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Report to: Pat Togher (Assistant Chief Officer, Public Protection and Complex Needs) and Susanne Millar (Chief Officer of Glasgow Health and Social Care Partnership)

From: Practice Audit Team

Subject: Historical Complaints within the Fostering Service in Glasgow City in relation to the Scottish Child Abuse Inquiry

Date: 04/08/2022

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1. Introduction

An Audit has been requested by Pat Togher (Assistant Chief Officer, Public Protection and Complex Needs) and Susanne Millar (Chief Officer of Glasgow Health and Social Care Partnership) into historical complaints made in respect to abuse of children in Foster Care between 1930 and 2014. This was as part of the response to a section 21 notice served on Glasgow HSCP by the Rt Hon Lady Smith Chair of the Scottish Child abuse enquiry. This audit will be in relation to part D of the section 21 notice which will examine the complaints procedure in relation to abuse and alleged abuse within the time outlined above.

2.0 Background

2.1 In 2018 the Scottish Government set up a public inquiry into the abuse of children within care in Scotland, up until 2014. The purpose being to create a public platform that would allow recognition to those children who had suffered and provide an opportunity for them to give witness to their experiences.

The inquiry was set to examine a number of key themes ranging from what abuse occurred, where this took place, why did it happen, and the direct consequences of abuse on both children and their families. Added to this the inquiry aimed to also reflect on the practice of organisations who had responsibility for children in their care, and whether they had failed in their duties to protect the children.

2.2 In 2019 as part of the inquiry Glasgow University published the report "The Historic System to Protect and Prevent the Abuse of Children in Care in Scotland, 1948-1995". The report studied the value and the effectiveness of the arrangements that existed within organisations in Scotland to protect children from abuse within their care. The paper focused on the time period from between the 1948 and the 1995 Children's Acts.

The report addressed 3 overarching questions;

- To identify and describe the policies, structures and mechanisms in place at the Scottish office and local Authority levels to protect children in the care of the state from abuse and to prevent it occurring.
- To assess the effectiveness of these policies, structures and mechanism (e.g. oversight of Children's Committees, inspection regimes at national and local authority levels effectiveness of communications between different authorities)
- To identify and assess the attitudes expressed towards children in care by those responsible for their wellbeing across the period 1948-1995 and to identify change where it exists.

2.3 In respect to Foster Care the report examined both foster care and the practice known as boarding out (this is when children were fostered often far away from their town or city of origin and immediate families). In respect to Glasgow the report stated that this practice continued long after the 1948 Children's Act, albeit at a decreasing rate up until the early 1970s. This meant that it was exceedingly difficult for the local authority to ensure any meaningful safety checks or inspections were carried out and left children in an extremely vulnerable position.

2.4 The section 21 notice served on Glasgow HSCP included questions around the placement of children by the local authority with foster carers. This included policy and practice both past and present, and an in depth look at complaints and reporting. In respect to complaints the following was asked:

- Complaints policy past and present
- Complaints procedures

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- Internal investigations

3.0 Glasgow Fostering Complaints Procedures 1930-2014

3.1 In 1930 Glasgow Corporation inherited the responsibility for boarded out children from the Education and Poor Law Authorities. They then held accountability for both boarded out and foster care until 1975, during the period from 1949 to 1968 responsibility for foster care was overseen by the Children's Committee, when in 1968 the responsibility then switched to the new Social Work Department. After this between 1975 and 1996 the responsibility for foster care was taken over by Strathclyde Regional Council, who established a social work committee to oversee the fostering process, although the Regional Council retained the right to take decisions at full Council level for the most part decisions were taken by the Social Work Committee. After the disbandment of Strathclyde in 1996 fostering then became the responsibility of Glasgow City Council and then the Health and Social Care Partnership (HSCP).

3.2 Prior to the Home and Away Strategy, in the 1980s there does not appear to be any clear system of Complaint procedures.

3.3 Strathclyde Regional Council produced their own complaints procedures published in the 1986 Fostering Guidelines document. This was a complaints process for both foster parents to make complaints and for complaints to be received in respect to foster parents.

3.4 There were other Complaints procedures introduced which included the Charter for Children's rights in 1988, and in 1994 Social Work introduced a complaints procedure that applied across the whole Social Work area of operation, with all complaints in respect to foster care coming under this general guidance. This was followed by an overarching complaints procedure in 2004.

3.5 The most recent Complaints procedure is outlined in Glasgow City HSCP "Families for Children Foster Carers Handbook" and is based on the Scottish Governments 2017 document "Best Practice Guidance: Responding to Allegations against Foster Carers" and the 2013 report "Managing allegations against Foster carers and approved Kinship Carers: How agencies should respond"

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2013/05/managing-allegations-against-foster-carers-approved-kinship-carers-agencies-respond/documents/00427889-pdf/00427889-pdf/govscot%3Adocument/00427889.pdf>

The key structure to the complaints process is;

- Complaints by foster children or their family members are investigated by officers of the HSCP
- Complaints by foster carers are investigated by officers of the HSCP
- Complaints by members of the public are investigated by officers of the Council
- Complaints against foster carers are investigated by officers of the Council and are logged and reported to the Care Inspectorate.
- The Council has a Whistleblowing policy for members of staff and members of the public.

4.0 Methodology

4.1 The practice Audit Team conducted a file reading exercise within the Records Management archives held at the Mitchell Library in Glasgow. During this exercise, the team sampled 277 files pertaining to 281 individual children who were looked after and

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accommodated (including children's homes, Approved or List D schools, with foster carers, and boarded-out children) this was in the former, Glasgow Corporation, Strathclyde Region and latterly the Glasgow City area.

4.2 The files were provided to the team via the historians based within the Records Management department situated in the Archive Department at the Mitchel Library. The files had been selected by the archivists on a random basis and presented to the team in boxes. The number of files any box contained varied, for example one box comprised of 4 files only all relating to one child another box could contain 20 plus files relating to numerous children.

4.3 The objective of the audit was to identify any formal or informal complaints made about foster carers, the nature of the complaint, and the outcome, to provide requested evidence to The Scottish Child Abuse Inquiry.

4.4 The information was collated on a form created by the Practice Audit team (See Appendix 1). The form was designed to illicit the following information:

- The Foster Carer/ Child
- Gender of child
- Type of placement foster care/or boarding
- Date of Complaint
- Complainer
- Currency of Complaint
- Nature of Abuse
- Who received the Complaint?
- Complaint Format
- Action Taken
- Space for further information.

4.5 Due to the size of Strathclyde Regional Council and the subsequent storing of records after its disillusion, the Practice Audit team reviewed a number of case files that are now out with the Glasgow (HSCP) area of authority.

5.0 Findings

5.1 The files provided to the Audit Team included:

- 30 files relating to approved foster carers, containing no details of any children or complaints.
- 104 files relating to children who do not appear to have been in foster care at any time.
- 134 files relating to children who were in foster care for any length of time, but no complaint was recorded.
- 9 files relating to children who were in foster care and where complaints were received about the foster carer(s).

File Type	Number of Files Read	Number of Children	Number of Male Children	Number of Female Children
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Approved Foster Carers	30	0	N/A	N/A
No Record of Foster Care	79 plus 25 (25 files were accessed but the gender of children not recorded)	104	51 (65%)	28 (35%)
Foster Care, No Complaint Recorded	134	166	91 (55%)	75 (45%)
Foster Care, Complaint Recorded	9	11	6 (55%)	5 (45%)

5.2 Complaints About Foster Carers

Complaints were identified within 9 of the files accessed by the Audit Team, amounting to 3% of the total files sampled by the team.

Files accessed by the Audit Team were often organised by family group and pertained to sibships of up to six children, although sibling groups were not always all looked after and accommodated away from home, nor were they necessarily accommodated in placements together.

Of the children identified to have been in foster care for any length of time ($n=177$), complaints were made in 6% of cases.

All the complaints related to foster care. Of the files sampled by the Audit Team, no complaints were identified in relation to children who were boarded-out. This is not to suggest that no complaints were made, only that none were found within the sample.

The practice of related fostering (now known as kinship care) was a common theme within the files sampled: two siblings in the sample of files where complaints were made were accommodated with an aunt and uncle, while the remainder were with unrelated foster carers.

5.3 Children's Gender

Of the files where complaints were identified, 55% of the children were male and 45% were female. This is consistent with the proportion of male and female children who were in foster care overall (of the files sampled by the Audit Team).

5.4 Children's Age at Time of Complaint

Children ranged from 1 to 15 years old when complaints were received. Boys ranged from 1 to 14 years of age, while girls ranged from 6 to 15 years of age. Boys were younger than girls, on average, at 6.4 years old compared to 10.2 years old. The overall average age of children in foster care when complaints were received was 8.3.

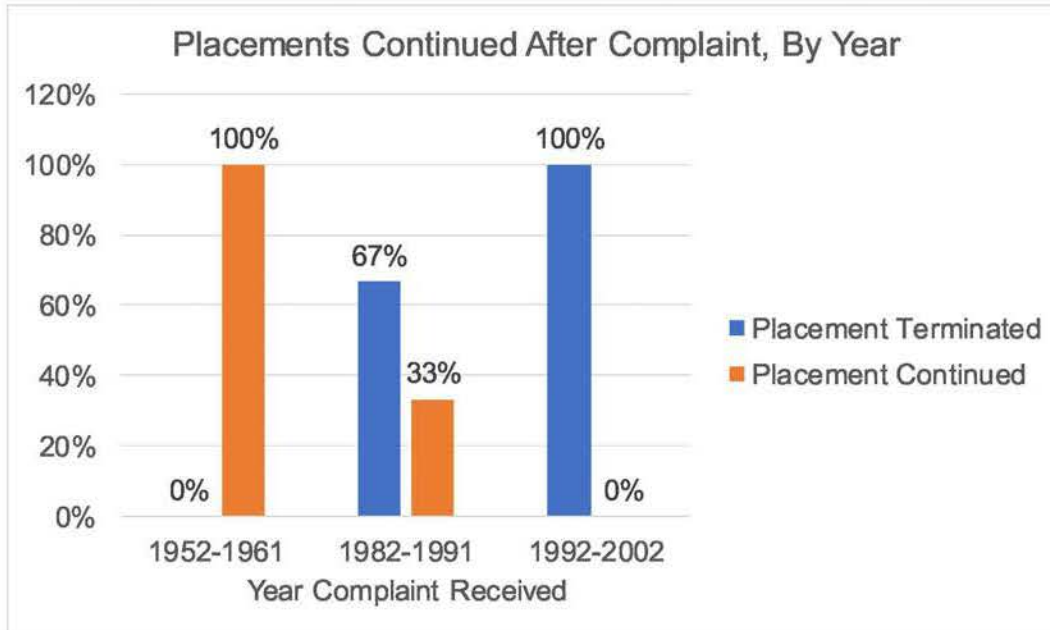
5.5 Date of Complaints

The complaints were recorded from 1952 to 2002, although the Audit Team accessed files from between 1940 and 2003. The date of the complaint had a bearing upon the outcome: in this sample, complaints made prior to 1982 had a significantly higher chance of the placement being continued after a complaint was made. It appears that complaints are taken more seriously as time has progressed, with 100% of placements terminated following

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complaint from 1992 onwards in this sample. However, the sample size of 11 children is too small to draw any wider conclusions from.

Overall, 75% of placements were terminated (or ended at the request of the foster carer) following the receipt of a complaint.



5.6 Nature of Complaint

Complaints were sub-divided by nature. Emotional abuse was the most prevalent, occurring in 50% of cases, and was also the most frequently co-occurring type of abuse overall: 33% of complaints involved emotional *and* physical abuse, and 8% involved emotional abuse *and* neglect.

Type of Abuse	Number of Complaints	% Complaint Cases
Physical Abuse	5	42%
Emotional Abuse	6	50%
Sexual Abuse	2	3%
Neglect	4	33%

(NB: Although complaints were identified in relation to 11 fostered children, two complaints were received in relation to the foster carer of one child.)

For the cases involving sexual abuse, both children were female, and both were teenaged. The alleged abuser in all allegations of sexual abuse was the foster father. One involved the child disclosing allegations of sexual impropriety by her foster father, while the other complaint related to a family member disclosing historical childhood sexual abuse by the foster father (her own step-father). Resultantly, the child (who had severe learning difficulties) was subjected to a medical examination to ascertain if there was any physical

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evidence of sexual abuse. No such evidence was found, but the placement was ended, and the foster carers were deregistered as a result of the disclosure.

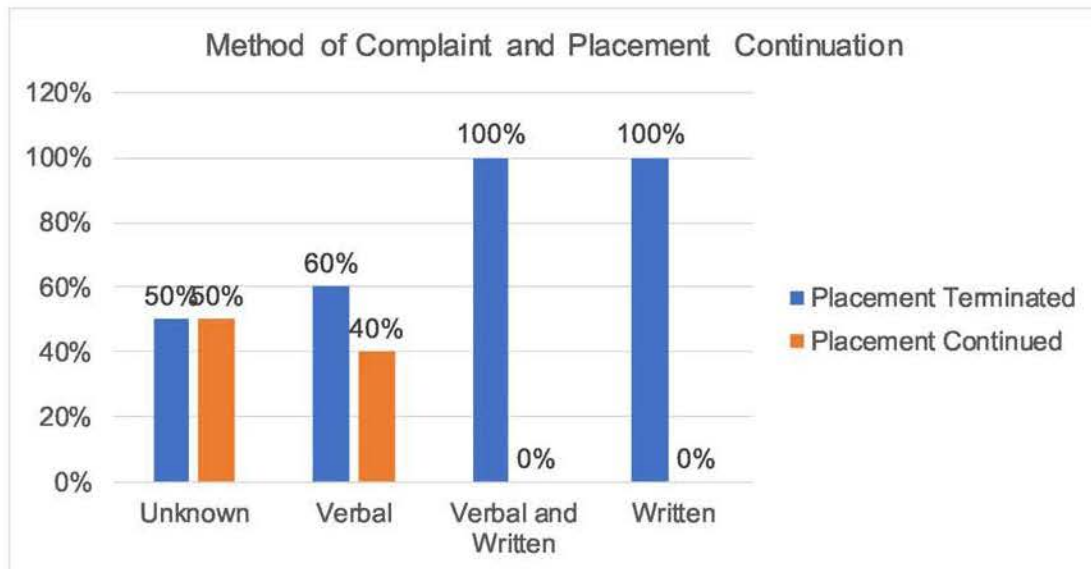
As noted, 75% of all placements were terminated or ended after a complaint was received. Of the placements that continued after a complaint was received, 100% involved physical abuse and 33% also involved emotional abuse. 75% of the placements that continued after a complaint was made were in a related foster care arrangement with a family member.

5.7 Method of Complaint

Most complaints were made verbally, with 67% of all complaints involving a verbal complaint. 42% of complaints were made in written format.

Method of Complaint	Percentage of Complaints
Unknown	17%
Verbal	42%
Verbal and Written	25%
Written	17%
Grand Total	100%

The method of complaint appeared to have a bearing on the outcome of the complaint: written complaints were more likely to result in the termination of the placement: all 100% of written complaints (including those which were also reported verbally) resulted in termination of the foster care placement, while 40% of verbally reported complaints resulted in continuation of the foster placement.



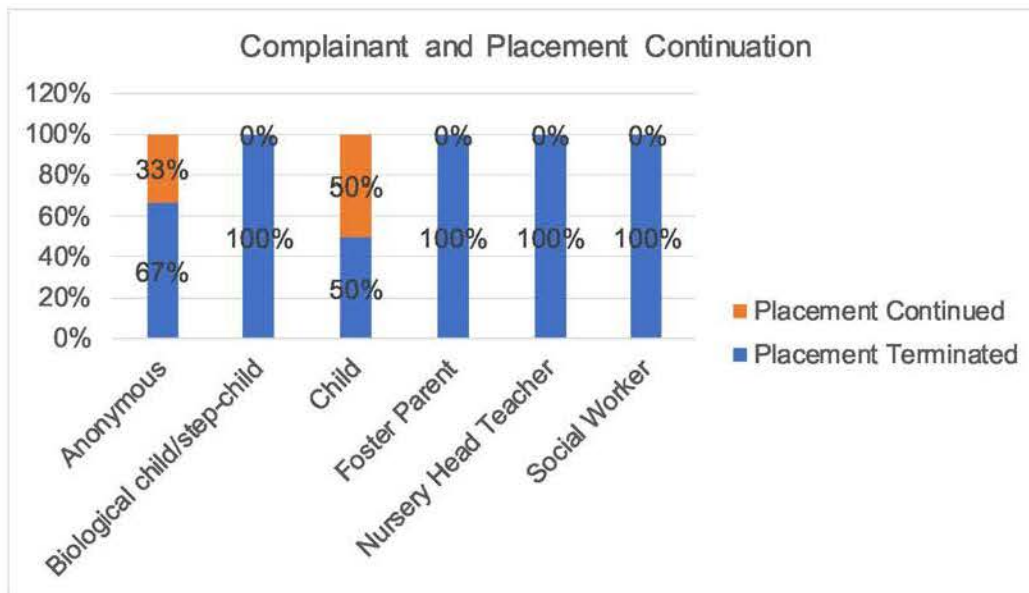
5.8 Complainant

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A third of complaints were made by children themselves. A further 25% of complaints were received anonymously. Professionals accounted for a quarter of all complaints, including those made by Social Workers and a Nursery Head Teacher.

Complainant	% of Complaints
Anonymous	25%
Foster carer's biological child/step-child	8%
Child	33%
Foster Parent	8%
Nursery Head Teacher	8%
Social Worker	17%
Grand Total	100%

It was only complaints received from children and anonymous sources that did not result in the termination/ending of the placement.



5.9 Recipient of Complaint

Complaints were received by the child's Social Worker (58%), a Service Manager or above (58%) the Social Work Department in general (17%): complaints were made to more than one recipient on several occasions. One complaint was handled by the Royal Scottish Society for the Prevention of Cruelty to Children (RSSPCC) and forwarded to the Social Work Department.

5.10 Action Taken After Complaint

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Typically, the foster carer was spoken to by the Social Worker following the majority of complaints (67%). For the remaining 33% of cases, it is difficult to comprehend a situation whereby a foster carer would not be addressed following a complaint made about their care of a child, but these discussions were not recorded in the case files provided to the Audit Team

The child was only spoken to in 33% of cases. The low rate may be due to some children's age and stage of development, but again, it is difficult to envisage a contemporary scenario whereby an alleged or potential victim would not be asked about the offences against them, in an age-appropriate manner. Likewise, there appears to have been no assessment made of other behavioural or non-verbal indications of distress following the complaints. 83% of the children were of an age where they are likely to possess a degree of verbal communication (i.e. over 2-years of age): it is possible that those discussions or assessments took place, but the Audit Team found no evidence of them within the case files sampled.

Action Taken	Number of Cases	% Cases
Child spoken to by Social Worker	4	33%
Foster Carer spoken to by Social Worker	8	67%
Placement terminated	9	75%
Carer deregistered	5	42%
Reported to Police	1	8%
Social Work Review	8	67%
Other: Medical Examination	1	8%

The majority of placements were terminated following the receipt of a complaint, irrespective of whether or not the complaint was substantiated, however only 42% of foster carers were ultimately deregistered. Following complaints, foster carers were either assessed as unsuitable for further foster caring roles (and deregistered), deemed a poor match to the child and permitted to continue fostering with other children (perhaps younger, or with less complex difficulties), or chose to withdraw from foster caring as a result of the complaint.

One foster carer was reported to Police after the child disclosed allegations of sexual abuse to their foster mother and their social worker. This carer was not ultimately deregistered, and the Crown Office took no further action in relation to the alleged offence.

Three foster placements continued after complaints were made (25%). One involved a child who quickly retracted his allegation of emotional abuse, but the placement broke down thereafter and the foster carers were later deemed unsuitable due to their subsequent attitude towards the breakdown of the placement (as opposed to the alleged behaviour resulting in the complaint itself). The other two children, a sibling group, also withdrew their complaints of physical and emotional abuse and continued to reside with their aunt and uncle without further (recorded) incident thereafter.

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Overall, case recordings relating to actions taken against foster carers was scant, if not absent.

5.11 Summary

Glasgow City HSCP's Social Work Practice Audit Team sampled the files of 281 children in order to provide evidence to The Scottish Child Abuse Inquiry regarding actions taken by the Social Work Department in response to complaints made about foster carers. The files were dated from 1940 until approximately 2003 and covered the former Glasgow Corporation, Strathclyde Region and latterly the City of Glasgow area.

Of the files provided to the team by the Records Management department of the Mitchell Library in Glasgow, the Audit Team found evidence of complaints in 6% of cases where the children were placed in foster care for any length of time. The majority of complaints related to physical and emotional abuse, and the majority of placements were ended either by the Social Work Department or due to foster carers subsequently withdrawing from the fostering scheme.

Cognisant of the limited information available to the Audit Team within historical files, complaints appear to have been generally dealt with appropriately, with 75% of complaints resulting children being accommodated elsewhere. There did not appear to be any evidence of complaints being disbelieved or children forced to return to abusive or dangerous environments, but certainly communication between the Social Work Department and the children in their care could have been significantly improved, given that only 33% of complaints resulted in the Social Worker discussing the matter with the child(ren). The timing of the complaint also appears to have been relevant, with 100% of all complaints in the sample resulting in the termination of the placement (prompted by either the Social Work Department or the foster carers themselves) since 1992 and is reflective of the development of children's rights and indeed the understanding of the consequences of adverse childhood experiences within Scotland over that time period.

6. File Reading Issues

6.1 The Audit Team undertook file reading of service users, foster carer and adoptive parents case records situated within the archives of the Mitchell Library. In order to protect the records notes recorded during the exercise had to be taken in pencil.

6.2 Due to the limited time available to undertake this task, the Audit Team was only comprised of a full staff compliment for two days.

6.3 The case files which were reviewed were in a paper format, as opposed to being electronically stored on the Council's information recording system. Case files were typically subjective to the individual, however there was evidence of files being used for sibling groups.

6.4 Historical records were stored collectively and were bound in hard-back book format. Insertions / notes were predominantly hand-written, these notes were often illegible meaning it was very difficult to elicit any relevant data however there was evidence of some notes being typed. Handwritten notes in later files from the 1970s onward also witnessed the same problem.

6.5 There was evidence of poor case recording in that there was very limited information available when reviewing some records – for example, there would be a record to indicate a service user had been received into care with no further details noted or the only way to identify the foster parents in some cases was through monetary receipts.

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6.6 Notes of individuals being 'received into care' were often made on duplicate / carbonless copy paper with the duplicate being the main copy available – the quality of information extracted from reviewing this varied.

6.7 High numbers of cases were reviewed where the main type of care offered was by way of placement into a children's home / assessment centre, approved school, List D school etc.

6.8 High number of cases sampled which related solely to foster carers in which:

- The foster carers had withdrawn from the process
- A decision had been made they were not suitable foster parents
- They had been successful in their application / assessment however there was no further record relating to children being placed in their care

Appendix 1



**Foster Care Audit
Data Collection Form**

Foster Carer Name:	
<hr/>	
Child Name:	
<hr/>	
Child DOB:	
<hr/>	
Child Gender:	Male <input type="checkbox"/> Female <input type="checkbox"/>
Placement:	Foster Care <input type="checkbox"/> Boarding <input type="checkbox"/>

Date of Complaint:

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Complainer :	Child <input type="checkbox"/>	Family member <input type="checkbox"/>	_____
	Professional <input type="checkbox"/>	_____	Anonymous <input type="checkbox"/>
	Other <input type="checkbox"/>	_____	
Reported frequency:	One-off incident <input type="checkbox"/>	Recurring <input type="checkbox"/>	
Currency of complaint:	Current <input type="checkbox"/>	Historical <input type="checkbox"/>	
Nature of abuse:	Physical abuse <input type="checkbox"/>	Emotional abuse <input type="checkbox"/>	
	Sexual Abuse <input type="checkbox"/>	Neglect <input type="checkbox"/>	
Notes:	_____ _____ _____ _____ _____		
Complaint to:	Social Worker <input type="checkbox"/>	Team Leader/ Senior <input type="checkbox"/>	
	Service Manager or above <input type="checkbox"/>	Other <input type="checkbox"/>	_____
Complaint format:	Written <input type="checkbox"/>	Verbal <input type="checkbox"/>	
Action Taken:	None <input type="checkbox"/>	Child spoken to <input type="checkbox"/>	
	Foster Carer spoken to <input type="checkbox"/>	Child moved <input type="checkbox"/>	
	Foster Carer disciplined/deregistered <input type="checkbox"/>	Reported to Police <input type="checkbox"/>	
	Other <input type="checkbox"/>	_____	

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Appendix 2.

Scottish Child Abuse Inquiry: File Reading: Complaints Made Against Foster Carers

Child Gender	Family / Unrelated	Year of Complaint	Age	Complainant	Complained to	Format	Reported frequency	Currentcy	Type of Abuse	Action Taken	Placement Reviewed	Placement Continued
Male	Unrelated	1952	8	Anonymous	RSPCC	Unknown	One-off incident	Current	Physical	Carer spoken to	No	Yes
Male	Unrelated	1985	14	Child	Social Worker	Verbal	Recurring	Current	Emotional, Neglect	Child spoken to, Carer spoken to, Child moved, Carer deregistered	Yes	No
Female	Family	1986	11	Child	Social Worker	Verbal	One off incident	Current	Physical, Emotional	Child spoken to, Carer spoken to	No	Yes
Male	Family	1986	7	Child	Social Worker	Verbal	One off incident	Current	Physical, Emotional	Child spoken to, Carer spoken to	No	Yes
Female	Unrelated	1986	13	Biological child/step child	Social Worker	Verbal	Recurring	Historical	Sexual	Child moved, Carer deregistered	Yes	No
Male	Unrelated	1987	1	Foster Parent	Social Worker, Service Manager or Above	Verbal	Recurring	Current	Emotional	Carer spoken to, Child moved, Carer deregistered	Yes	No

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Female	Unrelated	1987	14	Child	Social Worker , Service Manager or Above, Foster Mother	Verbal and Written	Recurring	Current	Sexual	Child spoken to, Carer spoken to, Child moved, Reported to Police, SW Investigation, Medical Examination	Yes	No
Female	Unrelated	1994	6	Anonymous	Service Manager or Above, Social Work Department	Verbal and Written	Recurring	Current	Physical, Emotional	Carer spoken to, Carer deregistered	Yes	No
Female	Unrelated	1994	6	Anonymous	Service Manager or Above, Social Work Department	Verbal and Written	Recurring	Current	Physical, Emotional	Carer spoken to, Carer deregistered	Yes	No
Male	Unrelated	1996	2	Social Worker	Service Manager or Above	Written	Recurring	Current	Neglect	Child moved	Yes	No
Male	Unrelated	1996	1	Social Worker	Service Manager or Above	Written	Recurring	Current	Neglect	Child moved	Yes	No
Male	Unrelated	2002	3	Nursery Head Teacher	Social Worker	Unknown	Recurring	Current	Neglect	Child moved	No	No

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