending on needs of the child, but the following were always to be invited;

- District Manager's representative, who will act as Chair
- Supervising Social Worker
- Senior Social Worker
- Foster parents
- Natural parents (unless their parental rights have been removed)
- Child if age and understanding allows
- Divisional Adoption and Fostering Adviser who may attend, or send a representative

Other participants might include the link worker (in temporary placements), health visitor, teacher, or educational psychologist.

There were some limited changes to review processes in the 90s and 2000s in line with changes in legislation and regulations. More recent practice focussed on ensuring that the child and their family were at the centre of the review, which could mean in some instances limiting the amount of people attending.

**xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)**

Boarded out information from the 60s / 70s stated that foster parents may expect to receive visits from time to time from officers of the children's department or other persons authorised by the local authority or Secretary of State. These visitors were to be given an opportunity of interviewing the child and examining their clothing and sleeping accommodation.

In later years, legislation stipulated the minimum requirements for the local authority's contact with a child and visits to placement.

**xiv. Transfer of a child from one foster placement to another (including preparation and support)**

The Strathclyde Regional Council Foster Carers Handbook for foster carers gave guidance to foster carers about the placement of a child with foster carers from residential care and from their family and how this could be supported.

Information from Glasgow City Archives indicates that the 1986 fostering guideline, includes details on processes on transfer of child. The guidelines highlight the social worker's responsibility to ensure that the child's transition from the foster home to his own home, or to another placement, is carried out as easily as possible. The Social Worker is required to prepare all parties for the change and ensure that they understand the sequence of events and the reasons for the move. The following steps are required:

- Medical examination by the family or foster parent's GP, not earlier than the day prior to the child leaving the foster home.
- The medical card, copies of any Place of Safety Orders, Warrants, Panel Supervision Orders and any other relevant documents to be collected from foster home when child leaves. Documents which came from home, i.e. the medical

card, will be retained on child's file for reference in the event of future placement. If the child is moving to another placement, all these items will be transferred with the child.

- All clothing brought from the home should be returned. Social workers to advise about other items to be taken when the child leaves. Any special new toy, along with any photographs, should also go with the child.

A 2009 looked after children booklet noted practice including the opportunity for the child to visit and / or have access to information about their placement prior to moving in. The emphasis by the late 90s / 2000s had changed to minimising placement moves for children, with the 2009 booklet noting that "it doesn't help young people who cannot live at home to be moved about too much".

**xv. Transfer of a child between foster care and residential care (including preparation and support)**

Please see response above.

**xvi. Child protection**

Information from Glasgow City Archives indicates that a number of manuals and procedures were produced to support the appropriate management of activities, including child protection in the 70s, 80s and 90s. West of Scotland procedures were also produced in 2000s.

The most recent iteration of East Renfrewshire child protection procedures were produced in 2013.

**xvii. Complaints handling**

Information from Glasgow City Archives indicates that the 1986 fostering guidelines outlined processes for dealing with foster parent complaints.

It stipulated that any complaint was to be immediately brought to the attention of the Area Officer responsible for the child and to be acted on immediately and noted the need to follow child abuse procedures where necessary.

A 2009 looked after children booklet gave advice to children and young people about how to complain and that their independent advocacy worker could help them to do this.

**xviii. Whistleblowing**

We were unable to locate any policy specific to foster care. However, East Renfrewshire has for some time had general policy in place regarding whistleblowing.

**xix. Record retention**

See 4.9. Many records were created before the policies and retention schedules described in 4.9 and were retained in line with statutory requirements.

**e) Who compiled the policies and/or procedures?**

UK Government, Scottish Government and Local Authority officers. In respect of adoption and fostering panel guidance, this was produced by British Association for Adoption and Fostering (BAAF) Scotland.

**f) When were the policies and/or procedures put in place?**

It is difficult to ascertain with certainty due to the limited amount of documents which have been sourced. Where the document being referred to is dated this has been stated.

**g) Were such policies and/or practices reviewed?**

There have been replacement policies and practices over the years which would indicate that reviews have taken place. This is most clearly seen in relation to child protection procedures.

**h) If so, what was the reason for review?**

For most part this is likely to have been to bring policies etc. into line with legislation / regulatory changes as well as new national guidance.

However, the 1989 child abuse procedures clearly states in its introduction that revisions were influenced by learning from national enquiries into child abuse deaths.

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

Information from Glasgow City Archives indicates that the 1986 guidelines brought together existing policies and procedures and introduced new ones. These include all fostering assessments being presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Homes Reviews and the further right of Appeal.

Substantive changes are documented in the Strathclyde Regional Council Child Abuse Procedures for Staff of the Social Work Department March 1989. Procedure states that; "There is a greater clarity to what constitutes child abuse and what does not. Allegations of abuse by foster carers are to be dealt with under Child Abuse procedures and concerns for unborn children are now being considered."

**j) Why were changes made?**

It is likely that this was to reflect the learning of the day and to meet any changes in legislation / regulation or national guidance

**k) Were changes documented?**

Yes, in some instances changes are reflected in the revised document. The 1989 child abuse procedures includes a section titled "Major Difference in the New Procedures".



**l) Was there an audit trail?**

We have been unable to determine this due to the limited amount of information we have been able to source.

**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.**

As has been noted, modern social work practice is reflective of updated legislation / regulations and national guidance / standards and subject to independent inspection scrutiny.

Child protection – there is a robust child protection procedure in place for any child where it is suspected that they may have been or are at risk of significant harm. This is now multi-agency in nature and subject to quality assurance and inspection processes.

Looked after children – there are procedures in place regarding the support and review of children who are looked after and accommodated. This is subject to quality assurance and inspection processes.

Foster carers – foster carer activity is governed through independent fostering panels arrangements and subject to a specific and separate inspection process.

**4.3 Children**

**(i) Policy**

**Past**

**a) What policies and/or procedures did the local authority have in place in relation to the care of children in foster care?**

As has been noted, prior to 1975, any evidence of policies and / or procedures comes from decisions by the various governing committees, the records of which are retained by Glasgow City Archives. We have one (possibly partial) document which refers to boarded out information possible from the 60s/70s. This gives a number of directions to foster carers about children's health and care; medical attention; death accident or serious illness; education; religion; recreation; training (*of children*); absconding; parents and relatives; visits; employment; thrift; removal of foster children (*from the foster placement*); change of address and communications.

Other documents which have been sourced are from the period 1975 onwards and include a foster care handbook and child abuse and child protection procedures.

**b) Was there a particular policy and / or procedural aim / intention?**

Yes – whilst earlier documents focus more on practical care and provisions for children, later policy and procedures focussed more on care and protection needs, with a stronger emphasis on children's rights and what children could expect, in line with national developments. By the mid-2000s, the need for access to independent advocacy for looked after and accommodated children was being recognised.

**c) Where were such policies and / or procedures recorded?**

This has been variable over the period - some have been referenced in committee minutes and others have been in the form of documents. Anecdotal evidence suggests that for the period 1975 – 1996, there were policy and procedure folders available.

In more recent practice, electronic central storage has been used for staff to access local policy / procedure, with email / training used to communicate when there is a change or new policy / procedure.

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

- i. Safeguarding**
- ii. Child Protection**
- iii. Medical care**
- iv. Children's physical wellbeing**
- v. Children's emotional and mental wellbeing**
- vi. Schooling/education**
- vii. Discipline**
- viii. Activities and holidays for children**
- ix. Sharing a bedroom**
- x. Contact with family members**
- xi. Contact with siblings**
- xii. Celebration of birthdays and other special occasions**
- xiii. Information sharing by the foster carer with family members**

Our responses in Section A, 4.2 and 4.3, has for the most part been represented from the contents of all the policy, guidance and procedural documents that we have been able to find in archives. In more recent practice, foster carer handbooks have provided guidance and foster carer agreements have set out expectations of what foster carers should provide and adhere to.

**e) Who compiled the policies and/or procedures?**

Officers of the various local authority departments (Public Assistance, Education, Health and latterly of the Children's Department) and Social Work and Education from 1968.

**f) When were the policies and / or procedures put in place?**

We are unable to respond with certainty. Where we have a date on a document we have referred to this in previous responses in section A, 4.2 and 4.3.

**g) Were such policies and/or practices reviewed?**

Updated procedures, most notably in relation to child abuse / protection would indicate that reviews have taken place.

**h) If so, what was the reason for review?**

From what we have been able to ascertain reviews have been prompted by changes in legislation, regulations, national guidance and learning from child death enquiries.

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

As we have previously noted in our response to section A, 4.2 and 4.3, there were changes over time there has been a greater emphasis on children rights and a greater focus on their protection. The 1986 child abuse procedures highlights a section in which it notes key changes included greater clarity about what constituted child abuse and a separate section for allegations of abuse by foster carers.

Another key change was the focus on children's rights and the adoption of independent advocacy for looked after and accommodated children.

**j) Why were changes made?**

From what we have been able to ascertain, changes have been prompted by legislation, regulations, national guidance and learning from child death enquiries. With reference to the specific change to include a section on abuse in foster care in the 1986 child abuse procedures, the document states that this was done after consultation with, the Strathclyde Foster Carer Consultative Group and other stakeholders.

**k) Were changes documented?**

We are unable to determine with certainty although note the example of the 1986 child abuse procedures which documented the changes in its introduction.

**l) Was there an audit trail?**

We are unable to confirm with certainty due to incomplete records.

**Present**

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

**n) If so, please give details.**

As has been noted, more modern social work practice is reflective of updated legislation / regulations and national guidance / standards and subject to independent inspection scrutiny.

Child protection- there is a robust child protection procedure in place for any child where it is suspected that they may have been or are at risk of significant harm. This is now multi-agency in nature and subject to quality assurance and inspection processes.

Looked after children – there are procedures in place regarding the support and review of children who are looked after and accommodated. This is subject to quality assurance and inspection processes.

Foster carers – foster carer activity is governed through independent fostering panels arrangements and subject to a specific and separate inspection process.

#### **4.4 Foster carers**

##### **(i) Policy**

###### **Past**

##### **a) What policies and / or procedures did the local authority have in relation to foster carers?**

We have one (possibly partial) document which refers to boarded out information possibly from the 60s/70s. This gives a number of directions to foster carers about children's health and care; medical attention; death accident or serious illness; education; religion; recreation; training (*of children*); absconding; parents and relatives; visits; employment; thrift; removal of foster children (*from the foster placement*); change of address and communications.

Information from Glasgow City Archives highlights fostering guidelines, a foster care handbook and child abuse and child protection procedures.

In more recent practice, foster carer handbooks and working agreements between the local authority and foster carer have set out the policy / procedures for foster carers.

##### **b) Was there a particular policy and / or procedural aim / intention?**

Over the period, there was an increasing focus on the safe care of children.

##### **c) Where were such policies and / or procedures recorded?**

It is difficult to determine with certainty from partial records. In more recent practice, policies and procedures have been stored on a central electronic system for local authority staff to access, with foster carers being given hard copies of relevant documents such as safer care policy.

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

- i. Recruitment**
- ii. Standard and size of accommodation**
- iii. Number, age and gender of children accommodated/in the household**
- iv. Pre-approval/registration checks**
- v. References**
- vi. Foster care agreements**
- vii. Induction**
- viii. Transfer of foster carers to or from other organisations or local authorities**
- ix. Review/supervision**
- x. Training**
- xi. Personal development**
- xii. Disciplinary actions**
- xiii. Removal of approval/registration**

Information from Glasgow City Archives indicates that fostering guidelines were in place during the 1970s and 1980s. We do not hold these documents.

**i Recruitment**

Physical information / application pack sent to enquirers. There is an information and application process in place including relevant eligibility checks

**ii. Standard and size of accommodation**

As part of eligibility, foster carers must have a bedroom for a fostered child - each child should have their own bedroom unless part of sibling group (but this still remains age / sex dependent). Health and Safety assessment carried out on each property.

**iii. Number, age and gender of children accommodated/in the household**

This is governed by the assessment and subsequent fostering panel approval process. Legislation is also in place to manage the number of children in one fostering household and there is a maximum number of children that can be placed in an approved fostering household (3 children unrelated).

**iv. Pre-approval/registration checks**

As part of the application process, the following checks are undertaken:

- Local Authority records (both LA applying to and where the applicant resides)
- Disclosure Scotland
- Health

**v. References**

As part of the application process, multiple personal references are requested and visits undertaken to referees. Employer references are also undertaken.

**vi. Foster care agreements**

Post approval at a fostering panel, individual foster carer agreements are put in place.



**vii. Induction**

Prior to undertaking a full fostering assessment, prospective carers undertake group training using the 'Skills to Foster' training materials. This provides an introduction to fostering with the local authority as well as understanding the role and responsibilities of the foster carer. The assessment process continues learning on a one to one basis with a supervising social worker. Post approval at a fostering panel, training needs are identified and planned for, including any outstanding induction needs.

**viii. Transfer of foster carers to or from other organisations or local authorities**

In more recent practice there has not been the facility to transfer foster carers to or from other organisations. Any existing foster carer who wished to come to East Renfrewshire to foster would be subject to a full assessment process and fostering panel.

**ix. Review/supervision**

Foster carers are subject to annual review, with return to panel every other year or more if necessary. Only a fostering panel can make substantive decisions (e.g. changes to registration).

Supervision – there is a policy to have contact every fortnight, and to physically visit the fostering household the day after new placement start.

**x. Training**

An annual training calendar is produced. Training expectations are noted in the foster carer agreement.

**xi. Personal development**

Carers are encouraged to attend any training events which meet their training needs / personal interests where they relate to foster care, paid for by local authority.

**xii. Disciplinary actions**

All action in respect of foster carers must be subject to scrutiny at a fostering panel.

**xiii. Removal of approval/registration**

Whilst local authority officers continue to be responsible for decision making as to whether a child should be removed from a placement (in line with relevant legislation), only a fostering panel can revoke a foster carer's registration.

**e) Who compiled the policies and/or procedures?**

Local authority officers.

**f) When were the policies and/or procedures put in place?**

We don't know

**g) Were such policies and/or practices reviewed?**

Yes based on changes in more recent policy / procedures

**h) If so, what was the reason for review?**

As has been previously noted, it is likely that this was as a result of changes in legislation / regulations, national guidance and learning from national enquiries into child deaths.

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

The significant changes are primarily in relation to safer care practices - the additional checks and extended assessment of foster carers, the strengthening of child protection procedures and the oversight of fostering panels.

**j) Why were changes made?**

Whilst we can't be certain due to having only partial records, as has been previously noted, it is likely that this was as a result of changes in legislation / regulations, national guidance and learning from national enquiries into child deaths

**k) Were changes documented?**

We have been unable to locate records to confirm.

**l) Was there an audit trail?**

We have been unable to locate records to confirm.

**Present**

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

**n) If so, please give details.**

As has been noted, more modern social work practice is reflective of updated legislation / regulations and national guidance / standards and subject to independent inspection scrutiny.

Foster carers – foster carer activity is governed through independent fostering panels arrangements and subject to a specific and separate inspection process.

**4.5 Other members of the foster carer's household**

**(i) Policy**

**Past**

**a) What policies and/or procedures did the local authority have in place in relation to other members of the foster carer's household?**

We are unable to confirm earlier policy / procedures due to being unable to locate records. Post 2000, all adults living within a fostering household will undergo PVG, Health and Local Authority checks. They will also be interviewed as part of the home study process. Checks will only be carried out on family and friends if they will have a caring role for the child / young person at any time, i.e. babysitting or are a frequent visitors

**b) Was there a particular policy and/or procedural aim/intention?**

Yes- the focus in later years has been on strengthening the protection of children in foster care.

**c) Where were such policies and/or procedures recorded?**

Recorded in the application process (foster carer records).

**d) Who compiled the policies and/or procedures?**

Local authority officers.

**e) When were the policies and/or procedures put in place?**

It is difficult to determine with certainty due to only being able to access partial records, however likely to be post 2000.

**f) Were such policies and/or practices reviewed?**

The practice illustrated in 4.5 a) remains broadly the current practice although this has been strengthened over the years.

**g) If so, what was the reason for review?**

N/A

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

It is likely that the practice outlined in section 4.5 a) was only developed in more modern social work practice.

**i) Why were changes made?**

N/A

**j) Were changes documented?**

N/A

**k) Was there an audit trail?**

N/A

**Present**

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

The practice outlined in section 4.5a) is the same practice in place today, although this has been strengthened over the years.

**m) If so, please give details.**

N/A

**4.8 Internal Investigations**

**(i) Policy**

**Past**

**a) What policies and/or procedures did the local authority have in place in respect of internal investigations relating to abuse or alleged abuse of children in foster care?**

Information from Glasgow City Archives indicates that a 1989 Strathclyde Regional Council Child Abuse Procedure for Staff of the Social Work Department set out the procedure for the investigation of abuse by foster carers.

**b) Was there a particular policy and/or procedural aim/intention?**

Yes, the protection of children.

**c) Where were such policies and/or procedures recorded?**

Yes, the policy and/or procedures were developed and shared with all staff and stakeholders at the time.

**d) What did the policies and/or procedures set out on the following:**

At a higher level they provided a standard operating procedure for the protection of children including children in foster care, specifically the outlined the following:

- i. Approach to/process of internal investigations**
- ii. Identifying lessons/changes following internal investigations**
- iii. Implementation of lessons/changes following internal investigations**
- iv. Compliance**
- v. Response (to child and abuser)**
- vi. Response to complaints (including response by local authority)**
- vii. External reporting following internal investigations**

**e) Who compiled the policies and/or procedures?**

Local authority officers

**f) When were the policies and/or procedures put in place?**

1989

**g) Were such policies and/or practices reviewed?**

We are unable to say with certainty when and how such policies and practices were reviewed, but laterally, we update our policies and practice in accordance with evolving legislation, national improvement work and guidance.

**h) If so, what was the reason for review?**

Changes in legislation and guidance as well as learning from national enquiries into child deaths.

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

Over time practice has changed significantly in relation to child protection procedures more generally. Key to this has been the strengthening of multi-agency practice in sharing information, co-ordinating and sharing decision making for investigations.

**j) Why were changes made?**

Changes in legislation and guidance as well as learning from national enquiries into child deaths.

**k) Were changes documented?**

It is unclear due to only being able to access partial records. However, changes can be seen between documents.

**l) Was there an audit trail?**

We have not been able to establish an audit trail due to only being able to access partial historical records.

**Present**

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

Presently we have governance and oversight processes in place to ensure that any policy and practice change and learning are discussed at the relevant strategic groups and the information recorded in updated policies, procedures and guidance which is then disseminated to relevant staff groups and stakeholders.



**n) If so, please give details.**

Over time practice has changed significantly in relation to child protection procedures more generally. Key to this has been the strengthening of multi-agency practice in sharing information, co-ordinating and sharing decision making for investigations.

**(ii) Practice**

**Past**

**a) Did the local authority adhere in practice to its policy/procedures in respect of internal investigations relating to the abuse or alleged abuse of children in foster care?**

We are unable to confirm the historic position due to only being able to access partial records. In more modern social work practice, information from existing records confirm that in the majority of cases, the local authority adhered to its policy / procedures.

**b) Did the local authority adhere in practice to its policy/procedures on the following:**

- i. Approach to/process of internal investigations**
- ii. Identifying lessons/changes following internal investigations**
- iii. Implementation of lessons/changes following internal investigations**
- iv. Compliance**
- v. Response (to child and abuser)**
- vi. Response to complaints (including response by local authority)**
- vii. External reporting following internal investigations**

We are unable to confirm the historic position due to only being able to access partial records. In more modern social work practice, information from existing records confirm that in the majority of cases, the local authority adhered to its policy / procedures.

**c) How was adherence demonstrated?**

Any review is discussed at the relevant strategic governance group, for example the Child Protection Committee. Information contained within children's records; evidence from independent inspection. Any review is overseen by the Chief Social Work Officer.

**d) How can such adherence be demonstrated to the Inquiry?**

Inspection records are a matter of public record and can be accessed from the Care Inspectorate; extracts of children's records.

**e) Were relevant records kept demonstrating adherence?**

Yes - in children's records

**f) Have such records been retained?**

Yes in line with retention schedules of the time. However we are unable to confirm the position for historic records as we have only been able to access partial records from the archivist.

**g) If policy/procedure was not adhered to in practice, why not?**

We have one instance of a concern reported circa 2006 (noted in section D). At the time it was investigated, however information came to light in 2016 from a further victim that required us to jointly reinvestigate with Police Scotland. This investigation involved multiple inquiries around other children that had been in placement over a period in excess of 15 years. Please see the learning points that have progressed as a result of the inquiry.

**Present**

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

Yes

**i) If so, please give details.**

Please see action plan – Appendix B1 and B2.

### Methodology of review of records in preparing the A-D response

The relevant questions as set out in sections A-D of the response were used to create a review template which supported the review of 107 children's records from before the year 2000 and 84 children's records from the year 2000 onwards.

There were issues in locating historic foster carer records, although fourteen records were located and reviewed with their fostering activity dating between 1984 and 2014. We were unable to locate any complaints logs and so any information we have reported was from manual review of records available.

As a small authority, the number of foster carers that East Renfrewshire has at any one time is low and there tends not to be significant turnover. At the time of responding, East Renfrewshire had sixteen foster carer households, many of whom had provided fostering support for some time. Where within the timeframe, those records were also considered with respect to any complaints or allegations included in the response.

### External review

Please refer to the appendices A and B1 and B2 provided as part of this response

At the time of the external review, East Renfrewshire had already commissioned a more general review of our fostering and adoption service processes. As a result of this, there was overlap between the two reviews and one action plan produced to address any outstanding actions. We have provided the most recent version of the plan in order to provide you with information regarding our progress. Please note that, due to the impact of the Covid-19 pandemic, some actions have been delayed and as such reflect revised timescales.

One of the key issues highlighted within the external review was in relation to the knowledge and experience of the staff team. Following the completion of the review, staff affected by the review findings were met with by senior management and the outcomes of the review and recommended changes discussed with a view to taking these forward. However, since this time, changes in the team composition have been made and all current team members have a background in operational children's teams and child protection. We no longer have any fostering and adoption team members on staff who were directly involved in the circumstances leading to the external review.

### Response to question 4.1(c)

Please refer to our communication and response provided on 27<sup>th</sup> January in which we provided an electronic copy of the document we referred to in 4.1(c). Please note that we only hold an electronic version of this as it was part of the information we were gathering when trying to locate information in relation to Strathclyde Region policy. As has been reflected in our submission, East Renfrewshire experienced particular difficulties in locating policy information which preceded the establishment of East Renfrewshire Council and so for much of what we were able to locate, had to rely on those areas which formerly comprised Strathclyde Region.

You will note that the document is titled "Corporation of Glasgow Children's Department". The document does not have a date, although the electronic copy we have has a hand written year of 1959 at the initial section titled "Date of Birth". On this basis, it is possible that this document may have been used in the 1960s and possibly the 1970s.

You will note that prior to 1975, East Renfrewshire was part of Renfrew County. We have made reference to the document as we were aware of it and on balance, it is possible that East Renfrewshire children were subject to this policy or similar as the transition to Strathclyde Region took place. However, as we did not locate this document within any of the children's or foster carer records we were able to access, we are unable to determine to what extent or whether this was in fact the case.

#### Response to question 4.7 (i) (d)

##### **Overarching statement**

We have been unable to identify historic documents prior to the establishment of East Renfrewshire Council. It may be that these are contained within Glasgow City Archives.

The current East Renfrewshire local authority formal complaints process is across the whole function of social work services. This has been publicised in council literature and on the internet. Updated in 2021, this provides for complaints to be made either verbally, in writing or via the internet. For straight forward complaints or concerns, it is expected that these can be resolved by apology and where necessary other action by frontline services. This would include providing information about taking forward their complaint if they are not happy with their response. Where the person is not satisfied with the frontline response, or does not want to engage with the frontline service or where the complaint is complex, serious or high risk, the complaint would move to investigation stage with the complaint acknowledged within three working days and the complaint investigated and resolved or a definitive response provided within twenty working days. If the individual remains unsatisfied, independent or external options are open to the individual.

The earliest iteration of any complaints process we have been able to locate is dated 2011.

There is a local authority whistleblowing process in place. Most recently revised in 2019, this provide avenues for employees to raise concerns and receive feedback on any action taken; ensures, through the application of a procedure, that all disclosures are treated consistently and fairly; allows employees to take the matter further if they are dissatisfied with the Council's response; and reassures employees that they will be protected from reprisals or victimisation for "whistleblowing" made in the public interest.

The earliest iteration we have been able to locate is found within East Renfrewshire Council Code of Conduct (2013).

##### **i Complaints by children**

We were unable to identify specific historic documents which set out the detail in support of complaints made by children. In modern social work practice, the expectation is that children's social workers and carers will ensure that children are aware of their right to complain. Our earliest financial records indicate that since the early 2000s, East Renfrewshire have had in place external advocacy support commissioned through Who Cares Scotland. As part of this support, children and young people are able to speak independently to the Who Care's worker who will help them raise any concerns and where they wish to do so, make a complaint under the broader local authority complaints process. Children are not restricted in how they make the complaint. We are aware from a previous

employee that pre-internet, the practice was to ensure that children has access to paper and stamps in case they wanted to write a letter to complain.

In addition to the complaints system, children and young people are able to raise concerns directly where this is appropriate with their foster carer and / or allocated social worker with the expectation that concerns will be addressed. There is a formal looked after children review process in place to which children and young people contribute their views regarding their care and any concerns they may have.

Where a concern is shared more generally by East Renfrewshire looked after and accommodated children, the East Renfrewshire Champions Board provides a forum for young people to meet with senior officers of services and raise any issues that need to be addressed.

## **ii Complaints by foster carers**

We were unable to identify specific historic documents which set out the detail in support of complaints made by foster carers. In the present, foster carers have the opportunity both during supervision and within their annual foster carer reviews to raise concerns informally with an expectation that these would be addressed. Foster carers can also make a formal complaint under the broader local authority complaints process and in modern social work practice the expectation is that their supervising social workers will make them aware of their right to complain and how to do this.

Our earliest financial records indicate that since the early 2000s, foster carers have had access to Fostering Network membership which provides carers with independent advice and support. This may include where carers are raising concerns.

## **iii Complaints by family members of children**

We were unable to identify specific historic documents which set out the detail in support of complaints made by family members.

In the present, family members have the opportunity to raise concerns informally with the child's social worker with an expectation that these would be addressed. Depending on their relationship and role in the care of the child, they may also contribute to children's looked after reviews and would again be able to raise concerns in this environment. Family members can also make a formal complaint under the broader local authority complaints process and in modern social work practice the expectation is that children's social workers will make them aware of their right to complain and how to do this.

## **iv Complaints by third persons**

There is a formal council complaints process which is publicised and which third parties would have access to.

In the present, it is also possible that third parties could raise concerns directly with the social work service with an expectation that this would be looked into or if not appropriate advice given about the complaints process.



## **v Whistleblowing**

There is a local authority whistleblowing process in place. Most recently revised in 2019, this provides avenues for employees to raise concerns and receive feedback on any action taken; ensures, through the application of a procedure, that all disclosures are treated consistently and fairly; allows employees to take the matter further if they are dissatisfied with the Council's response; and reassures employees that they will be protected from reprisals or victimisation for "whistleblowing" made in the public interest.

The earliest iteration we have been able to locate is found within East Renfrewshire Council Code of Conduct (2013).

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

Our earliest financial records indicate that since the early 2000s, East Renfrewshire have had in place external advocacy support commissioned through Who Cares Scotland. As part of this support, children and young people are able to speak independently to the Who Care's worker who will help them raise any concerns and where they wish to do so, make a complaint under the broader local authority complaints process.

Our earliest financial records indicate that since the early 2000s, foster carers have had access to Fostering Network membership which provides carers with independent advice and support. This may include where carers are raising concerns.

In the present, there is an expectation that, where appropriate, social work staff would support individuals to make a complaint. Where a complaint has been made against a carer, the carer's supervising social worker would offer support where this is appropriate. In relation to support for staff raising a concern, there is a council whistleblowing policy in place as already described.

### **vii Response to complaints (including response by the local authority)**

We have been unable to identify historic documents prior to the establishment of East Renfrewshire Council. It may be that these are contained within Glasgow City Archives.

The earliest iteration of any East Renfrewshire complaints process we have been able to locate is dated 2011.

The current East Renfrewshire local authority formal complaints process was updated in 2021. For straight forward complaints or concerns, it is expected that these can be resolved by apology and where necessary other action by frontline services. This would include providing information about taking forward their complaint if they are not happy with their response. Where the person is not satisfied with the frontline response, or does not want to engage with the frontline service or where the complaint is complex, serious or high risk, the complaint would move to investigation stage with the complaint acknowledged within three working days and the complaint investigated and resolved or a definitive response (written) provided within twenty working days. If the individual remains unsatisfied, independent or external options are open to the individual.

### **viii External reporting of complaints**

We have been unable to identify historic documents prior to the establishment of East Renfrewshire Council. It may be that these are contained within Glasgow City Archives.

The earliest iteration of any East Renfrewshire complaints process we have been able to locate is dated 2011. The current East Renfrewshire local authority formal complaints process was updated in 2021.

The complaints process reflects the rights of the individual, if they are unsatisfied with any internal complaints response, to have their complaint reviewed by the Scottish Public Services Ombudsman and for this information to be provided to them.

#### Response to question 5.2 (b)

Prior to responding to the Inquiry, historic allegations against a foster carer resulted in a joint police and social work investigation. As a result of this, 24 children's records were reviewed in relation to the foster care placement. This included the records of the two individuals who had made complaints to the police. No further concerns were raised from the review of the other 22 records reviewed.

However, the records of the two individuals who had made complaints were subsequently included in the 191 reviews of the children's records for the purposes of reporting to the Inquiry. Whilst the criminal process returned a not guilty verdict, an external review was commissioned and the report is provided in Appendix A.