

## PART B – CURRENT STATEMENT

**“local authority” mean the local authority and its statutory predecessors. All references to “foster care” include boarding out with private families.**

Falkirk Council’s response to this Part relates to the period from 1<sup>st</sup> April 1996 (when Falkirk Council came into existence) until 17<sup>th</sup> December 2014 (referred to in this response as **“the relevant period”**).

Stirling Council is the host record holder for records from the various Burgh and County Councils for Stirling, Falkirk and Clackmannanshire from 1930 to 1996 (which includes Falkirk Council’s predecessor authorities). Stirling Council’s response will therefore cover the period 1930 to 31<sup>st</sup> March 1996. We hold some committee/burgh information in Archives about our predecessor authorities. Relevant extracts in relation to foster care/boarding-out were provided in our response to Part A.

Responses to the questions in this Part are based primarily on the detailed reading of a sample of relevant foster files, the methodology for which is as set out in response to question 3.1(c) below. References in this response to **“file reading”** refer to that.

QUESTION	RESPONSE
<b>3. RETROSPECTIVE ACKNOWLEDGEMENT/ADMISSION</b>	
<b>3.1 Acknowledgement of Abuse</b>	
a) Does the local authority accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?	Falkirk Council accept that some children in foster care were abused in the relevant period.
b) If so, what is the local authority’s assessment of the extent and scale of such abuse?	<p>Our assessment of the extent and scale of such abuse in the relevant period is that it was not extensive.</p> <p>File reading has identified some situations where allegations were made against foster carers. While most were unsubstantiated, file reading shows that two allegations made in the relevant period were substantiated.</p>
c) What is the basis of that assessment?	<p>Our assessment is based on our file reading and the methodology which informed this. Falkirk Council’s methodology for file reading was as follows:</p> <ul style="list-style-type: none"> <li>• A random sample of at least 10% of files per decade of foster carers and the children looked after away from home were examined. Many carers have been foster carers over the full period 1996 to 2014. The sample was identified randomly from foster carers undertaking this task in each decade.</li> <li>• Where an allegation was identified, the files of other children placed with those carers were considered and, if relevant, those of other carers with whom the identified child had been placed.</li> <li>• If a child identified an allegation against a separate carer then that carer’s file has been read.</li> <li>• An agreed checklist of scanning key words was used along with file reading. This is included in the schedule of documents.</li> <li>• A comprehensive template was developed to examine the areas of interest to the Inquiry. This was used for all file reading, with a separate template for children and carers. These are included in the schedule of documents. We compiled an analysis of our file reading in a separate spreadsheet which is included in our schedule of documents.</li> <li>• Where our historical memory recalled that an allegation had been made against a carer, that carer’s file was included in the sample.</li> </ul> <p>500 files of looked after children were identified in the relevant period, and the sample randomly identified 10% of those who were in foster care (per decade). In total, 53 foster carer and 54 children’s files have been read thoroughly. Records read as part of the file reading evidence some gaps in recording of information on individual files.</p> <p>The Covid-19 pandemic has impacted on our capacity in the file reading required for this return. Staffing resources have been significantly depleted with critical only social work service being provided. The closure of the Social Work File Store has meant that some file reading is partial in nature. Responses based on file reading should be read in this context.</p>

		When we refer to "file reading" in this part of our response (and in our responses to Part C and D), this refers to the process above.
<b>3.2 Acknowledgement of Systemic Failures</b>		
	a) Does the local authority accept that its systems failed to protect children in foster care between 1930 and 17 December 2014 from abuse?	No. From the file reading, and other records considered, Falkirk Council has not identified systemic issues related to abuse of children in foster care in the relevant period. While our file reading has identified a few individual instances of abuse, these are not considered systemic or cumulative.
	b) What is the local authority's assessment of the extent of any such systemic failures?	See response to 3.2(a) above.
	c) What is the basis of that assessment?	Our assessment is based on our file reading which indicates that, of the 50 allegations recorded in the relevant period, two were substantiated and neither of these indicate systemic nor cumulative abuse.
	d) What is the local authority's explanation for any such failures?	We have not found evidence in our file reading of systemic failures.
<b>3.3 Acknowledgement of Failures/Deficiencies in Response</b>		
	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?	Society and attitudes to abuse have changed over time. Scrutinising records from 1996 onwards with the developed understanding we have in 2020 suggests that systems in place in the 20 <sup>th</sup> century were less comprehensive, with societal attitudes and definitions of what constitutes abuse changing over the time period of the Inquiry. An example of this from our file reading is the use of language.  File reading from 1996 onwards, and other records, indicate that while there were instances of abuse these were not extensive and that the legislation of the time was followed by Falkirk Council.
	b) What is the local authority's assessment of the extent of any such failures in its response?	Our assessment is that this was not extensive.
	c) What is the basis of that assessment?	This is based on our file reading, and consideration of available policy and procedures from 1996 onwards.  File reading would suggest that any allegations or instances of abuse were dealt with in line with legislation and policy of the time e.g. the child protection and childcare procedures were noted as being followed in relation to an allegation of abuse made against a foster care in 2006 by a child. File reading notes that:  <i>CP procedures were then implemented with a full IRD and VRI undertaken.</i>  Within the files read, there are 50 recorded allegations, Of these, two were substantiated. Some carers were subject of several allegations. Details are included in the file reading analysis spreadsheet.
	d) What is the local authority's explanation for any such failures/deficiencies?	N/A
<b>3.4 Changes</b>		
	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?	Falkirk Council procedures have been regularly updated since 1996 on the basis of new legislation, guidance and updated good practice. Details are included in Part C and in the schedule of documents. None of the updates specifically related to the two substantiated allegations of abuse.