

## **Part B – Current statement**

### **3. Retrospective Acknowledgement / Admission**

#### **3.1 Acknowledgment of Abuse**

a) **Does the local authority accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?**

Moray Council accept that some children were abused when in foster care in Moray from 1930-2014. We are sorry that this is the case.

b) **If so, to what extent?**

The local authority does not hold records of all children in care between 1930 and 1996. It is likely that the majority of our records were destroyed in line with retention periods over this period.

We do not have detailed retention schedules prior to 1996, however we have located limited children's records dating from 1930- 1996. We hold all looked after children records from 1996 onwards. Some of the historic records had destruction dates marked in them, and we assume that they were marked as per the retention period, but overlooked for destruction. Of the 35 historic files that we have uncovered and read over this period, we have 3 which indicate there was abuse.

Consequently, given we do not know the total amount of children who were in the care of our local council predecessors in the Moray Council area, it is not possible to ascertain the full extent of any abuse in foster care over this period. However, from the limited numbers located, it would appear these instances are isolated and sporadic.

From 1996 when Moray Council was established until 2014, we have cared for 587 children in foster care, and are aware of 10 cases of abuse or alleged abuse, 5 of these having been committed by the same foster carer.

c) **What is the basis for this assessment?**

This is based on current staff's knowledge; any historic records which we have located and read from 1930 to 1996; and Moray Council records from 1996 to 2014.

#### **3.2 Acknowledgement of Systematic Failures**

a) **Does the local authority accept that its systems failed to protect children in foster care between 1930 and Dec 2014 from abuse?**

From the historic records we have been able to review, we have found only 3 isolated and sporadic incidents as detailed above. We have no evidence that our predecessor's systems failed to protect children in foster care.

From the limited numbers of the incidents of abuse we have found, since 1996 to 2014 we conclude there is no evidence that our systems have failed to protect

children from abuse. Nevertheless we acknowledge that 10 children have experienced abuse during that time, and we are sorry that this is the situation

b) [What is the local authority's assessment of the extent of any such systematic failures?](#)

We do not have any evidence of systematic failures. As stated above, the evidence we have indicates instances of abuse were isolated and sporadic.

c) [What is the basis of this assessment](#)

This is based on the limited number of historic records we still hold and the lack of any evidence from those records which would indicate systematic failures. In relation to Moray Council records, the small number of cases where abuse is known to have occurred would indicate that our systems generally work well in protecting children. However, any abuse is unacceptable and we continue to strive in particular to ensure that children are able to tell us about their experience of foster care.

d) [What is the local authority's explanation for any such failures](#)

We do not have the records to evidence whether there have been any systemic failures. The limited records we do hold would tend to suggest there have not been any such failures.

From 1996 onwards, we do have full records and those records show that there have only been a very small number of isolated and sporadic incidents. There is no indication that there have been systematic failures. The systems in place appear, for most of the children we have cared for, to have kept them safe in foster placements.

### [3.3 Acknowledgement of Failures/ Deficiencies in Response](#)

a) [Does the local authority accept that there were failures and/ or deficiencies in its response to abuse, and allegations of abuse, of children in foster care between 1930 and 17 Dec 2014?](#)

From the records which we have uncovered which indicate there was abuse, we have noted incidents which were dealt with promptly and appropriately having regard to the duties at the time.

There are 10 known incidents of abuse by foster carers since 1996, identified so far. Should this change as we continue to work in the rest of the submission to the Inquiry, we will advise.

From file reading, it has been evident that allegations of abuse by foster carers have been responded to according to policy at the time. Where a child has made allegations of abuse about a foster carer, in most instances they have been moved to an alternative placement. In these instances, the foster carer has been

suspended from fostering, until investigated. However, we know that some of these 10 children who told us they experienced abuse, were not immediately moved from their placement.

The case of the foster carer who was imprisoned for offences against foster children has led us to consider if there may have been signs given by young people at an earlier stage, but missed by professionals involved. These allegations arose over a period of time and did not appear to have been discussed during formal reviews of the couple as carers.

b) [What is the local authority's assessment of the extent of any such failure in its response?](#)

From 1996 to the present, our research leads us to conclude that this is not widespread.

From 1930 some of these instances are as a result of there being different attitudes to physical chastisement and less recognition of the importance of positive regard and warmth of relationships on the development and wellbeing of children.

c) [What is the basis of that assessment?](#)

We have based this on file reading, staff's knowledge and memory, concern reports submitted to the Care Inspectorate, and complaints.

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

There is no explanation surrounding any failures/deficiencies given in historical records up until 1996 and it is not possible to know why such failures/deficiencies, if any, happened.

From 1996, having reviewed our files, we conclude that a more robust approach could have been taken to deal with the allegations of abuse that then led to the conviction and imprisonment of one foster carer in 2008.

From 2011, allegations against foster carers have been reported to the Care Inspectorate as part of the Service Regulation and Registration. There are 4 such reports made.

### 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?](#)

By adhering to Care Inspectorate registration requirements, legislative requirements and Scottish Government guidance and practice, we aim to ensure that our fostering service is as transparent and safe as possible, with appropriate checks and policies in place to ensure children's safety whilst they are in foster care. We continue to monitor and improve our practices on an ongoing basis.

We are aware that the work undertaken in responding to this Notice has highlighted a number of issues with regards to file retention, record keeping and file management which will result in our making changes to procedures in this area to ensure that Moray Council Children's services records are accurate, easy to read and accessible.

There is also the need to ensure Governance around the reporting of allegations made against foster carers, and additional higher level review of these for any common themes emerging from these are part of rigorous self-evaluation and service improvement activities.