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Addendum to Part A-D response requested 3rd November 2021

- In answer to Question 5.13 from information provided in Appendix 7, it is noted that a foster carer named William Rae (DOB [REDACTED]/59) was convicted of sexual abuse of a child in his care. Can you advise what steps were taken by North Ayrshire Council following this conviction and whether any lessons were learned? In particular, please can you confirm whether there was any internal review, or significant case review carried out? If so, please advise whether any learning points were identified and if so, what they were? If no review was carried out, please confirm why this was the case?

By way of clarification, this conviction related to a carer from the local authority's link carer scheme, essentially a primitive kinship care arrangement introduced by Strathclyde Regional Council. The parties are variously referred to as link carers, carers and foster carers throughout the files, largely dependent on the source of the information.

By 2006, deficiencies in the link carer scheme were acknowledged by the local authority and a new kinship care scheme was introduced at that time. Said change in practice ensured that more comprehensive assessments and relevant regulatory checks were being completed to make certain any kinship placements were appropriate and suitable for children and young people. In turn, the Looked After Children (Scotland) Regulations 2009 placed greater duties and responsibilities on the local authority in relation to the assessment and checks of kinship carers which changed practice significantly within North Ayrshire from that in 2007.

The local authority only became aware of William (Billy) Rae's conviction by chance as no contact appears to have been made by Police Scotland during their investigatory process leading to the conviction. Given the significant change in practice established as a result of the introduction of the 2009 Regulations, no review of process was undertaken by the local authority following William (Billy) Rae's conviction.

Following preparation of the Section 21 response, significant learning was identified for the Families for Children (formerly Family Placement Team) Service and there are clear procedures in place for dealing with allegations in foster care and kinship.

- In Appendix 7 under the heading dealing with the local authority's response to the proceedings and outcome, it states *"As the victim was an adult when she first made the disclosure in 2007, she had the right to determine if she spoke with the Police or not. As she didn't name her alleged abuser or wish to progress criminal investigation it was not possible to investigate further and therefore there was no action possible against the foster carers at that time. At the point of charges being made in 2016 (and subsequent conviction) William Rae and his partner were no longer approved foster carers for The North Ayrshire Council."* Given that it states the victim didn't name her alleged abuser, it is unclear how North Ayrshire Council knew that this disclosure was about William Rae. Could you please confirm to whom this disclosure was made, and how and when it was ascertained to be in relation to William Rae? In addition, please could you confirm when approval to foster was withdrawn for William Rae and why?

As noted above, further perusal of records confirms that William (Billy) Rae and his partner Ms [REDACTED] were link carers for The North Ayrshire Council and so therefore had never gone through the rigorous approval process required for foster carers. [REDACTED] named 'Billy' as her abuser from the outset to medical and social services staff (understood by the Service to mean William Rae), although all records indicate that she was unwilling to report the abuse (or name her abuser) to the police at this time. [REDACTED] disclosed the abuse in September 2007 to Lesley Lumsden, Health Visitor and later to Ann Duncan, Social Worker Throughcare. She stated that 'Billy' had sexually abused her while she was in his care and reported that she was scared. The North Ayrshire Council's Fostering Service (now Families for Children Service) were made aware of the allegations by Tom Ballantyne, Social Worker.

As noted above, William (Billy) Rae & Ms [REDACTED] were not approved as foster carers and carried out the caring role solely as link carers for [REDACTED]. The couple's status as link carers for the authority ended when [REDACTED] left their care. They did not provide care for any other children on behalf of The North Ayrshire Council. A record of the allegations was noted on William (Billy) Rae's file in the event that any application to foster was received at a later date. In 2007, there was no requirement to withdraw or de-register link carers via any formal process or procedures and consequently there is no record of any such withdrawal of approval as would have been necessary for foster carers.