

PERTH & KINROSS COUNCIL

Part A	Background
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	Questions	
1	Characteristics	Proposed Response
1.1	History of the Local Authority	
a)	Over the period from 1930 to date, please provide details of the predecessor authorities for the local authority area for which the authority is now responsible, and the time periods during which these authorities were the responsible authority for the area, or any part thereof.	<p>Perth and Kinross Council became the local authority for the area of Perth and Kinross on 1 April 1996. It is responsible for the exercise of social work functions and the statutory duties associated with the provision of care and protection of children.</p> <p>For the Perth and Kinross area, it is the successor authority to Tayside Regional Council and Perth and Kinross District Council. Tayside Regional Council was responsible for the exercise of social work functions. It was established under the Local Government (Scotland) Act 1973. It was constituted on 1 April 1975 and disaggregated on 1 April 1996.</p> <p>Prior to 1975, social work functions (and education functions) were split between Perth Town Council, Burgh Councils and Perth and Kinross Combined County Council. This was the position from 1930 until 1975, by virtue of the Local Government (Scotland) Act 1929.</p>
b)	When and how did the local authority become involved in the provision of foster care for children in Scotland?	Local Government in Scotland is responsible for the provision of a range of public services, including education and social work. The provision of foster care for children and young people is among those responsibilities. This involvement occurred through legislative and policy change which is outlined in c) below.
c)	How has the involvement of the local authority in the provision of foster care changed/developed over time?	<p>The involvement of the local authority in the provision of foster care has changed and developed over time as a result of legislation and national policy developments.</p> <p>1930-1975</p> <p>For the years 1930 to 1948, although there are references to boarded out children in available records, there are no records which indicate the extent to which this took place. It is therefore difficult to judge how the local authority's involvement in the provision of foster care evolved. We know that across Scotland following a review of the Poor Laws that '<i>pauper</i>' children might be '<i>boarded-out</i>' (fostered) with local families, usually for a fee, and, that there was established practice for more urban parish boards to place children at some distance</p>

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away in more rural locations. There is no record in our archives about the definition of boarded out, how it was done, or under what legislation for the very early period of the Inquiry. We only have references to boarding out. This contrasts considerably with the provision of residential care, where there is significant evidence of the role the local authority played in its provision over time and how this developed.

Over the period 1930-1945, there are some limited references to the changing legislative picture in relation to boarding out and some references to compliance with Regulations but with little detail. These are summarised below. There is some information about the numbers of children boarded out which is set out elsewhere in this report.

Annual reports and returns by the Medical Officer of Health for the period 1930 to 1948 indicate that use of both residential care and industrial schools was prevalent, but there is no reference to boarding out during this period. For the same period, there are references in Committee Minute books for the Public Assistance Committee of Perth and Kinross County Council, which indicate that boarding out was taking place. For example, in 1933, there is a Minute relating to the implementation of the Children and Young Persons (Scotland) Act 1932 which authorised the "committal" of a child to the care of any fit person. In 1934, there is reference to the implementation of the Poor Relief Regulations which dealt with, among other things, the boarding out of children. There are references in the latter part of the 1930s to the boarding out of children initially accommodated in poor houses and that "*the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution*".

In September 1945 there is reference in the Minutes of the Public Assistance Committee to local authorities being asked by the Scottish Home Department to ensure that Regulations relating to boarding out were being complied with.

From 1948 onwards there is an increase in the references within records to boarding out. It seems likely that this coincides with the introduction of the Boarding Out (Scotland) Regulations 1947. In 1948, the first references to boarding out can be found in the annual reports for the Medical Officer of Health. In the 1948 report by the Medical Officer of Health, there is reference to "*the traditional method of boarding out with carefully selected foster parents*" as being "*the method of choice*" where return to parents was not possible. It therefore appears that children were likely to have been boarded out in some instances, although no records have been located which provided further information about this for the period before 1948.

That same report indicates that in 1948 there were 17 children boarded out with foster carers and 11 children boarded out with relatives, all under the Children Act 1948. This compared to 44 children placed in various residential children's homes, who were placed in those homes either under the 1948 Act or the Children and Young Persons (Scotland) Act 1937. The report also refers to the continued development of new residential homes within the area. By 1951 the number of children boarded out had increased slightly, although proportionately remained much lower than the number of children in residential homes.

In 1952 there is reference to a lack of 'residential nursery' provision being a "*barrier to the administration of the Children Act 1948*". It is recorded that in order to "*overcome the difficulty of providing nursery accommodation an effort had been made to set up a temporary foster-home system. In this connection District Nurses in the County were asked to enlist the co-operation of likely persons in their districts*".

who might consider undertaking such duties. Unfortunately, no success has yet been obtained; nevertheless, the project is one well worth pursuing, not only in the interests of the children's service, but also in the interests of economy."

In the same report there is reference to a register of children who are in the care of what might be termed 'private foster carers' under Part 1 of the Children and Young Persons (Scotland) Act 1937. There is reference to home visits and supervision of such arrangements although no detail of these was found. There was annual reporting of the numbers of children boarded out by parents under this and subsequent legislation, until 1969.

Between 1952 and 1959 the numbers of children boarded out appears to have gradually increased, although the overall number of children in care also increased at this time. There is reference in both 1952 and 1953 to it proving difficult to attract temporary foster carers for babies, as an alternative to residential nurseries. By the end of the 1950s, the records indicate that the number of children boarded out had risen and boarding out of children appeared to have become more common. For example, in 1959 the Medical Officer's report notes that the majority of children in need of long-term care were boarded out. The report for 1959 shows that 71 children were boarded out in that year with either carers or relatives, from a total of 122 children "in care". This appears to coincide with the introduction of the Children Act 1948, which set out the duty to consider boarding out before other arrangements where children required to come into the care of the local authority.

In 1959, the Boarding Out of Children (Scotland) Regulations 1959 came into force. The Medical Officer's report for that year outlines the additional duties and additional staff resources needed to comply with those requirements. This was considered by the Children's Committee in November 1959 that empowered the County Medical Officer and Children's Officer with decision making about the suitability of children for boarding out. There is no further information available from archive records to indicate how these duties were implemented.

In the early 1960s, there appears to have been continued efforts to recruit foster carers for long term placement of children. In 1962 the Medical Officer reported that *"foster-parents or guardians are now very much a part of the wider Child Care Service. It is not easy to get foster-parents for every child, yet efforts have to be made periodically to get amongst the people and bring to their notice the need for persons to take a child or children into their own homes. During the past 2 years, 74 children were placed with 46 foster-parents as against 51 children with 33 foster-parents over the preceding 2 years. It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing."*

In June 1970 there is evidence of a need being identified for foster parents for very young children, as an alternative to children being placed in a residential nursery. The Social Work Committee agreed to an increase in payments to foster carers to help increase the pool of both short and long-term carers.

1975-1996

From 1975 to 1996 Perth and Kinross County Council became part of Tayside Regional Council. There is no information in the available records relating to changes made in the provision of foster care after the formation of Tayside Regional Council prior to 1986.

In 1986, following a significant period of consultation, Peter Bates, the Director of Social Work, introduced a Strategy document "*Children in Crisis: A Strategy for Children and their Families*" (1107/86). Its aim was to improve services for children, setting out a strategy to increase the number of children and young people cared for in the community and reduce the number of children cared for in residential establishments. This included an aim to increase the provision of foster care.

1996 – December 2014

During this period the emphasis on the provision of foster care as a desirable and effective way to care for children continued within the national policy and legislative context. The focus was to shift the dependence from institutional residential care to a preference for family placements for children and particularly for younger children.

In 1997, the Council approved a Foster Care Strategy following extensive consultation with foster carers. This Strategy outlined a three-year plan for the advancement of the fostering service in the Council.

In 2001, the Council carried out a Best Value Review of services for looked after children. The improvement plan which followed set out as a principle that the majority of children accommodated by the Council should be placed in foster care and that residential care should only be used if it met the child's needs and was a positive choice for that child. As a result, the local authority's recruitment, training and support for foster carers increased over this period.

Agencies such as British Association of Adoption and Fostering (BAAF), which was founded in 1980, provided professional frameworks which supported the recruitment, training and support of carers. BAAF also acted as campaigners for the rights of carers and introduced a national assessment framework for assessment, known as the 'BAAF Form F'. This assessment evolved into a competency framework which guided Social Workers to create a standard for carers.

The Fostering of Children (Scotland) Regulations 1996 and Looked After Children (Scotland) Regulations 2009 provide what is in effect a statutory checklist for assessment of foster carers. Both sets of Regulations were supplemented by statutory guidance issued by the Scottish Office/Scottish Government.

The Regulation of Care (Scotland) Act 2001 established the Scottish Commission for the Regulation of Care (known as the Care Commission) as a national body charged with the regulation of care services across Scotland. Local arrangements for the independent scrutiny of services were replaced by this national body. This included Fostering Services as a care service and the publication of specific National Care Standards for Fostering Services and Family Placement Services in 2011 and the independent regulation and inspection of care services which commenced in Perth and Kinross from 2008. The introduction of the care standards gave a framework for assessment as well as delivery of support.

The subsequent Public Services Reform (Scotland) Act 2010 established the Care Inspectorate which brought together the regulation and scrutiny of social work and social care services and the continuation of inspection of fostering and adoption services. There was a revision of the National Care Standards and the subsequent publication of common Health and Social Care Standards in 2018 for all care services. Throughout this period, the Council continued to improve and expand its fostering service in response to demands, national legislative and policy changes and outcomes of external inspections.

In 2004, a review of services for looked after children was undertaken by the Council, ahead of the introduction of inspection for fostering services. Some strengths and areas for improvement were noted. Additional funding was made available by Scottish Government between 2004 and 2006 and this was used to further develop recruitment practices and the introduction of a scheme for specialist carers for teenagers at risk of offending.

In 2006, a policy for fostering and adoption services was approved by the Council. The policy recognised that foster carers are “*key partners in helping to meet the often-complex needs of children and young people*”. The policy covered a range of practical and operational matters including carer recruitment, role of foster carers, child protection and health and safety.

In 2007, the Council decided to develop a Strategy for Looked After Children, to take account of national research and developments. It was decided that revised fostering allowances should form part of that, along with the development of the concept of corporate parenting. The Strategy was approved in June 2007 with the overall aim to ensure that looked after children received the best possible care and support. In relation to fostering, it was noted that improving the number and quality of carers available locally was a priority and this was to be achieved through several measures including training, support and improved allowance rates.

In 2011, the Strategy for Looked After Children was replaced by a Children and Families Services Strategy. A key area for improvement was to increase opportunities for children who are looked after away from home to remain within their communities. This aim remains a key aspect of the Council’s current strategy to ensure that children and young people are cared for within their extended family or to remain within their own school and community whenever this is not possible. Successful recruitment campaigns and improved retention of carers has contributed to a reduction in children and young people being placed within residential care.

The concept of corporate parenting commenced in 2007 within Perth and Kinross Council supported and promoted by the then Chief Executive and the Council’s Corporate Management Team. The philosophy encouraged the whole council to see itself as having responsibilities for looked after children. This commenced with a system whereby a lead officer mentored a child who was currently accommodated. They had a responsibility to oversee the arrangements for their care and progress across all aspects of their lives and to address any perceived barriers to their wellbeing and to achieving their full potential. For example, a corporate parent liaising with the lead social worker for a child who was looked after ensured that the young person had suitable accommodation when they moved into independent living or had all the financial support, they need to take up further or higher education. Through this the understanding of the needs of looked after children grew and an holistic approach to providing the best opportunities for looked after children was promoted.

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A corporate parenting strategy was produced to ensure that the needs of looked after children were considered within Council policy and decisions.

The Regulation of Care (Scotland) Act 2001 also brought about the registered manager role for fostering services who was responsible for the management and standards of the service and accountability for meeting regulations and care standards. This post was held by an experienced social work Service Manager.

In 2007 the Council created a new role of Improvement Officer for the fostering service to take forward the recommendations from inspection, introduce a system of self-evaluation and ensure the service was meeting the needs of the service users within the care standards. This underlined the commitment to the improvement of the fostering service as a continuous process.

Regular independent inspection from the Care Commission (the Care Inspectorate from 2011) focused on the work of the fostering agency including recruitment, training and support of foster carers. Feedback from foster carers and children and young people in placement was central to the inspection and this was reported under 'Care and Support'. How the agency responded to any concerns, allegations or complaints was reported under 'Management and Leadership'. In addition to inspection, annual self-assessments were required to be submitted installing a systematic approach to evaluation and continuous improvement. Following each inspection, the service had to prepare and submit to the Care Commission an action plan setting out its intended actions to address any areas for improvement set out in published inspection reports by way of recommendations and/or requirements.

Registered foster care services were also required to notify the Care Commissioner (the Care Inspectorate from 2011) about adverse events such as the hospitalisation of a looked after child and all allegations of abuse in relation to a child in foster care. The notification system ensures that there is also an action plan which must be updated and allows again for independent scrutiny of the actions the agency is taking.

Gradings awarded to the Fostering Service at Inspection by the Care Commission/Care Inspectorate 2006-14 (the Care Standards were not in use before 2008)

Date	Care and Support	Staffing	Management and Leadership	Requirements	Recommendations
Jul-14	4 - Good	5 - Very Good	5 - Very Good	0	5
Jun-13	4 - Good	5 - Very Good	5 - Very Good	0	3
Aug-10	5 - Very Good	Not Assessed	5 - Very Good	0	2
Oct-09	5 - Very Good	5 - Very Good	4 - Good	0	4

		Sep-08	5 - Very Good	4 - Good	3 - Adequate	3	5
		Sep-07	N/A	N/A	N/A	2	6
		Aug-06	N/A	N/A	N/A	9	6

As can be seen continuous improvements were made over time and from October 2009 there have been no requirements made of the service and the annual inspections reduced to bi-annual. All inspection reports and associated action plans were reported to the Executive Sub Committee of Lifelong Learning Committee for further scrutiny.

1.2 Funding of Foster Care

Past

a)	How were the local authority's operations and activities, so far as relating to the provision of foster care, funded?	1930 to 1975
		<p>There is reference in records of Perth County Council in 1948 of a direction from the Home Department to recover contributions from parents in full time work when children were in care, with a percentage of that being retained by the Council. This appeared to coincide with the bringing into force of the Children Act 1948 and there is reference to a Home Department Circular 6995 in this regard.</p> <p>Throughout the 1950s and 1960s there are numerous references in records to collection of contributions from parents and the seeking of contribution orders from the court. It does seem that this was viewed as a means of ensuring that parents retained responsibility for their children and at the same time funding some of the costs associated with children being in care from parents who were able to work and earn a wage.</p> <p>In March 1950, there is reference in both Town Council and County Council records to payment of an Exchequer Grant to the Council by the Scottish Home Department, for payment in respect of expenditure for boarded out children. It is recorded in a Home Department Circular (7366/1950) that up to 40/- per week "should enable full provision for the normal maintenance...of all boarded out children". It is recorded that the costs of equipment which families need to be able to care for children could be recovered from the Home Department (e.g. beds).</p> <p>There is one reference in 1969 of a Circular (1/1969) which confirmed that the expenses of social work functions were "reckonable expenditure" for rate support grant purposes. This may represent the formalisation of the funding arrangements for social work expenditure in line with other Council spending.</p> <p>There are numerous records for the period 1974-1975 which relate to the County Council seeking capital funding from the government to purchase houses for foster parents. There is a letter in late 1974 from the County Council to the shadow Regional Council advising of the difficulty with finding foster parents who can accommodate sibling groups, leading to the decision to seek funding to acquire houses for accommodation of carers.</p>

As an insight into the level of budget in the early 1970s, the spend in 1970-71 on boarding out was recorded as £19,000, and almost £100,000 on residential care. Just prior to functions transferring to Tayside Regional Council in 1975, from a total social work budget of £454,265, the budget for boarded out children was £37,000, and almost £200,000 for residential care. Only £1700 was recovered through parental contributions.

In 1974, the social work department of the County Council received the biggest increase of 47%.

1975 to 1996

The Local Authority (Scotland) Act 1973 required all local authorities to have a general fund (s.93) which was made up principally from business rates, Scottish Government funding, and council tax. Foster care funding was provided through Revenue Budgets for the Social Work Department.

1996 to December 2014

Local authorities were funded through a combination of revenue accrued through business rates, Council Tax, other income and Scottish Government funding. Local authority funding formulae are decided nationally and have changed over time.

The local authority provided funding for the provision of foster care from its Revenue Budgets which were set by the Council on an annual basis.

In this period, the Scottish Government provided additional funding for foster care services to local authorities on a number of occasions and this was linked to increasing concerns about a national shortage of foster carers. For example, in 2004 the Deputy Minister for Education and Young People, announced an extra £12 million to be made available to improve fostering services, including the recruitment and retention of foster carers, across Scotland. In 2005, the Scottish Executive agreed new funding for the Council of £182,000 over 3 years (2005-08) to enhance and improve fostering services. The aim was to achieve 40 sets of temporary foster carers by 2008 so that the Council could meet children's needs within its own resources. It highlighted that the recruitment and support of foster carers was a high priority in 2005-2006.

This additional funding came at around the same time as the findings of a UK-wide research study by BAAF which highlighted a significant shortfall in funding for foster care. This report "*The Cost of Foster Care – Investing in our children's future*" was viewed as a landmark document which identified, for the first time, the expenditure required to provide adequate fostering services and to give children in public care the same opportunities as other children. The report concluded that a "*massive injection of funding from central government will be required for fostering services to meet the complex needs of children in public care*". The estimated shortfall in funding for Scotland was estimated as £65.5 million. Council records indicate that this national strain on the

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		<p>fostering resources was reflected in Perth and Kinross, both in terms of maintaining adequate numbers of foster carers; difficulty keeping the numbers of children placed within approved registration numbers; and local budget pressures.</p> <p>In 2005, while 80% of accommodated children in Perth and Kinross were looked after by foster carers, mostly on a temporary basis, that year saw an increase in numbers of children the Council had a duty to accommodate and an increasing percentage of children had to be placed in independent foster care agencies, incurring greater cost. The Education and Children's Services Business Management and Improvement Plan 2006-2009 recognised that the number of children and young people accommodated had increased significantly year on year and the use of external resources for foster placements had been necessary. This had put significant pressure on budget.</p> <p>In order to have best value within foster care local arrangements with neighbouring councils have been developed. Since 2010 an arrangement whereby the sharing of placements, the undertaking of independent assessments and joint training has taken place with Dundee City and Angus Councils.</p> <p>Records reflect that the efforts to aid the recruitment and retention of foster carers had been successful as it was identified in a 2012 Lifelong Learning Committee Report that there were 56 sets of registered foster carers in Perth and Kinross with another 12 currently being assessed, which was noted at the time as the highest number recorded.</p> <p>It was further highlighted in 2013 that due to the increased recruitment of foster carers, there was a 15.2% increase in local placements between March 2012 and 2013, and a corresponding decrease of external fostering placements of 6.6%.</p>
b)	<p>To what extent, if any, did the local authority provide funding to other organisations for the purposes of provision of foster care?</p>	<p>1930 to 1975</p> <p>No records have been found which provide information or insight into this question.</p> <p>1975 to 1996</p> <p>In the period from 1975 to 1996, there is no record of providing funding to other organisations for the purposes of provision of foster care by Tayside Regional Council.</p> <p>1996 to December 2014</p> <p>Over this period the number of independent fostering agencies used by the Council increased. Recruitment of foster carers by independent fostering agencies across all areas of Scotland had an impact on the availability of foster carers within local authorities and a reduced pool of potential foster carers from which to recruit. Children and young people who required to be accommodated within foster care were at times placed via these agencies. Payment was made to the agency in relation to the</p>

		<p>individual child who was placed, and this payment included a fee to the agency. The level of payment also varied depending on the age and needs of the young person and level of allowances paid to the carer.</p> <p>Scotland Excel is a national shared service between local authorities for procurement. In relation to independent fostering agencies, Scotland Excel developed a commissioning framework from 2011 which local authorities used to ensure there was value for money and that agencies were adhering to standards.</p> <p>Perth and Kinross Council used independent agencies when placements within its own foster care resources were not available. On average, the number of children in placements which were purchased via independent fostering agencies in any year was between 15 to 20. This number was increasing annually and peaked at 56 in 2016/17. This was a factor in the creation of the Council's transformation project called the 'Expansion of Family Based Care' project which achieved Council investment funding with the expressed aim of providing more family-based care locally and enabling more children to remain within their extended families, local schools and communities.</p>																										
c)	<p>If funding was provided by the local authority to other organisations for the provision of foster care, to whom was it provided, when was it provided and what criteria were applicable to its provision?</p>	<p>1930 to 1975</p> <p>No records have been found which provide information or insight into this question.</p> <p>1975 to 1996</p> <p>In the period from 1975 to 1996, there is no record of providing funding to other organisations for the purposes of provision of foster care by Tayside Regional Council.</p> <p>1996 to December 2014</p> <p>Funding was provided to registered independent fostering providers for the purpose of providing a foster placement for an individual child. The funding related to the costs associated with that individual placement. The criteria were that the placement was assessed and considered to meet the individual child's needs and that the agency was registered by the Care Inspectorate as a provider of foster care.</p> <p>External placements in Perth and Kinross have been a feature since the early 2000's and the table below show the numbers of children in external placements.</p> <table border="1" data-bbox="414 1344 1542 1470"> <thead> <tr> <th>Children in Foster Care</th> <th>2008/09</th> <th>2009/10</th> <th>2010/11</th> <th>2011/12</th> <th>2012/13</th> <th>2013/14</th> <th>2014/15</th> <th>2015/16</th> <th>2016/17</th> <th>2017/18</th> <th>2018/19</th> <th>2019/20</th> </tr> </thead> <tbody> <tr> <td>provided by PKC</td> <td>91</td> <td>84</td> <td>84</td> <td>111</td> <td>116</td> <td>122</td> <td>125</td> <td>116</td> <td>123</td> <td>155</td> <td>159</td> <td>141</td> </tr> </tbody> </table>	Children in Foster Care	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	provided by PKC	91	84	84	111	116	122	125	116	123	155	159	141
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		<p>purchase d by PKC</p>	26	32	25	26	20	17	22	31	56	48	26	31
<p>All data is the number of children/young people in foster care during each fiscal year i.e. 1 April to 31 March</p>														
<p>Agencies used by Perth and Kinross in this period were</p> <ul style="list-style-type: none"> • Barnardo's • Fostering People • SWISS • Fostering Relations • NFA • Fosterplus • Care Visions • Action for Children • Carolina Trust <p>The monitoring of the use of placements and corresponding budget takes place in a monthly meeting between social work staff and finance colleagues. The focus to reduce reliance on external placements whilst increasing those in local authority placements was addressed in the transformation project "the expansion of family-based care" which began in 2017. In the last few years, we have reached the position where those children and young people placed in foster care in external placements are placed permanently and will remain there until independence. The emphasis now is ensuring that there is sufficiency of local resource unless the needs of a child are so complex that they require specialist care which is not available locally.</p>														
d)	<p>To what extent was financial state support available to foster carers? How were foster carers made aware of that state support? How was that state support accessed by foster carers (e.g. directly or via the local authority)?</p>	<p>1930 to 1975</p> <p>No records have been found which provide information or insight into this question.</p> <p>1975 to 1996</p> <p>Foster carers were paid fostering allowances from the regional council. No other state support was available other than support available more generally through state benefits.</p> <p>1996 to December 2014</p> <p>There is no general financial support through payment of state benefits specifically to foster carers. Some foster carers may be eligible for state benefits due to their personal circumstances, but this is not related to their role or by virtue of being foster</p>												

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		<p>carers. When children were looked after by the local authority, it had the responsibility for meeting the costs associated with meeting their care needs and for the costs associated with their upbringing for the duration of time they are in care (and beyond in exercise of duties for the provision of after care services). Foster carers cannot claim child benefit for example but may claim Disability Living Allowance (DLA) and Carers Allowance depending on the circumstances and needs of the child(ren) they are caring for. This allowance would be paid directly to the carer to be spent on either equipment or compensate for the additional expense that a carer may incur as a result of caring for a child with disabilities.</p> <p>Foster Carers will be signposted to the Council's Welfare Rights Team for support to ensure that they are in receipt of all relevant benefits.</p> <p>There was a section within the Foster Carer Handbook, issued to all carers, which provided advice and guidance about financial support.</p>
e)	<p>To what extent was financial support from the local authority available to foster carers?</p>	<p>1930 to 1975</p> <p>Prior to 1951, there are very limited references in records to financial support for carers. There is reference to some form of payment as far back as 1935, but there is no detail from that time in relation to amounts and no available evidence of any structured policy on payment</p> <p>In 1949 and 1950 there are references in the County Council Minute Books of pocket money allowances being paid to carers and provision of free school meals.</p> <p>From 1951, there are regular and detailed references in both Town Council and County Council records to the question of allowances paid to carers. These indicate a shift from ad hoc payments made to carers on a case by case basis to a more formalised, standard scheme for payment of allowances.</p> <p>In the 1950s, there is evidence of a shift towards setting standard rates for allowances.</p> <p>In 1950, the Home Department issued a circular (7366/1950) which indicated that a rate of up to 40/- per week should "enable full provision of the normal maintenance (board and accommodation, provision and upkeep of clothing, pocket money birthday and Christmas presents, recreation travelling, holidays, the development of special aptitudes etc) of all boarded out children with foster parents".</p> <p>Notwithstanding this, there is some limited evidence in 1953 and 1954 that different allowances were paid in different individual cases, including payments to relatives. This appears to have been based on need.</p> <p>There is also some evidence from the mid-1950s of other forms of support being offered to try and attract foster carers. For example, in May 1955, a recruitment campaign offered a rent and rates free Town Council house for those who were approved as</p>

carers for sibling groups. A similar idea appears to have been promoted again in the early 1970s, as an alternative to residential care.

The Perth Town Council Minute Books show that in 1955, a rate of 30/- per week, per child was agreed for "foster parents", but for "temporary foster parents" the allowance was agreed at £2 to £2 10/- per week, depending on the age of the child. This appears to have been the first attempt to fix a standard rate.

From this point onwards, the Town Council, Burgh Council and County Council seem to have operated a scheme of standard allowances, based on age of the child. Different allowances were also fixed for clothing and pocket money. There are occasional references to Christmas and birthday allowances or gifts and to holiday allowances, but no standard rates appear to have been fixed for these. There are some records which show that through the 1960s and 1970s, allowances were not reviewed regularly. For example, between 1963 and 1967 the Burgh Council did not increase rates at all. Similarly, the Town Council and County Council did not review rates between 1967 and 1970.

Where reviews of allowances to foster carers did happen, this appears to have been driven by a need to attract people to become foster carers and acknowledgement that carers should be paid for their services.

By the early 1970s there appears to have been a recognition that allowances should be linked to the Retail Price Index. It appears that this was driven by an appreciation of the need to increase allowances in response to the rising cost of living and food prices. This reflects the national economic situation at the time. In March 1974, the allowance was increased by 17% as a direct consequence.

In the early 1970s there are several internal memos within Council archives which mention an acute shortage of foster carers and the need for this to be addressed. This also seems to have become a more acute issue with the proposed closure of a residential nursery for babies which was used for short term care of babies and very young children until longer term placements or adoption was secured. One memo in 1972 between the Director of Social Work and the County Clerk notes that steps needed to be taken to address the allowances as *"the need for foster homes is now acute and, unless more are found, the whole system of residential care for children is in danger of break down"*. In addition, the memo states that *"in view of the standard of service which modern child care now expects, this [the allowance] is not enough and the element of payment for the fostering service will induce the additional foster parents needed to come forward"*.

1975 to 1996

Allowances were paid to foster carers by Tayside Region. No information is available regarding rates of allowance for this period.

Shortly after local government re-organisation, in December 1975, there is information in records to national debate and discussion in relation to fostering allowances, shared with Tayside Regional Council by CoSLA (Convention of Scottish Local Authorities). This material refers to a DHSS (Department of Health and Social Security) Guide to Fostering Practice. There is reference to the Guide stating that *"the value an agency puts on its foster parents will be reflected in the level of payment made to them."*

The information provided by CoSLA also states that the Guide raises the question of the "caring component" of allowances. It is noted that allowances have been related to the material cost of provision but not the caring component which is described as "the day to day stimulation, affection and training of a child". It is indicated that in a more health economic climate, this should be considered.

The records show that CoSLA also referred to the formation of the National Fostering Association which had prepared cost of living indices which were used to develop recommended rates of payment.

It was noted that the rate of allowance needed to represent the realistic tasks of caring for a child, and that this was a *"major philosophical change"* for social work practice. A number of other key practical and philosophical changes were recommended:

- Children in placement had a right to equal status with that of other children in the household
- Carers should not subsidise the local authority by receiving low rates, and the local authority should not place a child in a situation which causes deprivation by the fact that placing the child in a family causes the overall quality of care for all children in the household to fall
- Carers should be paid in advance
- Children should be given adequate clothing at the start of their placement through initial clothing grant and clothing allowance should represent 20% of the total allowance
- Additional allowances should no longer be needed (for holidays, birthdays etc) as the allowance should include components for this
- Additional payments should be considered for disabled children

A report setting out these principles, plus arrangements for phasing in new rates over 3 years was agreed by CoSLA Social Work Committee in December 1975.

(Note - a full copy of the DHSS Guide is not in Council records, but the file located makes reference to this Guide providing background to the history of fostering, and payment of allowances. It may therefore be a document which is of historical interest to the Inquiry more generally. Similarly, it is likely that there may be further records held by CoSLA on this subject).

1996 to December 2014

It is known from records that a scale of allowances was approved by the Council shortly after local government re-organisation in April 1996, although the report itself is missing from the archives. The Minute of the Social Work Committee meeting of 3 April 1996 show that the Committee agreed to follow the scheme for support, training and payment of allowances previously operated by Tayside Regional Council. It was agreed that the rates payable would be the CoSLA standard fostering rates.

In 1997, the Council agreed to introduce a new Fostering Strategy which included a fee payment scheme for foster carers, with the aim of ensuring a high-quality service and professional standards for children accommodated.

From the records which are available in relation to decisions taken by Committees of the Council, the next reference to allowances is found in 2006. There are no records available to indicate how and when allowances were reviewed, although it is known from organisational memory that payment rates did increase over this period.

In 2006, the Council approved a policy for adoption and fostering services which set out the arrangements, in general terms, for payment to carers. It is stated in the policy that *"foster carers payments comprise an allowance, which is designed to reflect the actual costs of caring for a child, and a fee element. There are different levels of fee in addition to the fostering allowance and these are determined and agreed on the basis of carer skill, experience, training and full-time availability"*.

This new method of payment allowed the carer to know exactly what their fee was, and which would be considered as income for tax purposes. They were also able to see separately the allowance they were to receive for the expense of caring for a looked after child or young person which gave clarity to the expectations about the funds which were in direct support for the child or young person.

Additions to the weekly fees and allowances were also approved as:

- Payment of four weeks allowance at important times (birthday Christmas and summer holiday expenses)
- start-up allowance for initial costs of placements
- telephone allowance
- Exceptional expense payments – This could include specialist equipment or for a once in a lifetime holiday with the carers.

In 2007, the Council approved the introduction of a minimum allowance for foster carers based on The Fostering Network's recommended rate of allowances.

The amount paid reflected the specific types of care being offered and considered each carer's skills, qualifications, approval level and experience. A three-level fee payment scheme was used in Perth and Kinross to recognise carer skills.

		<p>Support was also given through a telephone and mileage allowance. Financial support was also given to some carers where their house required re-modelling or extending to allow children or young people to remain in their care.</p> <p>In 2012, the Fostering Network recommended an increase in fees and allowances for the year 2012/13 of 2.3%. This was agreed by the Council and took effect on 1 April 2012 and fees were to be adjusted annually thereafter in line with Fostering Network recommendations.</p> <p>In April 2012, it was also agreed that a fourth fee level should be introduced specifically for carers who were providing placements for young people aged 12 and over. This was viewed as a “spend to save” incentive to recruit carers to specifically meet the high level of need identified for young people over 12 years of age. The fee adopted for Level 4 was £270.17 per week which was £100 more per week than the then Level 3 fee at the time.</p> <p>Since 2014 the foster care allowances have been advertised on our website. The website also contains information on skills payments and how these are determined. Fees and allowances are subject to annual review. Approval of increases in line with inflation are approved by Lifelong Learning committee.</p>
f)	<p>If financial support was available, what was the source of those funds (i.e. from local or central government)? What criteria did the local authority apply to the distribution of such funds?</p>	<p>1930-1974</p> <p>There are very limited records for the 1930s and 1940s, apart from a very occasional reference to funds disbursed by the Council being recovered from the Home Department. There is reference in the 1950s to expenses incurred on boarding out being part of the Exchequer Grant payment made by central government to local government. A similar arrangement continued to exist thereafter, through grant from central government. Councils received a grant and made local decisions about how to allocate that between functions. For example, in 1974, the County Council made the decision to increase the social work allocation within its overall budget by 47%.</p> <p>As indicated in the answers throughout this section, records refer to rates payable depending on the age of the child.</p> <p>1975 – 1996</p> <p>Foster care funding was provided through Revenue Budgets for the Social Work Department.</p> <p>1996-December 2014</p>

		<p>Fostering services were funded from the Council's revenue budget. The Council determined budget allocations in line with its statutory duties for children who were looked after by the local authority and the strategic aims and objectives agreed by the Council periodically.</p>
g)	<p>How were foster carers made aware of any financial support available from the local authority? How was that financial support accessed by foster carers?</p>	<p>1930 to 1975</p> <p>In terms of how support was accessed, there is very little information available in records. There are some brief references to processes being changed so that carers were paid in advance. For example, in April 1962, the Town Council decided to change the way clothing allowances were paid. Instead of issuing purchase orders for carers to present, they were instead to pay the allowance in advance twice a year. A reference was found in a CoSLA report from 10 December 1975 to allowances being paid in advance, as a recommendation. However, no further information has been found in archive records which would assist in answering this question.</p> <p>1975 – 1996</p> <p>The recruitment and selection process, together with the use of Fostering Agreements provided information to foster carers as to the financial support available.</p> <p>1996- December 2014</p> <p>The Fostering of Children (Scotland) Regulations 1996 contained a power to pay allowances. It was a requirement that this information was included in the agreement between the Council and the carer.</p> <p>The Looked After Children (Scotland) Regulations 2009 contain an obligation to pay allowances. Again, it is a requirement that this information is included in the agreement between the Council and the carer.</p> <p>As part of the assessment process, foster carers were assessed as to their level of skill and abilities, which would be used to determine the fee level to be paid. This, and the arrangements for reviewing those fee levels would have been set out in material supplied to the foster carer.</p> <p>In recent years the Council publishes a wide range of information for prospective and current foster carers which provides easily accessible information about a wide range of matters relating to foster care including the most up to date information about allowances. This can be found at https://www.pkc.gov.uk/article/17312/Fostering.</p>

h)	<p>What other sources of funding were available to foster carers in relation to the provision of care for children?</p>	<p>1930-1975 No records have been found which provide information or insight into this question.</p> <p>1975 – 1996 Although there are no available records it is understood that, over and above the regular payment of allowances, additional funds were available for birthdays, Christmas and holidays or other additional expenses.</p> <p>1996 – December 2014 There are no other known sources of funding available to foster carers.</p>
i)	<p>Was the funding adequate to properly care for the children?</p>	<p>1930 -1975</p> <p>Throughout this period, references have been found to the need to increase allowances for carers, both to attract carers and to ensure that the rate of allowance was sufficient to cover the cost of caring for a child.</p> <p>In 1950, the Home Department issued a circular (7366/1950) which indicated that a rate of up to 40/- per week should “enable full provision of the normal maintenance (board and accommodation, provision and upkeep of clothing, pocket money birthday and Christmas presents, recreation travelling, holidays, the development of special aptitudes etc) of all boarded out children with foster parents”. In March 1955, the Town Council agreed to pay a rate of 30/- per week, which is lower than set out in the Circular. It is difficult to assess, with hindsight, whether payments were adequate as it is not known from records what other allowances may also have been paid, in relation to clothing for example.</p> <p>There are some records available which set out the rates paid during some years in the 1960s into the 1970s. For example, the allowance for a child 0-10 years old paid by the Burgh Council until 1967 was 35/- per week with clothing (£25 per annum) and pocket money allowances paid in addition to that. For the same period, it appears that the Town Council and County Council allowances were higher, at 50/- per week plus clothing allowance. It is difficult to assess whether at that time the funding was adequate in all instances.</p> <p>In 1970, allowances for both the Town Council and County Council were reviewed because of “increase in the cost of living”. They had not been reviewed since 1967. It may therefore be the case that during this period, the allowance was not adequate. References to the need to increase allowances to reflect an increase in the cost of living were found in several places in records for the period 1971-1974. It appears that during this time, efforts were made to keep allowances in line with inflation, which no doubt was a reflection of the economic circumstances in the country at the time. However, it is difficult now to assess how adequate or otherwise those increases were retrospectively.</p>

[APG]

		<p>1975 – 1996</p> <p>For the period from 1975 to 1996, there are no records to suggest funds were inadequate.</p> <p>1996 – December 2014</p> <p>Throughout this period, allowances were generally aligned with nationally agreed rates, whether through CoSLA or Fostering Network. In 1997, a fee structure was introduced which complemented the payment of allowances. There are references in records to allowances reflecting the cost of caring for a child.</p> <p>There have been a few research papers on the cost of caring for a Looked After Child which was always reflected in the fostering network recommended rate. There is recognition that this allowance will be higher than the DWP rate for a child due to the increased demands placed on carers to achieve improved outcomes for looked after children. The Scottish Government has undertaken research on what should be included in the allowance and have been working since 2014 a national rate which would take Scotland in line with other countries within the UK.</p> <p>The allowances adequately cover the cost of caring for a looked after child with guidance around the purchase of clothing, holiday allowances and pocket money being included. Carers inform that they can purchase all that is necessary within the allowance.</p> <p>In some instances, Perth and Kinross have provided additional funding to allow children and young people to go with their carers on a once in a lifetime holiday. These have included trip to South Africa, Australia and Florida. Additional funding has also been provided for equipment such as computers to ensure that children and young people have all they need to achieve their outcomes.</p>
j)	if not, why not?	<p>1930-1975</p> <p>There are records over this period which indicate that the funding was not adequate to cover the cost of caring or a child, and it appears that this was the subject of much discussion particularly in the 1960s and early 1970s. There are records of discussion about adopting regional or national rates which more properly reflected the true cost of caring for a child, with evidence of some reluctance to go down this route. There were also gradual changes to the rate of allowance throughout the period as it seemed to be recognised that the low level was problematic for recruitment. There are references to the need to acknowledge that a foster carer's own children should not suffer because of the household income being spread more thinly because a child was boarded out with the family.</p>

		<p>In the shadow year before reorganisation (1974), it is recorded that the question of adopting nationally agreed allowances would be left to the Regional Council to decide once the functions relating to foster care were transferred to them.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 It is difficult to assess how adequate or otherwise rates of allowances to foster carers in retrospect. However, there is more evidence in recent years which includes feedback from Foster Carers that the allowances provided by Perth and Kinross Council are enough to meet the needs of children placed in foster care. Nevertheless, there is a continual need to review to keep up with the increasing costs of living.</p>
K)	With reference to the present position, are the answers to any of the above questions different?	Yes
I)	If so, please give details.	<p>In recent years the Council publishes a wide range of information for prospective and current foster carers which provides easily accessible information about a wide range of matters relating to foster care including the most up to date information about allowances. This can be found at https://www.pkc.gov.uk/article/17312/Fostering.</p> <p>The Council keeps the allowances for children in foster care under regular review to ensure that they are set at a level to meet all the essential costs associated with caring for children which is nurturing and provides reparative positive experiences. The current foster care allowances are:</p> <ul style="list-style-type: none"> • Age 0 - 4 - £134.47 • Age 5 - 10 - £153.16 • Age 11 - 15 - £190.68 • Age 16 - 18 - £231.91 <p>In addition, 4 weeks holiday allowance is paid; 1 week at Christmas, 1 week at child's birthday and 2 weeks at summer holidays. Once a foster carer is approved and a foster carer agreement signed then they are ready to take children. Once a child is placed, allowances and fees are then processed. Carers are paid fortnightly in advance by BACS. These payments remain in place until the child leaves the placement. If a carer needs to purchase equipment before the child arrives then this is processed separately and immediately. Telephone allowances are also paid automatically as are the additional 4 weeks allowance.</p>

1.3 Legal Status	
(i) Local authority	
Past	
<p>a) What was the legal basis which authorised or enabled the local authority to become responsible for the provision of foster care for children in Scotland?</p>	<p>The statutory framework has changed significantly over the period since 1930 to 2014. The principal pieces of legislation <i>in the past, which are referenced in the records available over the period of the Inquiry</i>, which imposed obligations on Perth and Kinross Council and its predecessors, and which relate to the social work functions are:</p> <ul style="list-style-type: none"> • The Children and Young People (Scotland) Act 2014 (commenced 2016 but influenced policy and practice in advance of commencement) • The Children’s Hearings (Scotland) Act 2011 • The Adoption and Children (Scotland) Act 2007 • The Children (Scotland) Act 1995 • The Social Work (Scotland) Act 1968 • The Children Act 1963 • The Children Act 1948 • The Children and Young Persons (Scotland) Act 1937 • Poor Law (Scotland) Act 1934 and Poor Relief Regulations 1934 • Children and Young Persons (Scotland) Act 1932 <p>In relation to foster care, the <i>past</i> legal basis, <i>in so far as this can be ascertained from Council records</i>, can be summarised as follows:</p> <ul style="list-style-type: none"> • The Children Act 1948 created a statutory requirement that boarding out with foster carers should be considered for a child before residential care. The 1948 Act contained a power for the Secretary of State to make Regulations relating to the boarding out of children. This was done with the Children (Boarding Out) Etc. (Scotland) Regulations 1947 and then the Boarding Out of Children (Scotland) Regulations 1959. • The 1948 Act was replaced by the Social Work (Scotland) Act 1968. Section 21 of the Act empowered the local authority to board out children in care. The Boarding Out of Children (Scotland) Regulations 1959 were replaced by the Boarding Out and Fostering of Children (Scotland) Regulations 1985. These were repealed on 31 March 1997. • In relation to child care social work functions, the Social Work (Scotland) Act 1968 was replaced by the Children (Scotland) Act 1995 which came into force on 1 April 1997. Section 26 of the 1995 Act sets out the manner in which a local authority can provide accommodation for a looked after child. This was supplemented by a range of secondary legislation which set out the

		<p>legal requirements which a local authority had to comply with in relation to ensuring the welfare of looked after children, the boarding out of children and the approval and supervision/review of foster carers:</p> <ul style="list-style-type: none"> ○ The Arrangements to Look After Children (Scotland) Regulations 1996 ○ The Fostering of Children (Scotland) Regulations 1996 ● The Adoption and Children (Scotland) Act 2007 came into force in September 2009. This Act updated the legal framework relating to the approval of carers and the placing of looked after children with foster carers and kinship carers, through the Looked After Children (Scotland) Regulations 2009. ● The Children’s Hearings (Scotland) Act 2011 updated the legislative framework relating to Children’s Hearings, use of secure accommodation and emergency child protection.
b)	Did that legal basis require the local authority to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.	Yes. Please see our previous answer to Question 1.3 (i) (a) above.
c)	Did the local authority have a legal duty of care to each child in its care?	<p>It is not clear what is meant by a “legal duty of care”. The local authority over time has been given statutory obligations in relation to children in its care and is obliged to fulfil those. The local authority would also have to ensure that foster carers were providing care which is consistent with its legal obligations and foster carer agreements.</p> <p>The extent to which the local authority had any other duty of care will depend on what is meant by that phrase, and this will have changed over time, depending on the meaning given to it by courts. This continues to be an evolving area of law.</p> <p>Those working with children and charged with safeguarding and promoting their welfare will likely have had a professional duty of care, but whether this amounts to a legal duty of care would be for courts to determine and would depend on the facts and circumstances of the case.</p>
Present		
d)	With reference to the present position, are the answers to any of the above questions different?	No

e)	If so, please give details.	Not Applicable
(ii) Foster carers		
Past		
a)	Did foster carers have a special legal, statutory or other status?	<p>1930 to 1975</p> <p>There are very few records available which assist in answering a question about the status of carers. It can be seen from as early as the 1930s that “boarding out” took place, but there is no evidence about the carers’ status. Once the various boarding out Regulations were passed, then carers would have been approved as suitable by the local authority acting under statutory provisions.</p> <p>1975 to 1996</p> <p>Only in the sense that they would have been approved as suitable by the local authority acting under statutory provisions. Foster carers were not employees of Tayside Region.</p> <p>Agreements were in place between the Council and foster carers under the relevant statutory framework at the time.</p> <p>1996 to December 2014</p> <p>Only in the sense that they would have been approved as suitable by the local authority acting under statutory provisions.</p>
b)	If not, how did the local authority classify a foster carer?	<p>1930 to 1975</p> <p>There is insufficient evidence available to answer this question. The only references found are to “boarding out”.</p> <p>1975 to 1996</p> <p>There is nothing within the available records to indicate any specific classification by Tayside Region of foster carers.</p> <p>1996 to December 2014</p>

		<p>Foster carers are not employees of the Council. They are recruited and assessed as suitable to perform a caring role within the terms of approval by the Fostering and Permanence panel and through a written agreement with the Council. As part of that agreement there is an expectation that Foster Carers are essential contributors to the care plan for each child in their care. This includes working alongside parents and professionals in health, education, social work etc to ensure that the child's needs are met. In short, they are key providers of care taking children into their own homes, including them in their family life and adapting their daily routines for the benefit of each child they look after.</p>
c)	<p>What was the legal basis which authorised, or enabled, a foster carer to become responsible for caring for children?</p>	<p>The legal basis, <i>in so far as this can be ascertained from Council records</i>, can be summarised as follows:</p> <ul style="list-style-type: none"> • The Children Act 1948 created a statutory requirement that boarding out with foster carers should be considered for a child before residential care. The 1948 Act contained a power for the Secretary of State to make Regulations relating to the boarding out of children. This was done with the Children (Boarding Out) Etc. (Scotland) Regulations 1947 and then the Boarding Out of Children (Scotland) Regulations 1959. • The 1948 Act was replaced by the Social Work (Scotland) Act 1968. Section 21 of the Act empowered the local authority to board out children in care. The Boarding Out of Children (Scotland) Regulations 1959 were replaced by the Boarding Out and Fostering of Children (Scotland) Regulations 1985. These were repealed on 31 March 1997. • In relation to child care social work functions, the Social Work (Scotland) Act 1968 was replaced by the Children (Scotland) Act 1995 which came into force on 1 April 1997. Section 26 of the 1995 Act sets out the manner in which a local authority can provide accommodation for a looked after child. This was supplemented by a range of secondary legislation which set out the legal requirements which a local authority had to comply with in relation to ensuring the welfare of looked after children, the boarding out of children and the approval and supervision/review of foster carers: <ul style="list-style-type: none"> ○ The Arrangements to Look After Children (Scotland) Regulations 1996 ○ The Fostering of Children (Scotland) Regulations 1996 • The Adoption and Children (Scotland) Act 2007 came into force in September 2009. This Act updated the legal framework relating to the approval of carers and the placing of looked after children with foster carers and kinship carers, through the Looked After Children (Scotland) Regulations 2009.

<p>d) Did that legal basis require a foster carer to meet, or fulfil, any legal and/or regulatory requirements in respect of children in his or her care? If so, please give details.</p>	<p>1930 to 1975</p> <p>The relevant Regulations in force at the time would have placed obligations on foster carers in terms of standards to be met and care to be given. For example, the 1947 Regulations set out principles which carers were to follow. However, no records have been located which give any insight into how information about this information was passed on to carers. The 1959 Regulations did not contain any reference to similar principles or obligations.</p> <p>1975 to 1996</p> <p>The Boarding Out and Fostering of Children (Scotland) Regulations 1985 contained a requirement for the Council to enter into an agreement with foster carers regarding the care to be provided to children. This was to include the policies of the Council in relation to the welfare of children and how carers were expected to follow these.</p> <p>1996 – December 2014</p> <p>The Fostering of Children (Scotland) Regulations 1996 replaced the 1985 Regulations. The contained a similar requirement to enter into an agreement. The agreement had to include a requirement to <i>“care for the child placed with the foster carer as if he was a member of that person’s family and in a safe and appropriate manner and to promote his welfare having regard to the local authority’s immediate and longer-term arrangements for the child”</i>.</p> <p>The 1996 Regulations were replaced with the Looked After Children (Scotland) Regulations 2009 which contain a similar requirement.</p> <p>Throughout this period, it has been a requirement of the Regulations that the Council enters into a Foster Carer Agreement with all foster carers. This sets out the expectations and obligations of the foster carer and the Council in relation to the provision of foster care.</p>
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e)	Did the foster carer have a legal duty of care to each child in his or her care?	<p>It is not clear what is meant by a "legal duty of care". Foster carers were required, by virtue of the fostering agreement, to carry out their role in the way set out in the agreement. They were accountable to the local authority for the manner in which they carried out their task.</p> <p>Whether foster carers had a "legal duty of care" will have depended on what is meant by that phrase, and this will have changed over time, depending on the meaning given to it by courts. This continues to be an evolving area of law.</p>
Present		
f)	With reference to the present position, are the answers to any of the above questions different?	No
g)	If so, please give details.	Not Applicable

1.4 Legal Responsibility		
(i) Local authority		
Past		
a)	Did the local authority have any legal responsibility for the children in its care?	Yes
b)	If so, what was the nature and extent of that legal responsibility?	The local authority had responsibility for children in its care by virtue of the legal framework set out in Section 1.3 above. This governed the extent of the organisation's powers, duties and responsibilities.
c)	Did any other person or organisation have any legal responsibility for the children while they were in the local authority's care?	Yes
d)	If so, what was the nature and extent of that responsibility?	Parents would retain their parental rights, or since 1995, parental responsibilities and rights unless removed by a court.

e)	If the local authority had no legal responsibility for children in its care, where or with whom did legal responsibility lie?	Parents would retain their parental rights, or since 1995, parental responsibilities and rights unless removed by a court.
Present		
f)	With reference to the present position, are the answers to any of the above questions different?	No
g)	If so, please give details.	Not Applicable
(ii) Foster carers		
Past		
a)	Did the foster carer have any separate legal responsibility (separate from the local authority) for children in his or her care?	There is no separate legal responsibility on the part of the foster carer in that they would have been viewed as acting on behalf of and under the supervision of the local authority. They did not themselves have statutory duties.
b)	If so, what was the nature of that responsibility?	N/A
Present		
c)	With reference to the present position, are the answers to either of the above questions different?	No
d)	If so, please give details.	No applicable

1.5	Ethos
Past	

<p>a)</p>	<p>What did the local authority see as its function, ethos and/or objective in terms of the foster care service it provided for children?</p>	<p>1930 -1975</p> <p>There are few records available which give any insight or information in relation to this question. There are references in the latter part of the 1930s to the boarding out of children, initially accommodated in poor houses and that <i>"the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution"</i>.</p> <p>In 1948 there is a reference in a Children's Officer file to boarding out giving children <i>"the nearest approximation of family life"</i>. This was in the context of the Children's Officers observations on the proposed 1947 Regulations relating to boarding out.</p> <p>In the Medical Officer Annual Report for the County Council in 1948, it states that <i>"there has been a steady increase in the work of caring for children who for various reasons may not be receiving proper care and attention, and as the facilities available becomes more widely known, the demand for these is likely to continue to increase. It is clear that a great deal of the work of the Children's Officer will be of an educative remedial nature involving a considerable amount of patience and time, since it is all important that the utmost should be done to maintain the family unit. Removal should be the exception and should if at all possible, terminate by return to parental care. If this is not possible, "boarding out" with carefully selected foster parents is the method of choice. These principles are being put into practice with considerable success, but there will always be a number of children who for one reason or another must be regarded as unsuitable for boarding out and for whom permanent stay in a local authority home is necessary.</i></p> <p>It does seem that the objective over this period was for children who came into care to be cared for in a setting which resembled family life where possible. In 1962, the Annual Report by the Chief Medical Officer of Health states <i>"Children from broken homes, either temporarily or permanently, require a settled way of life, if not in their own home with parents, then in a substitute home with substitute parents. Some children settle down in the Children's Home and are happier there than in an ordinary home. Most children, however, like to have a home, a home which they can call their own, some place they can speak about, and to have parents, even substitute parents, whom they can call "Mummy" and "Daddy" or "Auntie" and "Uncle." In the Child Care Service, those people are called foster-parents or guardians, and are now very much a part of the wider Child Care Service.....It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing. This, in turn, should lead to better citizenship and in time should help to reduce the number of problem children and problem families who require to be treated in some way or another today. It is hoped, and every endeavour must continue to be made, to increase the number of children with foster-parents in order that as many children as possible can benefit from an ordinary home life and upbringing."</i></p> <p>In 1967 there is a similar reference by the Children's Officer in response to a Circular 5/1967. It is recorded that <i>"it is well established that the fostering of children with good foster parents is the means of a child getting the nearest approximation to family life and thus receiving the opportunity to develop and become equipped for the transition to independence and self-reliance in later years"</i>.</p> <p>1975 – 1996</p>
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In the early 1970s, evidence shows that the ethos in the organisation at that time was about improving how care could be provided. There was also a focus on the cost benefit of the improvements for children whilst recognising constraints on the budget at the time.

From the mid-1980s it can be demonstrated that the organisation had a determined and sustained focus on improving the care service it provided for children. It developed strategies drawing on research and good practice which improved staff training and qualifications and introduced a focus on care planning which allowed the child's voice to be heard.

No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report "*Children in Crisis: A Strategy for Children and their Families*" outlined key policies that should underpin all work with children and their families in Tayside.

The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.

Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents.

1996 – December 2014

Perth and Kinross Council and its partner agencies placed the highest priority on keeping all children and young people safe and protecting them from harm, abuse, neglect and exploitation. It consistently and publicly declared its strong commitment to zero-tolerance of abuse, neglect and exploitation.

Since 2002, the message that it is *everyone's job* to protect children has been continually reinforced and a partnership approach has been led by Perth and Kinross Council, via the Children, Young People and Families Partnership (CYFPF). All efforts have been made to protect all children and young people and keep them safe at home, in school and within the community. This ethos applies equally to all children, including those in foster care and / or residential care and the principles of this approach are the same. This collective approach aims to provide better outcomes for all children and young people.

The Council has been proactive along with partners in the Child Protection Committee (CPC) to continually improve children's services and child protection services for all children and to respond to new and emerging risks to children.

Getting it right for every child (GIRFEC) added emphasis to the importance of foster care with the publication of "Getting it right in kinship and foster care" in Dec 2007. This strategy had two main aims, delivering a child-centred approach to kinship and foster care, supporting high quality kinship and foster care and a focus on early support. Perth and Kinross Council adopted the GIRFEC approach throughout its services seeking to ensure that children and young people who were looked after received the highest possible quality of care and positive outcomes emphasising the involvement of foster carers in the planning for individual children; encouraging foster carers to commit to children beyond 16/18yrs and at the same time investing in preventative approaches to prevent children coming into care such as early family support.

The concept of corporate parenting commenced in 2007 within Perth and Kinross Council supported and promoted by the then Chief Executive and the Council's Corporate Management Team. The philosophy encouraged the whole council to see itself as having responsibilities for looked after children. This commenced with a system whereby a lead officer mentored a child who was currently accommodated. They had a responsibility to oversee the arrangements for their care and progress across all aspects of their lives and to address any perceived barriers to their wellbeing and to achieving their full potential. For example, a corporate parent liaising with the lead social worker for a child who was looked after ensured that the young person had suitable accommodation when they moved into independent living or had all the financial support, they need to take up further or higher education. Through this the understanding of the needs of looked after children grew and an holistic approach to providing the best opportunities for looked after children was promoted.

In 2008, the Scottish Government published "*These are our bairns: a guide for community planning partnerships on being a good corporate parent*" this provided guidance for Councils and community planning partners on how to improve outcomes for looked after children and young people and care leavers. This provided additional impetus for the local approach to corporate parenting and a sense that children who were looked after were "our children" and a strengthened ethos that everyone working within the Council and its public service partners should be striving for the very best for children in care in the same way that they would strive for their own children. This ethos permeated the corporate parenting approach and was driven passionately by the Council's Chief Executive and Senior Management Team and the Community Planning Outcome Delivery Group for Children and Young People, the Children, Young People and Families Partnership (CYPFP).

A corporate parenting strategy was produced to ensure that the needs of looked after children were considered within Council policy and decisions. Applying this ethos to all children has meant that the organisation has been very proactive in ensuring there has been a significant investment to secure the highest standards of care. Constantly reviewing the models of care, participating in national initiatives on safe recruitment and capital investments are all evidence of this shared partnership commitment.

Between 1999 and 2006 there is evidence of Service Plans which drove forward improvements across all Children's Services. In these plans the local authority identified one of their key service objectives as "*meeting the assessed needs of vulnerable children through a range of community supports, protecting children from harm and fulfilling their statutory duties to children who are 'looked after' by the council.*" This included improving the Foster Care Service.

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An example of this can be seen in the Education and Children's Service Plans between 2001-2004, whereby one of the main service objectives was to implement the Foster Care and adoption policy and invest more to increase the number of temporary and permanent carers by 20%, reduce the length of time children are awaiting placement by 30% and increase the number of carers per 1000 children by 10% by 2004.

In line with national strategies, emphasis was placed on the development of foster care as providing more positive outcomes for children and young people than residential care. A family setting allowed children and young people to experience safe and nurturing care and develop relationships with caring adults. The change of ethos from blame and removing children from dysfunctional families to providing support, nurture and compensatory care was supported by increased emphasis on attachment theory. Literature such as *"A child's journey through placement"* by Sally Wassel was a significant resource for professionals and foster carers and helped to develop a shared understanding about what children needed. The demand for highly attuned carers was reflected in training. Perth and Kinross Council required all foster carers to commit to 5 days training per year and encouraged them to reflect on how they put this training into practice through regular support from a designated social worker. Each foster carer was provided with a supervising social worker who undertook formal support and supervision and local support groups were set up to enable the sharing of experience and skills.

In advance of a joint inspection of services to protect children led by Her Majesty's Inspectorate of Education in 2010, the Child Protection Committee and the Children and Young People's Partnership carried out a self-evaluation across a range of quality indicators. This self-evaluation included a reflection on the extent to which the leadership within the Council and its partners were protecting children and meeting their needs. It concluded that the leadership of *"Chief Officers, Elected Members and Senior Officers individually and collectively, have and consistently demonstrate their leadership and accountability for the effectiveness of their work, particularly in relation to the care, welfare and protection of all children and young people"*.

There was evidence of a long-established history of strong partnership working and very effective working relationships between and across all services and agencies within Perth and Kinross which was promoting a culture of working together to keep all children and young people safe from harm, abuse, neglect and exploitation. The ethos that *"It's everyone job to make sure I'm alright"* had been used very successfully to promote consistently high standards of practice and to support a culture where all staff were continuously striving to provide better outcomes and to improve the life chances of all children and young people. It was noted that *"National child protection policy and legislative developments have been embraced to promote a culture of continuous improvement and change across children's services, with the key themes and consistent messages being translated into a wide range of practice environments, including Foster Care"*. There was a recognition that procedures and guidance could not in themselves protect children and young people and there was an explicit focus on developing a competent, skilled and confident workforce.

The findings of that inspection concluded that leadership and direction in services to protect children was excellent and the approach taken by the Council and its partners ensured that this was having a significant positive impact across all services for children, young people and families.

	<p>The promotion of the voice of carers and children and young people who experienced care was evident in self-evaluation. Children and young people expressed their views about their experiences and foster carers were involved in the self-evaluation days. This contributed to an ethos of sharing of responsibility for providing a high-quality service and being part of a skilled team around children in care.</p> <p>Perth and Kinross Council also supported the development of a social work led therapeutic service known as Family Change. This provided easy access to play and art therapy alongside advice to foster carers to assist them in understanding and managing children's behaviour. This was held in high regard by families and carers and allowed for reparative care to be attuned to the needs of individuals.</p> <p>Who Cares? Scotland was founded in 1978 and provided the voice of children and young people who are looked after and accommodated. Perth and Kinross Council commissioned Who Cares? to provide independent support and advocacy to children and young people looked after in foster care. This means that their voice was heard within Looked After reviews and Children's Hearings. In addition, the Council supported an independent approach to the review of children's circumstances with a small team of reviewing officers. The strategy over this period included a target to include additional review meetings over and above the statutory requirement thus ensuring that the child's placement was meeting their needs at an early stage.</p>
b)	<p>What did the local authority see as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?</p> <p>1930 -1975 In line with the answer given in a) above, the few records available do suggest the function/ethos/objective was to give a child <i>"the nearest approximation of family life"</i>.</p> <p>1975 – 1996 The foster care agreement in place during this period stated that the role of the carer was to <i>"exercise a partnership of care of the child"</i> and that this was to be with the Council and the child's parents. It is also stated in the agreement that the carer <i>"shall provide a good quality of physical and emotional care for the child and that they endeavour to create an atmosphere of acceptance, safety and trust for the child at the time when he or she is living separate from his parents"</i>.</p> <p>1996 – December 2014 The foster carer agreements in place during this period state <i>"you must provide a good quality of physical and emotional care in line with ... national standards. You must endeavour to create an atmosphere of acceptance, safety and trust for the child at the time when he or she is living separately from his or her parents. You must care for the child as if he or she was a member of your family."</i></p> <p>In 2006, the Council agreed a policy in relation to fostering and adoption services. The foster carer's functions/ethos/objectives were consistent with this policy and the aims set out in the policy. These included the provision of quality, safe care in homely settings; a child centred approach with promotes the development, learning and achievement of each child and respect for racial, religious, cultural and linguistic backgrounds.</p>

		<p>The policy also states that the role of the foster carer to “to uphold the principles outlined in the National Standards for Foster Care and the National Care Standards: that is, giving due attention to the child’s dignity, privacy, choice and safety, helping them to realise their potential, promoting their equality and valuing diversity.”</p> <p>The aims and objectives of the fostering service were to support the children and young people who are looked after away from home to experience a nurturing and caring family environment in their local community. Through enhanced prevention and support the service would work to improve wellbeing and optimise the life chances of vulnerable children and young people.</p>
c)	<p>Were there changes over time in terms of what the local authority saw as its function, ethos and/or objective in terms of the foster care service it provided for children?</p>	<p>Yes</p>
d)	<p>If so, what were the changes and when and why did they come into effect?</p>	<p>Note: The answer to this question is the same as 1.5a. Over the entire period it can be seen that changes came about for a range of reasons including changes in legislation, national policy or guidance and internal changes in practice.</p> <p>1930 -1975</p> <p>There are few records available which give any insight or information in relation to this question. There are references in the latter part of the 1930s to the boarding out of children, initially accommodated in poor houses and that “<i>the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution</i>”.</p> <p>In 1948 there is a reference in a Children’s Officer file to boarding out giving children “<i>the nearest approximation of family life</i>”. This was in the context of the Children’s Officers observations on the proposed 1947 Regulations relating to boarding out.</p> <p>In the Medical Officer Annual Report for the County Council in 1948, it states that “<i>there has been a steady increase in the work of caring for children who for various reasons may not be receiving proper care and attention, and as the facilities available becomes more widely known, the demand for these is likely to continue to increase. It is clear that a great deal of the work of the Children’s Officer will be of an educative</i></p>

remedial nature involving a considerable amount of patience and time, since it is all important that the utmost should be done to maintain the family unit. Removal should be the exception and should if at all possible, terminate by return to parental care. If this is not possible, "boarding out" with carefully selected foster parents is the method of choice. These principles are being put into practice with considerable success, but there will always be a number of children who for one reason or another must be regarded as unsuitable for boarding out and for whom permanent stay in a local authority home is necessary.

It does seem that the objective over this period was for children who came into care to be cared for in a setting which resembled family life where possible. In 1962, the Annual Report by the Chief Medical Officer of Health states *"Children from broken homes, either temporarily or permanently, require a settled way of life, if not in their own home with parents, then in a substitute home with substitute parents. Some children settle down in the Children's Home and are happier there than in an ordinary home. Most children, however, like to have a home, a home which they can call their own, some place they can speak about, and to have parents, even substitute parents, whom they can call "Mummy" and "Daddy" or "Auntie" and "Uncle." In the Child Care Service, those people are called foster-parents or guardians, and are now very much a part of the wider Child Care Service.....It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing. This, in turn, should lead to better citizenship and in time should help to reduce the number of problem children and problem families who require to be treated in some way or another today. It is hoped, and every endeavour must continue to be made, to increase the number of children with foster-parents in order that as many children as possible can benefit from an ordinary home life and upbringing."*

In 1967 there is a similar reference by the Children's Officer in response to a Circular 5/1967. It is recorded that *"it is well established that the fostering of children with good foster parents is the means of a child getting the nearest approximation to family life and thus receiving the opportunity to develop and become equipped for the transition to independence and self-reliance in later years"*.

1975 – 1996

In the early 1970s, evidence shows that the ethos in the organisation at that time was about improving how care could be provided. There was also a focus on the cost benefit of the improvements for children whilst recognising constraints on the budget at the time.

From the mid-1980s it can be demonstrated that the organisation had a determined and sustained focus on improving the care service it provided for children. It developed strategies drawing on research and good practice which improved staff training and qualifications and introduced a focus on care planning which allowed the child's voice to be heard.

No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report "Children in Crisis: A Strategy for Children and their Families" outlined key policies that should underpin all work with children and their families in Tayside.

The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.

Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents. No information is available to indicate whether this scheme was subsequently implemented although it is known from Perth and Kinross Council organisational memory that this was implemented as the "Mainstay Scheme".

1996 – December 2014

Perth and Kinross Council and its partner agencies placed the highest priority on keeping all children and young people safe and protecting them from harm, abuse, neglect and exploitation. It consistently and publicly declared its strong commitment to zero-tolerance of abuse, neglect and exploitation.

Since 2002, the message that it is *everyone's job* to protect children has been continually reinforced and a partnership approach has been led by Perth and Kinross Council, via the Children, Young People and Families Partnership (CYFPF). All efforts have been made to protect all children and young people and keep them safe at home, in school and within the community. This ethos applies equally to all children, including those in foster care and / or residential care and the principles of this approach are the same. This collective approach aims to provide better outcomes for all children and young people.

The Council had been proactive along with partners in the Child Protection Committee (CPC) to continually improve children's services and child protection services for all children and to respond to new and emerging risks to children. Getting it right for every child (GIRFEC) added emphasis to the importance of foster care with the publication of "Getting it right in kinship and foster care" in Dec 2007. This strategy had two main aims, delivering a child-centred approach to kinship and foster care, supporting high quality kinship and foster care and a focus on early support. Perth and Kinross Council adopted the GIRFEC approach throughout its services seeking to ensure that children and young people who were looked after received the highest possible quality of care and positive outcomes emphasising the involvement of foster carers in the planning for individual children; encouraging foster carers to commit to children beyond 16-18yrs and at the same time investing in preventative approaches to prevent children coming into care such as early family support.

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	<p>responsibilities for looked after children. This commenced with a system whereby a lead officer mentored a child who was currently accommodated. They had a responsibility to oversee the arrangements for their care and progress across all aspects of their lives and to address any perceived barriers to their wellbeing and to achieving their full potential. For example, a corporate parent liaising with the lead social worker for a child who was looked after ensured that the young person had suitable accommodation when they moved into independent living or had all the financial support, they need to take up further or higher education. Through this the understanding of the needs of looked after children grew and a holistic approach to providing the best opportunities for looked after children was promoted.</p> <p>In 2008, the Scottish Government published <i>"These are our bairns: a guide for community planning partnerships on being a good corporate parent"</i> this provided guidance for Councils and community planning partners on how to improve outcomes for looked after children and young people and care leavers. This provided additional impetus for the local approach to corporate parenting and a sense that children who were looked after were "our children" and a strengthened ethos that everyone working within the Council and its public service partners should be striving for the very best for children in care in the same way that they would strive for their own children. This ethos permeated the corporate parenting approach and was driven passionately by the Council's Chief Executive and Senior Management Team and the Community Planning Outcome Delivery Group for Children and Young People, the Children, Young People and Families Partnership (CYFPF).</p> <p>A corporate parenting strategy was produced to ensure that the needs of looked after children were considered within Council policy and decisions. Applying this ethos to all children has meant that the organisation has been very proactive in ensuring there has been a significant investment to secure the highest standards of care. Constantly reviewing the models of care, participating in national initiatives on safe recruitment and capital investments are all evidence of this shared partnership commitment.</p> <p>Between 1999 and 2006 there is evidence of Service Plans which drove forward improvements across all Children's Services. In these plans the local authority identified one of their key service objectives as <i>"meeting the assessed needs of vulnerable children through a range of community supports, protecting children from harm and fulfilling their statutory duties to children who are 'looked after' by the council."</i> This included improving the Foster Care Service.</p> <p>An example of this can be seen in the Education and Children's Service Plans between 2001-2004, whereby one of the main service objectives was to implement the Foster Care and adoption policy and invest more to increase the number of temporary and permanent carers by 20%, reduce the length of time children are awaiting placement by 30% and increase the number of carers per 1000 children by 10% by 2004.</p>
e)	<p>Over the period 1930 – 1975, there are few records available, but there does appear to be some limited evidence of shift from viewing the role of the carer as provider of accommodation and board towards recognition of the importance of foster carers in giving children who could not be cared for by their parents a family life, where they were cared for as if they were a child of the carer's family.</p> <p>Over the period 1975 to December 2014, the expectation that carers provided more than just day to day care changed throughout this period to the expectation that foster carers have a key role in providing reparative care. The main change was in the understanding of the important contribution foster carers have in helping children to overcome adverse experiences in earlier childhood and to focus on developing strong</p>

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	<p>objective in terms of the service that the foster carer provided to children placed with him or her?</p>	<p>attachment and promoting resilience. Carers were given training and received individual support to enhance their skills. Their level of understanding of child development was increased and their role in offering therapeutic care was developed.</p> <p>Social work practice evolved and improved and included the preparation of individual care plans for each child which created a shift away from basic daily care routines to plans which focused on the holistic needs of each child and set out for a role for foster carers in the promotion of all aspects of a child's health, wellbeing and recovery from adverse experiences.</p>
<p>f)</p>	<p>If so, what were the changes and when and why did they come into effect?</p>	<p>1930 – 1975 From the limited records available, changes appear to have been driven by the issuing of government Circulars and guidance, and changes in legislation.</p> <p>1975 – 1996</p> <p>There is no information other than that contained in answer 1.5a, which is replicated here:</p> <p>No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report "Children in Crisis: A Strategy for Children and their Families" outlined key policies that should underpin all work with children and their families in Tayside.</p> <p>The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.</p> <p>Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents. No information is available to indicate whether this scheme was subsequently implemented although it is known from Perth and Kinross Council organisational memory that this was implemented as the Mainstay Scheme.</p> <p>1996 – December 2014</p> <p>There has also been evidence throughout the years of change and innovation to improve standards and systems to protect children being cared for. There is evidence that such changes have been incremental and sustained.</p>

		<p>For example, The Scottish Executive Report 2002 <i>"it's everyone's job to make sure I'm alright"</i> which resulted in the Scottish Executive's Child Protection Reform Programme (2003 – 2006) was embraced by the organisation as a whole system approach.</p> <p>The <i>Protecting Children and Young People: Children's Charter and Protecting Children and Young People: Framework for Standards</i> (Scottish Executive: 2004) and <i>Protecting Children and Young People: Child Protection Committees</i> (Scottish Executive: 2005) Guidance was adopted by Perth and Kinross Council and partner agencies and the Children, Young People and Families Partnership established which continues to provide strong leadership, direction, scrutiny and challenge to the work of the Child Protection Committee and other local strategic children's services partnerships.</p> <p>This approach has ensured that the ethos of <i>"Getting it right for every child"</i> has been implemented, embedded and has driven improvement in service provision, oversight and governance not just in the organisation, but across all children's services, including foster care.</p> <p>Recurring Joint Inspections of Perth and Kinross Services for Children and Young People and Fostering and Adoption Services by the Care Inspectorate and its predecessor organisations since 2005, together with a shared commitment to quality assurance and self-evaluation of Children's Services, has allowed the Council to identify key strengths; areas for further improvement and underpinned its commitment to continuous improvement, all aimed at providing better outcomes for all children and young people.</p> <p>In relation to the recent past and present position, Perth and Kinross Council and partner agencies have placed the highest priority on the protection of all children and young people. It has consistently and publicly declared its strong commitment to zero-tolerance of harm, abuse, neglect and exploitation.</p> <p>Since 2002, the message that it is <i>everyone's responsibility</i> to protect children is continually reinforced and a partnership approach has been led by Perth and Kinross Council, via the Children, Young People and Families Partnership (CYPFP). All efforts are made to protect children and young people and keep them safe at home, in school and within the community. The Council is proactive along with partners in the Child Protection Committee to continually improve child protection services and to respond to new and emerging risks to children.</p> <p>The organisation has set an excellent example in the way that it has taken forward its corporate parenting responsibilities and for example its advocacy scheme included senior officers across the community planning partnership was sector leading at the time.</p>
Present		
g)	With reference to the present position, are the answers to any of the above	Yes

	questions different?	
h)	If so, please give details.	<p>The Council remains strongly committed to maintaining looked after children and young people within their local communities where possible. This has resulted in a high percentage of children and young people being cared for in a community placement. This has been above the national average since 2014 and the Council was ranked 1st out of 32 Scottish Local Authorities in 2018/9.</p> <p>There is independent evidence of continuous focus on improving outcomes for individual children and young people who are looked after. The Joint Inspection of Services for Children and Young People led by the Care Inspectorate and which reported in April 2018 found that looked after children were experiencing very good outcomes as exemplified below:</p> <p><i>“Children and young people who were no longer able to remain at home thrived as a result of the encouragement, care and predictable routines and boundaries established by kinship and foster carers, and residential care staff. This helped them achieve a greater sense of security. Where appropriate, children and young people were supported to maintain important family relationships and community ties”.</i></p> <p>The underpinning ethos for the delivery of the service continues to be refined as our understanding about high quality experiences for children and young people deepens and national expectations were raised as a result of the commencement of the Children and Young People (Scotland) Act 2014. For example, with the legal duty to offer Continuing Care to children in foster care, foster carers are encouraged to continue to provide placements up until the age of 21. We now also have a robust financial package for foster carers who provide continuing care.</p> <p>There is independent evidence of continuous focus on improving support for young people with care experience as they leave school and move towards independence. The Joint Inspection of Services for Children and Young People led by the Care Inspectorate and which reported in April 2018 found that young people were given very good support in this regard:</p> <p><i>“Young people remaining in kinship and foster placements beyond the age of 16 years benefitted greatly from living in a stable home base. Care leavers moving on to independent living were enabled to make informed choices as a result of the advice, guidance and practical supports provided by throughcare and aftercare workers and their multi-agency partners.... Care experienced young people were also making good progress upon leaving school with the percentage of young people entering a positive destination (88%) exceeding the national average of 77%. Similarly, a higher than average number of care leavers were meaningfully engaged with throughcare and aftercare services. Increasing numbers of young people were choosing, and being enabled to remain within, their care placement beyond the age of 16 years. This was having a positive impact on young people’s long-term stability and supporting increasing numbers of looked after young people to remain within education. Arrangements were in place that meant care leavers did not have to register as homeless and could access personalised housing support as and when required”.</i></p> <p>The 2014 Act also enforced a placement limit of 3 unrelated children in each placement. This emphasises the ethos of support and nurture and recognises the extent to which children need and carers must offer individualised support.</p>

The current aims and objectives of the Perth and Kinross Council Fostering Service also help answer this question:

Aims & Objectives of Perth & Kinross Council Fostering Service

Statement of Purpose

The Fostering Service in Perth & Kinross Council recruits, assesses, supports and supervises registered foster carers for those children and young people who have been assessed as requiring a foster placement on a respite, temporary or permanent basis. The Service also undertakes the same duties in respect of short breaks carers for children with additional support needs.

PKC Fostering Service works to support the children and young people who are looked after away from home to experience a nurturing and caring family environment in their local community. Through enhanced prevention and support we work to improve wellbeing and optimise the life chances of vulnerable children and young people.

"Our commitment as Corporate Parents will focus on securing stable, nurturing and caring environments; supporting young people to remain and achieve in school; continuing in care beyond the leaving age; enhancing opportunities for positive post-school destinations; and providing ongoing support into early adulthood up to the age of 26 years." (The Tayside Plan for Children, Young People and Families, 2017-2020, p.13)

AIMS

- *Provision of high quality, safe and stable family placements which will promote and contribute to positive outcomes for our looked after children*
- *To match placements using a child centred approach to ensure the development, learning and achievement of each individual child is supported*
- *Provision of a range of fostering resources to meet the variety of needs of children and young people in Perth & Kinross*
- *Provision of quality and inclusive support to registered foster carers ensuring their views are recorded and represented*
- *Provision of a variety of training opportunities relevant to the children and young people who are in placement; and which encourages foster carers' professional learning and development*
- *Respond within agreed timescales to enquirers and with appropriate information regarding the fostering task*
- *Recruitment of a diversity of foster carers to meet a range of needs*
- *Support for foster carers and children throughout the teams and out of hours services seven days a week, 24 hours a day*

OBJECTIVES

- *To ensure that the service provided to children, young people, foster carers, and birth families meets the requirements of relevant legislation and regulations and the National Care Standards for Foster Care and Family Placement Services; and PKC policies and procedures*
- *To ensure the participation of children, young people, birth and foster families in the development of the service*

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| | | <ul style="list-style-type: none">• <i>To consult with our partners and stakeholders regarding the quality of the service we provide and use the comments and suggestions to inform our practice development</i>• <i>To undertake the preparation, assessment, training, support and supervision to foster carers in order that they develop their skill in providing reparative care</i>• <i>To provide consistent support and supervision to staff within the Fostering Service and regular training and development opportunities to ensure best practice in their role with foster carers and children and young people in placement.</i> |
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1.6 Numbers																																																	
(i) Local authority																																																	
Past																																																	
<p>a) How many children did the local authority accommodate at a time in foster care and in how many placements?</p>	<p>1930 -1975</p> <p>There is information about the numbers of children in the care of the local authority in the annual reports by the Medical Officer for Health/Children’s Officer for the County of Perth, for the years 1948 to 1968. However, this only provides information on the number of children placed and not the number of foster homes.</p> <p>No information has been located in relation to years 1930 to 1947. There are numerous records relating to Perth Town Council for the 1930s which indicate that a number of children were “boarded out for reward” by parents, rather than being boarded out by the local authority. In this regard there are numerous records of the numbers of application which were received for permission to board out for reward under the Children and Young Persons (Scotland) Acts 1932 and 1937. The role of the local authority in these cases was to visit the placement, but those children would not be viewed as accommodated in foster care by the local authority. This arrangement was more akin to private fostering.</p> <p>The years between 1939 and 1945 appeared to focus more on the war effort and evacuation of children to the area.</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Foster carers</th> <th>Relatives</th> </tr> </thead> <tbody> <tr><td>1948</td><td>11</td><td>17</td></tr> <tr><td>1949</td><td>18</td><td>15</td></tr> <tr><td>1950</td><td>17</td><td>17</td></tr> <tr><td>1951</td><td>24</td><td>18</td></tr> <tr><td>1952</td><td>26</td><td>25</td></tr> <tr><td>1953</td><td>34</td><td>16</td></tr> <tr><td>1954</td><td>26</td><td>29</td></tr> <tr><td>1955</td><td>34</td><td>16</td></tr> <tr><td>1956</td><td>38</td><td>29</td></tr> <tr><td>1957</td><td>36</td><td>29</td></tr> <tr><td>1958</td><td>43</td><td>29</td></tr> <tr><td>1959</td><td>46</td><td>25</td></tr> <tr><td>1960</td><td>41</td><td>32</td></tr> <tr><td>1961</td><td>41</td><td>28</td></tr> <tr><td>1962</td><td>59</td><td>18</td></tr> </tbody> </table>	Year	Foster carers	Relatives	1948	11	17	1949	18	15	1950	17	17	1951	24	18	1952	26	25	1953	34	16	1954	26	29	1955	34	16	1956	38	29	1957	36	29	1958	43	29	1959	46	25	1960	41	32	1961	41	28	1962	59	18
Year	Foster carers	Relatives																																															
1948	11	17																																															
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1960	41	32																																															
1961	41	28																																															
1962	59	18																																															

[APG]

1963	65	16
1964	62	14
1965	64	16
1966	62	12
1967	59	10
1968	63	18

Some limited information has been located in returns made to the Scottish Office for years 1969 to 1972. It is believed that this also relates to the County Council area:

Year	Foster carers	Relatives
1969	61	22
1970	90 (may be a total figure as no separate figure for relatives)	-
1971	99 (may be a total figure as no separate figure for relatives)	-
1972	93 (may be a total figure as no separate figure for relatives) NB this is also differently described as being under section 15 Social Work (Scotland) Act 1968	

Very limited information has been located for the City of Perth, as the annual reports by the Chief Medical Officer for Health for the City of Perth do not contain this information. From miscellaneous files located in the Perth archive the following information was found for Perth City:

Year	Foster Carers	Relatives
May 1949	46 (no note of whether relatives or foster carers or whether this includes residential placements)	
May 1950	58 (no note of whether relatives or foster carers or whether this includes residential placements)	
June 1951	79 (no note of whether relatives or foster carers)	

	or whether this includes residential placements)	
May 1952	71 (no note of whether relatives or foster carers or whether this includes residential placements)	
Gap		
May 1966	27	19
January 1967	26	12
January 1968	26	13
November 1969	23	12
January 1969	22	13

1975-1996

The only available figures are:

Sept 1980 – 370 children placed in foster care

March 1981 - 377

March 1984 - 380

March 1986 - 339

March 1987 – 336

Report number TRC 1371/91 indicates that there had been a 24% increase between March 1989 and September 1991 in respect of foster placements and a 183% increase in mainstay placements.

1996 – December 2014

The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008. Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in **Appendix One**.

The CLAS Return (Children Looked After Statistics) produced by Scottish Government published limited accommodation type for the fiscal years 2000/01 to 2006/07 (care placements were broken down to “community”, “residential” or “secure”. From 2006/07, Scottish Government improved their reporting format and information on children/young people in foster care placements were noted, for example, as Foster Care provided by LA (Local Authority) and Foster Care Purchased by LA, which was broken down to LA level.

<p>b)</p>	<p>How many foster carers were approved/registered by the local authority at any given time? How many placements for children did this represent? How many placements were in use at any given time?</p>	<p>1930-1975</p> <p>No records have been found which provide information or insight into this question. The only information which exists relates to the numbers of children boarded out/fostered.</p> <p>1975 - 1996</p> <p>No information is available</p> <p>1996 to December 2014</p> <p>The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008.</p> <p>Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in Appendix One.</p>
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Number of Foster Carer Placements by Category								
	Total No of Foster Carers	All Types	Emergency	Permanent	Respite	Short Breaks – Child Health	Short Term	Temporary
31/03/1981	1	1						
31/03/1982	1	1						
31/03/1983	1	1						
31/03/1984	1	1						
31/03/1985	3	1						3
31/03/1986	3	1						3
31/03/1987	4	1			1			2
31/03/1988	8	1			6		9	3
31/03/1989	10	4			6		9	6
31/03/1990	10	4			6		9	6
31/03/1991	13	4			6		18	6
31/03/1992	14	4			9		18	6
31/03/1993	15	4			9		18	7
31/03/1994	17	4			10		21	7
31/03/1995	20	6			10		27	7
31/03/1996	20	6			10		27	7
31/03/1997	20	6			10		27	7
31/03/1998	23	6			11		29	11
31/03/1999	24	9			11		29	11
31/03/2000	26	9		2	11		33	11
31/03/2001	28	9	1	2	11		36	11
31/03/2002	29	9	1		12		36	14
31/03/2003	33	9	2	3	15		39	14
31/03/2004	37	9	2	3	22		42	12
31/03/2005	47	17	2	5	27		45	14
31/03/2006	54	19	2	5	31		45	15
31/03/2007	56	19	2	9	32		41	16
31/03/2008	59	20	2	10	27	2	37	23
31/03/2009	60	22	4	9	26	3	31	25
31/03/2010	47	23	4	5	17	3	17	21
31/03/2011	55	28	4	7	17	3	14	30
31/03/2012	61	31	4	11	18	5	11	33
31/03/2013	66	35	4	13	19	5	8	35
31/03/2014	68	32	4	13	19	5	8	39
31/03/2015	66	31	3	13	16	3	8	41
31/03/2016	69	31	3	13	17	2	5	44
31/03/2017	68	29	3	12	19	1	5	43
31/03/2018	66	29	5	12	17	1	5	39
31/03/2019	69	38	5	12	15	1	5	39
31/03/2020	70	41	5	12	15	1	1	41

c) If foster carers were approved/registered by the local

1930-1975

	<p>authority as providing only specific types of care – e.g. respite care, short-term foster care, long-term foster care – please provide details of the categories and the numbers of placements in each.</p>	<p>No records have been found which provide information or insight into this question. There are some limited records which indicate that a distinction was made between long term and short-term foster care, particularly in relation to payment of allowances, but nothing has been located which sets out in full the different categories used of the numbers of carers and placements in each category.</p> <p>1975 to 1996</p> <p>The only information available is Article 1685 (Social Work Committee, 23rd January 1989). Report No 1362/90 was submitted by the Director of Social Work intimating that discussions had taken place with mainstay carers on issues relating to respite, holiday, assessment and emergency care arrangements. The Committee agreed to extend the Mainstay Scheme to provide planned and respite holiday arrangements and to authorise the Director of Social Work to recruit carers to provide weekend and longer respite care.</p> <p>The foster carer agreement in place during the 1980s refers to “all types of fostering including short term and mainstay”.</p> <p>1996 to December 2014</p> <p>In November 2004, a report to the Council’s Lifelong Learning Committee in relation to a review of adoption and fostering described the different categories of fostering in place at that time. These were respite, temporary and permanent. There was also a specialist foster carer scheme for teenagers called the Care4 Scheme.</p> <p>The 2006 policy on fostering and adoption services describes categories of foster carer in place at that time. These were respite, temporary, permanent and Care4.</p> <p>The 2013 Foster Carer Handbook described the categories of carer as respite, short break, temporary and permanent.</p>
<p>d)</p>	<p>Please provide details of any material changes in numbers of children, placements or foster carers, and the reasons for those changes?</p>	<p>1930 to 1975</p> <p>The only information available is set out in the table in 1.6(i)(a) above. The reasons for fluctuations in the numbers of children in care cannot be identified from the available records, although there are periodic references to increase in family breakdown being a matter of concern.</p> <p>1975 to 1996</p> <p>The reasons for the change in numbers is not known.</p> <p>1996 to December 2014</p>

Figures for the period from 2008 to date are set out in an excel spreadsheet contained in **Appendix One**.

The number of carers and placements provided have remained steady from 2008 to 2014 (it is acknowledged that the data in Appendix One shows a steady increase from 2008 to 2015 but this is because that data included some kinship carers). The focus on recruitment of carers remained a priority to ensure that there was a supply of new foster carers to keep up with the turnover due to retirement etc.

Nationally, the increasing numbers of registered independent fostering agencies has had an impact on the ability to recruit carers. The saturation of the market meant that the Council was competing for the same potential carers along with national agencies. The ability of these agencies to pay more in the way of fees and to offer bespoke arrangements also became a feature for competition. As a result, the Council's recruitment programme emphasised the provision of high quality round the clock support and a guarantee of placements for local children.

Some foster carers found the change in emphasis in their role from one of providing basic care to that of providing more nurturing care with higher expectations in terms of their parenting skills and commitment to training too challenging. The increasing complex needs of the children and young people was also challenging and inevitably, some decided to withdraw from fostering.

The management of supply and demand has been complex over time and there have been periods when supply could not meet demand.

Much of the above remains today. The expansion of family-based care transformation project allowed for specialist recruitment strategies to be put into place which showed success in recruitment. The goal of reducing external placements was achieved and those placed with independent agencies now are permanently placed so placements will remain until the young people reach independence.

e)	How many children in total were accommodated by the local authority (whether in foster care or otherwise)?	<p>1930 – 1975</p> <p>These figures are for the County of Perth.</p> <table border="1" data-bbox="506 674 1037 1346"> <thead> <tr> <th>Year</th> <th>Total children in care</th> </tr> </thead> <tbody> <tr><td>1948</td><td>73</td></tr> <tr><td>1949</td><td>73</td></tr> <tr><td>1950</td><td>110</td></tr> <tr><td>1951</td><td>105</td></tr> <tr><td>1952</td><td>119</td></tr> <tr><td>1953</td><td>114</td></tr> <tr><td>1954</td><td>104</td></tr> <tr><td>1955</td><td>127</td></tr> <tr><td>1956</td><td>135</td></tr> <tr><td>1957</td><td>133</td></tr> <tr><td>1958</td><td>150</td></tr> <tr><td>1959</td><td>122</td></tr> <tr><td>1960</td><td>131</td></tr> <tr><td>1961</td><td>129</td></tr> <tr><td>1962</td><td>135</td></tr> <tr><td>1963</td><td>150</td></tr> <tr><td>1964</td><td>120</td></tr> <tr><td>1965</td><td>119</td></tr> <tr><td>1966</td><td>118</td></tr> <tr><td>1967</td><td>118</td></tr> <tr><td>1968</td><td>139</td></tr> <tr><td>1969</td><td>Not located</td></tr> <tr><td>1970</td><td>147</td></tr> <tr><td>1971</td><td>174</td></tr> </tbody> </table> <p>Very limited information has been located for the City of Perth, as the annual reports by the Chief Medical Officer for Health for the City of Perth do not contain this information. From miscellaneous files located in the Perth archive the following information was found for Perth City:</p>	Year	Total children in care	1948	73	1949	73	1950	110	1951	105	1952	119	1953	114	1954	104	1955	127	1956	135	1957	133	1958	150	1959	122	1960	131	1961	129	1962	135	1963	150	1964	120	1965	119	1966	118	1967	118	1968	139	1969	Not located	1970	147	1971	174
		Year	Total children in care																																																	
1948	73																																																			
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1967	118																																																			
1968	139																																																			
1969	Not located																																																			
1970	147																																																			
1971	174																																																			

Year	Total in Care
May 1966	94
January 1967	98
January 1968	89
November 1969	101
January 1969	90

1975 – 1996

The only available figures are:
March 1987 – 621

1996 – December 2014

The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008.

Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in **Appendix One**.

Figures for the period 2001 to 2007 are available from the Scottish Government website as part of the national statistics for looked after children.

f)

In general terms, was the main service provided by the local authority the provision of residential care for children in establishments, or was it the provision of foster care?

1930 - 1975

Despite the difficulties in drawing detailed comparisons across time periods it is evident that that the use of Foster Care increased markedly over the period from 1948 to 1972. Nevertheless, when compared to the overall figures of children in care, residential care was still the predominant form of care provided by the Councils at that time.

1975 - 1996

Based on the above figures more children were placed in Foster Care (336) than residential care (285) as at March 1987

1996 - December 2014

		<p>The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008.</p> <p>Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in Appendix One.</p> <p>Figures for the period 2001 to 2007 are available from the Scottish Government website as part of the national statistics for looked after children.</p>
Present		
g)	With reference to the present position, are the answers to any of the above questions different?	Yes.
h)	If so, please give details.	Figures for the period from 2014 to date are set out in an excel spreadsheet contained in Appendix One .

1.7 Children's Background/Experience		
Past		
a)	Did the children placed in foster care generally have a shared background and/or shared experiences?	<p>1930 -1975</p> <p>For the period 1930 – 1960 no records have been found which provide any great depth of information about the background and experiences of children who were placed in foster care. Throughout the 1950s there are comments in Annual Reports of the Medical Officer of Health which indicate that poor living conditions and desertion of a parent were among the reasons for children coming into care. By the late 1950s there are comments about “family breakdown” being an emerging concern with financial worries being noted as a potential cause.</p> <p>It is not until 1960 that reasons for children coming into care are recorded in the Annual Reports of the Medical officer for Health. The figures are available for 1960-1968 and relate to all children coming into care, rather than just foster care.</p> <p>It can be concluded that some children did have shared backgrounds or experiences, but it can also be seen that there were many differing reasons for children being taken into care. It is likely that a large number of children were in care for a short time (for example those in care due to confinement of the mother or illness of a parent). Apart from these instances, the most prevalent reason for children coming into care was illegitimacy, and it seems likely that most of these children will have spent their childhood in care, and some will have been adopted. It can also be reasonably inferred that poverty and lack of extended family support were significant factors in children being taken into care.</p> <p>1975 – 1996</p>

		<p>As with all young people who were received into care, they will share the common background that they have not been able to be cared for at home. Some were referred for welfare reasons including a parent being unable to care for their child and asking that their child be received into voluntary care. Others will have had similar experiences of abuse which resulted in referrals to the Children's Hearing. It is of note that a significant number of children will have been referred to the Children's Hearing on offence grounds although the actual reasons for their needing to be in care may have had little to do with offending behaviour.</p> <p>1996-December 2014</p> <p>For the period 2008 – December 2014, the excel spreadsheet attached at Appendix One shows the main reason for children becoming looked after in foster care. This data provides a sense of a shared background and experience, principally relating to parental substance misuse, and risk of abuse and neglect.</p>
b)	<p>Were children admitted into the care of the local authority, or were they admitted into the care of particular foster carers?</p>	<p>1930 -1975</p> <p>The main available source of information in relation to arrangements for foster care, or boarding out, in this period is the Annual Reports of the Medical Officer for Health. No information is recorded about the basis on which children were boarded out although it can be inferred from 1948 onwards that children were admitted to care, and then placed either in residential care or boarded out.</p> <p>1975-1996</p> <p>Children were admitted into the care of the local authority.</p> <p>1996 – December 2014</p> <p>The Children (Scotland) Act 1995 sets out how children are to be accommodated by the Council when they cannot be cared for by their parents. Section 26 gives the Council a range of options when accommodating children. Children will become looked after by the Council either under section 25 of the Act, and then placed in a suitable form of placement under section 26; or the Children's Hearing will make a Compulsory Supervision Order (or an Interim Order) under the Children's Hearings (Scotland) Act 2011 with a condition that the child reside in a particular place. This could be a foster placement.</p>
c)	<p>Who placed children with the local authority?</p>	<p>1930 – 1975</p> <p>There are limited records available, but in the main, the evidence from files suggests that the majority of children were placed in the care of the local authority with the parent's agreement.</p>

	<p>1975-1996</p> <p>Under s.15 SW(S)A1968 parents will have placed the child with the local authority. Other children will have been placed through the Children’s Hearing or occasionally from the courts (Freeing or Parental Rights)</p> <p>1996 - December 2014</p> <p>Children were placed with the local authority in the manner set out in the statutory framework in place periodically. A number of children will have become looked after with the agreement of their parents under section 25 of the Children (Scotland) Act 1995, but the excel spreadsheet attached at Appendix One shows that the majority of children in foster care were placed by the Children’s Hearing. In some instances this will have been following a period of accommodation on section 25; in other cases following the granting of Child Protection orders, and in some cases the children will have been on home based orders through the Children’s Hearing and will have been placed in foster care by the Hearing making an order with a condition of residence in a foster placement, following deterioration in home circumstances.</p> <p>There will also have been a small number of instances where a child looked after by another local authority was placed in foster care with carers approved by Perth and Kinross Council.</p>
d)	<p>From 15 April 1971 (the date on which the Children’s Hearing system was introduced), did the local authority receive children mainly through the Children’s Hearing system?</p> <p>1930 – 1975</p> <p>There is very little information in records which is relevant to this question. Only one report has been located containing figures for 1972. This indicates that at that time, the majority of children were received into care under section 15 of the Social Work (Scotland) Act 1968 (93). The report notes that 70 children were subject to a supervision order under section 44(1)(a) and 15 under section 44(1)(b).</p> <p>1975 – 1996</p> <p>A proportion of children will have been directly received into care under s.15 SW(S)A 1968. Most other children will have come through the Children’s Hearing system.</p> <p>1996 – December 2014</p> <p>The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008.</p> <p>Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in Appendix One.</p> <p>Figures for the period 2001 to 2007 are available from the Scottish Government website as part of the national statistics for looked after children.</p> <p>The figures available indicate that the majority of children in foster care were subject to a compulsory supervision requirement (Children (Scotland) Act 1995) or compulsory supervision order (Children’s Hearings (Scotland) Act 2011). In some instances this will have been following a period of accommodation on section 25; in other cases following the granting of Child Protection orders, and in some cases the children will</p>

		<p>have been on home based orders through the Children’s Hearing and will have been placed in foster care by the Hearing making an order with a condition of residence in a foster placement, following deterioration in home circumstances.</p> <p>Through an agreement with Dundee and Angus Council there were a few occasions where placements with Perth and Kinross Council approved foster carers were provided to children from those Councils.</p>
e)	If not, generally how did children come to be admitted into the care of the local authority?	N/A
f)	How long did children typically remain in the care of the local authority?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care.</p> <p>These were made up as follows:</p> <ul style="list-style-type: none"> 4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s <p>From the evidence available from these case files, three quarters of the children remained in the care of the local authority throughout their childhood. This is evident throughout all the decades sampled.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975</p> <p>From records available it seems that where children were placed in care because they were illegitimate, those children remained in care for the remainder of their childhood if they were not adopted. There is insufficient information in the available records to draw any other conclusion about the typical length of time in care.</p> <p>1975 -1996</p>

		<p>There is no information available.</p> <p>1996 – December 2014</p> <p>The Council is not able to gather reliable statistical information from its social work information system to answer this question.</p> <p>The spreadsheet provided at Appendix One shows in each year how many looked after children ceased to be looked after and did not return home. This indicates permanent alternative care was sought for a number of those children. That would in turn suggest that those children spent a considerable part of their childhood as looked after children.</p>
g)	<p>In respect of children who were admitted into the care of the local authority, who made the decision as to whether they should be placed in foster care?</p>	<p>1930-1975</p> <p>There are minimal relevant records in relation to this period. In November 1959 there is a Minute of the County Council's Children's Committee in relation to implementation of the Boarding-out of Children (Scotland) Regulations 1959. It is recorded there that it was agreed that the County Medical Officer and Children's officer would be empowered to decide the suitability of a child for boarding-out and that they would then report on each case.</p> <p>1975 -1996</p> <p>It is understood that, in the first instance, Tayside Region's local area social work team managers will have made the decision to place children with foster carers (or extended family members) unless their circumstances justified placement in residential care. The strategy document "<i>Children in crisis</i>" confirms practice from 1986 as being that a 'case conference' was to be held soon after the child's admission to care. Where a child had been received into care through a place of safety order and or referred to the Children's Hearing, the case conference would make a recommendation to the Hearing, however, the Hearing would make the decision as to whether to attach a condition of residence to any supervision order.</p> <p>1996 – December 2014</p> <p>The Council is not able to gather reliable statistical information from its social work information system for the period prior to 2008. Figures for the period from 2008 to 2014 are set out in an excel spreadsheet contained in Appendix One. Figures for the period 2001 to 2007 are available from the Scottish Government website as part of the national statistics for looked after children.</p> <p>The figures available indicate that the majority of children in foster care were subject to a compulsory supervision requirement (Children (Scotland) Act 1995) or compulsory supervision order (Children's Hearings (Scotland) Act 2011). In some instances this will have been following a period of accommodation on section 25; in other cases following the granting of Child Protection orders, and in some cases the children will</p>

	<p>have been on home based orders through the Children’s Hearing and will have been placed in foster care by the Hearing making an order with a condition of residence in a foster placement, following deterioration in home circumstances. Therefore, the decision will have been made by parents in the case of accommodation under section 25. In all other cases, the decision would have ultimately been made by either a Sheriff (Child Protection Order) or Children’s Hearing (CSOs), on the application or recommendation of the local authority respectively.</p> <p>During this period and the increasing emphasis on family-based care, the Council had reduced the capacity within its residential care homes for children and young people. The aim was to place children and young people with foster carers wherever possible. At the beginning of this period there were young people who were placed in purchased residential placements as a result of offending or poor school attendance. By the mid 2000’s there was a significant reduction in the number of purchased residential placements as more children were able to be placed in local foster care as a result of an increased skill base of foster carers.</p> <p>There was an increasing emphasis on considering what support was available within the extended family as the first resort when children could not remain at home. When this was not feasible the first consideration is to accommodate young people within foster care and only if their needs were so complex or risks too high would residential care be considered.</p> <p>The Council’s performance in relation to the balance of care was documented in the Local Government Benchmarking Framework with performance in recent years reaching over 90% of children in care being placed in community placements. In 2018/19, Perth and Kinross Council was ranked 1 out of 32 local authorities in this indicator.</p>
h)	<p>If the decision was made by the local authority, what criteria were applied?</p> <p>1930 – 1975</p> <p>No records are available which provide any insight or information in relation to this question.</p> <p>1975 – 1996</p> <p>The <i>Children in Crisis</i> strategy document established clear principles that when a child was unable to be cared for within their family they should be kept within their community through a foster placement were possible.</p> <p>1996 -December 2014</p> <p>The relevant statutory criteria were applied in the case of applications for Child Protection Orders, which included a professional judgement about the risk of harm to the child.</p> <p>Recommendations to the Children’s Hearing for a condition of residence with foster carers were based on an assessment of the child’s needs and the extent to which these could or could not be met by parents and an assessment of how best the child’s needs could be met in an alternative placement.</p>

		<p>As set out in previous answers, it was the policy and practice of the Council that where possible children should be placed in foster care and should only be placed in residential care where that was the most appropriate way of meeting the child's needs.</p> <p>With the publication of the National Fostering Strategy – Getting it Right for Every Child in Foster and Kinship Care in 2007/8, and the coming into force of the Adoption and Children (Scotland) Act 2007, placement of a child in kinship care as a first option became more clearly embedded in practice, although since the advent of the Children (Scotland) Act 1995, which supported the principle that children should be looked after in their families where possible, the Council had a practice of considering informal kinship options before making a decision to accommodate a child.</p> <p>The matching of children and young people with carers was an individual one. Carers were approved for a specific age range based on their skills and experience. Profiles of children and young people were completed and then considered by the carer. Profiles of a carer's abilities were also made available for placing Social Workers to ensure that they were aware of the carer's abilities. Using matching processes as well as risk assessments determined the use of foster care.</p>
i)	Were children moved between different foster care placements?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>In approximately one third of all the cases sampled throughout the decades young people had to change foster placements.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 to 1975</p> <p>No additional information</p> <p>1975 – 1996</p> <p>No additional information</p>

		<p>1996 – December 2014</p> <p>Yes</p>
j)	<p>If so, in what circumstances?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>In approximately one third of all the cases sampled throughout the decades young people had to change foster placements for a variety of reasons including the death of a carer (three children), the child’s behaviour and allegations of physical abuse both from and to the carers causing placement breakdown.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 to 1975</p> <p>No additional information.</p> <p>1975 – 1996</p> <p>Changes of placement happened either as a result of placement breakdown, a particular carer no longer being able to care for a child or as part of a children’s plan, for example, moving from temporary carers to permanent carers.</p> <p>1996 – December 2014</p> <p>Children and Young People moved between placements for a variety of reasons, including: for children to be reunited home; to be reunited with separated siblings; return home or to move to a permanent placement; and, on a few occasions because the carer was unable to manage the challenges associated with the care of individual children.</p>

		<p>There was growing understanding of the impact of placement moves on children and there were strategies in place to reduce moves along with close monitoring of performance in relation to this. This included the recruitment of carers, greater understanding of children's needs and support to the carer.</p>
<p>k)</p>	<p>Generally did children typically stay in one, or more than one, foster care placement?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>From the available evidence two thirds of the children remained in a single placement throughout their time in care.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 to 1975</p> <p>No additional information.</p> <p>1975 – 1996</p> <p>No additional information.</p> <p>1996 – December 2014</p> <p>Children can experience more than one placement. This is because children often come into care in an emergency and will be placed with foster carers who specialise in temporary care. Wherever possible children will be returned home at the soonest opportunity and if that does not occur it is likely that they will experience a placement move to a more longer-term placement. This would count as two placement moves.</p> <p>The Council's Business Management and Improvement Planning process has been used to monitor the number of placement moves of children who are looked after since 2013. It is acknowledged that this covers all types of placement for children who are looked after and is not restricted to foster care. This demonstrates that there are stringent efforts to reduce the number of placement moves experienced by all looked after children.</p>

		01/04/2013 - 31/03/2014	01/04/2014 - 31/03/2015	01/04/2015 - 31/03/2016	01/04/2016 - 31/03/2017	01/04/2017 - 31/03/2018	01/04/2018 - 31/03/2019	01/04/2019 - 31/03/2020
	Average number of placements (moves) experienced by Looked After 5-year olds in a rolling year*	1.07	0.86	1.26	1.2	0.91		
	Percentage of Looked After Children with more than 1 placement in the last year						20.60%	29%
<p>* Note: in 2018, this indicator was changed to match the Local Government Benchmarking Framework Indicator CHN23: Percentage of Looked After Children with more than one placement in the last year.</p> <p>There is also a growing awareness that children and young people's needs are more complex and at times can prove more challenging for a carer resulting in placement breakdown.</p> <p>Work on strategies to increase placement options at the point of the child becoming looked after by the local authority accommodation continues along with increased training and support to tackle placement breakdown. When permanent placements break down a disruption report is completed which will give reasons from all view points for the placement ending as well as learning for the future. These reports are used in staff training and carer reviews.</p>								
i)	What was the process for review of children's continued residence in foster care, in terms of whether they continued to require to be (a)	<p>1930 to 1975</p> <p>No records are available which provide any insight or information in relation to the specific process for review. There are references to children being visited, and it can be inferred that one of the purposes of that visit was to review the placement and to ensure that the child was safe and well.</p> <p>There are also several files which show that cases were subject to regular review by local authority committee at varying intervals. Some cases appeared to have been reviewed monthly, others three-monthly or annually. There is evidence of the Committee occasionally making recommendations in relation to individual cases but by and large the Committee appears just to have noted the circumstances.</p> <p>1975 – 1996</p>						

<p>in foster care and/or (b) in that particular placement?</p>	<p>Tayside Region, in keeping with primary (s.20A SW(S)A1968) and secondary legislation, held regular reviews of children in their care. If it was the view of the review that the child was ready to change placement or return home, for those children in voluntary care the decision was made together with the parents. For children subject to supervision orders the children's Hearing would be asked to convene a review.</p> <p>1996 – December 2014</p> <p>The circumstances of all children who are looked after by the local authority must be reviewed regularly and the timescale is set out in the Looked After Children (Scotland) Regulations 2009. Local practice within Perth and Kinross Council included an into accommodation review within 72 hours, 1st review within 6 weeks, then 3 months and thereafter 6 monthly. The purpose of these reviews was to consider the care plan for the child or young person and ensure that their continued accommodation was necessary. The review was chaired by an independent reviewer and those attending included the child, their parents, carers and the team of professionals supporting the child's plan.</p> <p>If the child was subject to statutory measures, through a Compulsory Supervision Order, their circumstances were reviewed by the Children's Hearing on at least an annual basis and decisions made about whether compulsory supervision continued to be needed and if the child needed to remain in foster care. When a child was looked after for more than six months as part of a voluntary arrangement under Section 25 of the 1995 Act parents could also give notice and seek that their children to be returned to their care.</p> <p>The Council's Business and Improvement Planning process was used to monitor and report on the reviews of Looked After Children from 2008. This performance was reported to the Education Children's Services Management Team, the Executive Officer Team and to the Council's Lifelong Learning and Scrutiny Committees.</p>
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	(Fiscal-Year-i.e.-April-to-March)	2008-	2009-	2010-	2011-	2012-	2013-	2014-	2015-	2016-	2017-	2018-	2019-
		2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
	Number-of-LAC-reviews-taking-place-within-timescales	-	-	-	161	213	-	321	355	338	248	391	296
	Total-Number-of-LAC-Reviews	-	-	-	232	290	-	420	429	424	329	451	360
	Percentage-of-looked-after-reviews-(accommodated-children)-which-are-held-within-statutory-timescales	80%	87%	68%	69%	73%	63%	76%	83%	80%	75%	87%	82%

<p>m) When children left foster care, what was the process for discharge?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>That it is unclear from the evidence during the 1960s and 70s whether there was a formal process in place for young people leaving care. In two thirds of the cases from the 1980s there was mention of Section 24, planned exits and housing and employment plans which would tend to suggest that there was a formal process in place by then.</p> <p>This remained the case during the 1990s and 2000s as there was reference to the Life Skills team and the work undertaken by them to support young people leaving care.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p>
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		<p>1930 – 1975</p> <p>There are no records which provide any information or insight into the process for discharge from care. There some references in records which indicate that effort was made to assist older children leaving care to find employment or, in some limited cases, to continue their education at university. There are references to the Children’s Officer meeting personally with some children in this situation.</p> <p>1975 -1996</p> <p>Tayside Region, in keeping with primary (s.20A SW(S)A1968) and secondary legislation, held regular reviews of children in their care. If it was the view of the review that the child was ready to change placement or return home, for those children in voluntary care the decision was made together with the parents. For children subject to supervision orders the children’s Hearing would be asked to convene a review Hearing to agree to that change.</p> <p>1996 – December 2014</p> <p>When young people accommodated under Children’s Hearing System were preparing to leave the placement a social work review followed by a Children’s Hearing was required to take place to vary or terminate the legal order before they could move on. If they were accommodated on a voluntary basis, they moved on with the support of the social worker.</p> <p>Planning for a child or young person leaving care took place within the Looked After Review. If the ending was a return home, then a plan to support rehabilitation usually laid out a transition from the foster carer to the parent. This took account of age of the child and length of placement and helped to test out the readiness of the parent and child for the return home.</p> <p>When a child left temporary foster care to move on to either permanent foster care or Adoption the transition was considered through a more detailed matching processes whereby the prospective carers were formally matched with the child through the Fostering and Permanence Panel. The same principles to affect that transition applied and took account of the age of the child and needs.</p> <p>Those young people who were leaving foster care to move on to independence were supported through the involvement of the Throughcare and Aftercare Team within social work services and a plan agreed. Over this period there was increasing emphasis nationally and locally on the needs of young people who had experienced care and their need for ongoing support upon leaving care up to the age of 21 and beyond.</p>
n)	What support was offered to children when	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p>

<p>they left foster care?</p>	<p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>During the 1960s there is at least one reference to support being provided until aged 18 years when the young person left care, but the type of support is not specified.</p> <p>During the 1970s and 1980s in just under half the cases there is reference to Section 24 support as well as assistance to continue education and obtain suitable accommodation.</p> <p>There is reference to practical assistance during the 1990s and 2000s, but it is not clear exactly what this entailed.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975</p> <p>There is little information in records which provides insight in relation to the support offered. There are some references in records which indicate that effort was made to assist older children leaving care to find employment or, in some limited cases, to continue their education at university. There are references to the Children’s Officer meeting personally with some children in this situation.</p> <p>1975 -1996</p> <p>No information</p> <p>1996 – December 2014</p> <p>If a young person was returning home, the social worker remained involved. If the young person was moving on to independence the Life Skills Team would be involved, and this team later became the Through Care / After Care Team.</p> <p>If a young person was returning home, the social worker remained involved. This was also the case for children and young people who were being placed permanently.</p>
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		<p>All young people who left care and moved on to independent living were allocated a support worker from the life skills team but from 2004 onwards this was a worker from a dedicated team.</p> <p>In 2003 the Support and Assistance for Young People Leaving Care (Scotland) Regulations were made, and statutory guidance was produced alongside this. Amendments were made to section 29 of the Children (Scotland) Act 1995 required the authority to carry out a needs assessment for each young person who ceased to be looked after beyond school age. This was with a view to determining what advice, assistance and support the authority should provide to them. In addition, the regulations require the local authority to carry out a pathway assessment for aftercare services on young people who are over school leaving age but are still looked after. Perth and Kinross Council strengthened this service to create a dedicated Throughcare and After Care Team (TCAC) and introduced Pathway Planning processes. This was further strengthened in 2007 with the development of a one stop shop for young people at a City centre shop front known as @scottstreet. This provided advice on all young people's needs including housing and health. The TCAC team were based at this one stop shop and were therefore able to draw upon various professional expertise in an integrated way.</p>
o)	<p>What information was sought by the local authority about what children leaving foster care planned to go on to do?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>There is very little information from the cases sampled. One reference suggested that the young person planned to become a live-in nanny, and another referred to a young man joining the army, but this information does not appear to have been regularly noted in the case records.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975</p> <p>There is little information in records which provides insight in relation to the support offered. There are some references in records which indicate that effort was made to assist older children leaving care to find employment or, in some limited cases, to continue their education at university. There are references to the Children's Officer meeting personally with some children in this situation. These records have been located in Minute Books and miscellaneous files from the County Council and Town Council which suggests that there was a form of reporting to the relevant Committee in relation to outcomes for children moving from care to independence, although it is not known if further information was generally sought and retained on individual case files.</p>

[APG]

		<p>1975 -1996</p> <p>No information</p> <p>1996 – December 2014</p> <p>There was evidence in the files audited that those young people who were eligible to leave care had the support of a social worker in order to plan for their future accommodation and employment and to support them for some time afterwards.</p> <p>Through the Looked After Review process and pathway planning the local authority remained involved with the young person until they were 19 or if required until 21.</p>
p)	Was such information retained and updated?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>There is no evidence to suggest that this was the case.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975</p> <p>There are no records which provide insight in relation to this question.</p> <p>1975 -1996</p> <p>No information</p>

		<p>1996 – December 2014</p> <p>Yes, there was some evidence in the files of ongoing social work involvement.</p> <p>Yes, as the child or young person’s case records were maintained and updated throughout. Once Adopted the local authority was no longer entitled to information about the child however, as result of the Adoption and Children’s (Scotland) Act 2007 a duty was placed on the local authority to continue to provide post -adoption support.</p>
q)	<p>What was provided in terms of after-care for children/young people once they left foster care?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>There is evidence that at least a quarter of the young people were supported or at least offered support when they left care</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975</p> <p>There is little information in records which provides insight in relation to the support offered. There are some references in records which indicate that effort was made to assist older children leaving care to find employment or, in some limited cases, to continue their education at university. There are references to the Children’s Officer meeting personally with some children in this situation.</p> <p>1975 -1996 No information</p> <p>1996 – December 2014</p> <p>See above sections 1.7 (a) to (p).</p>

Present		
r)	With reference to the present position, are the answers to any of the above questions different?	Yes
s)	If so, please give details.	<p>The changes in the law, policy and practise since the 1980s encouraged a more child centred approach and recognised that the needs of children and young people who have experienced foster care will continue.</p> <p>Amendments to section 29 of the Children (Scotland) Act 1995 in 2004 and the Staying Put report in 2013 have made significant changes to the practice for those young people who have experienced care.</p> <p>As a result of the duties laid out in The Children and Young People (Scotland) Act 2014, the extension of aftercare support to the age of 26 year and enhancements to the powers to provide support to care experienced adults and their children this will bring further long-term benefit to young people and people who have care experience. Continuing Care was also introduced which allowed young people to remain within their current care placement until 21 years. Foster carers have been encouraged and supported practically to continue to offer placements and Perth and Kinross has a high number of young people in continuing care arrangements compared to other authorities.</p> <p>The 2014 Act introduced the definition of Corporate Parent and set out new duties for corporate parents. This strengthened the ethos that young people who have experienced care should be a priority and responsibility of the Council and a range of other local and national bodies given these duties. Within Perth and Kinross, a multi-agency partnership for corporate parenting was established in 2015/6. The group established meaningful contacts and relationships with a group of care experienced young people and created a Corporate Parenting Plan to further improve the outcomes for children and young people in care or with care experience. The Corporate Parenting Plan 2017-20 was a key driver to secure additional funding to support corporate parenting from the Life Changes Trust. Funding of:</p> <p>2017/18 = £77,470 2018/19 = £73,496 2019/20 = £74,034 2020/21 = £46,000</p> <p>was awarded and used to take forward the corporate parenting plan and provided a very positive vehicle for young people to increase awareness of their experiences and needs and to establish positive and concrete targets to improve their life chances.</p>

1.8 Local authority staff and foster carers	
(i) Local authority	
Past	
a)	<p>1930 – 1975</p> <p>In the 1930s there is reference in Perth Town Council records to the Public Assistance Officer visiting boarded out children, along with members of the Public Assistance Committee. This is the only reference found to staff within the local authority some responsibility for foster care during the 1930s. There is reference in 1935 to the Department of Health for Scotland reverting to a former practice of having its own inspector of boarded out children, although there is no further information about this role.</p> <p>There are no personnel or human resource records for this period so accurate figures are not available. However, there are some references in Annual Report by the Medical Officer of Health, Committee Minute Books for both the County Council and Town Council and miscellaneous administrative files of the County Council which give some insight into the numbers of people employed over the period.</p> <p>A Children’s Officer was appointed in both the County Council and Town Council following introduction of the Children Act 1948. The original proposal for carrying out the functions of Children’s Officer was noted as being submitted by the County Council in 1948 and was approved by the Home Department in 1951. It appears that prior to the proposal being confirmed there had been discussion about that officer undertaking other duties, with the Home Department insisting that the appointment should either be full time or shared with another authority.</p> <p>In 1953, there is record of the Children’s Officer working under the supervision of the County Medical Officer and that this had worked satisfactorily. It was noted that the Children’s Officer had no assistant and was <i>“personally responsible for the entire field work for children.”</i></p> <p>This would appear to have been the case in the Town Council as well, as in 1954, there is a Minute approving the appointment of an assistant to the Children’s officer. It is also evident from those records that the role of the Children’s Officer involved visiting boarded out children.</p> <p>In the County Council records there is reference in November 1959 to a social worker being appointed by the Education Committee and a decision that the duties of that post would include duties under the Regulations.</p> <p>In 1969 there are records of a further Child Care Officer being appointed by the Town Council, and then a further two in the same year.</p>

		<p>In 1971 there is record of a staff reorganisation in the social work department (as it was by then called), but no detail of the nature of that or the roles carried out.</p> <p>In November 1972, the Town Council approved the appointment of social workers, but again, there is no detail of the role they would undertake. It can be seen from Committee Minutes relating to staff training courses that by this time there were social workers and senior social workers in place, but it is not clear what their roles were.</p> <p>1975-1996</p> <p>No information is contained in the available records</p> <p>1996- December 2014</p> <p>Human Resource Records are unable to identify the staff directly involved in the delivery of the fostering service prior to 2007. However, from the annual self-assessments submitted to the care inspectorate from 2009 -2014 there were 11 staff who directly supported the foster care function within the Council.</p>
b)	<p>How many people were employed by the local authority at any one time who had some responsibility for foster care services for children?</p>	<p>1930-1975</p> <p>No records are available which give insight or information in relation to this question.</p> <p>1975-1996</p> <p>No information is contained in the available records</p> <p>1996 – December 2014</p> <p>The Council approved a policy on fostering and adoption services in 2006. This set out in general terms the management structure in relation to the fostering service. At that time, there was a Service Manager for Looked After Services, with overall responsibility for family placement (recruitment, assessment and support for foster carers) and permanence teams. There was an Improvement Officer for Looked After Services with direct responsibility for those teams.</p>

	<p>Human Resource Records are unable to identify the staff directly involved in the delivery of the fostering service prior to 2007. However, from the self-assessment submitted to the care inspectorate from 2009 -2014 there were 11 staff who directly supported the foster care function within the Council.</p>
<p>c)</p> <p>What roles and responsibilities did such staff have? Please specify in which roles staff met with children and foster carers.</p>	<p>1930-1975</p> <p>The letter of appointment for the first Children’s Officer in 1951 is in the available records. There are no roles specified, but it was a condition of appointment that the officer was “<i>familiar with the provisions of the Children Act and all other relevant enactments and have experience in care of healthy children and modern methods of child care.</i>” No other information has been located in records.</p> <p>1975-1996</p> <p>No information is contained in the available records</p> <p>1996 – December 2014</p> <p>In 2005, the Council agreed a revised management structure for Education and Children’s Services. These changes were influenced by the desire to ensure that both a national and local improvement agenda was properly supported through development of an improvement framework and clear leadership. One of the key changes was the introduction of Improvement Officers. One Improvement Officer was appointed with responsibility for fostering services as well as other linked services.</p> <p>The Council’s 2006 Policy on Adoption and Fostering Services provides a description of the key staff engaged in the fostering service and their roles:</p> <ul style="list-style-type: none"> • Supervising Social Worker, Fostering Team – support to foster carers, assessments, visits to carers, which would include contact with children • Child Care Social worker, locality teams – child’s own social worker responsible for care planning and working with children, parents and foster carers to achieve objectives. It states that “Social workers regularly visit the child in placement, see the child on their own and keep the carer up to date on all relevant issues”. <p>In addition, the following posts were involved in provision of fostering services:</p> <p>Service Manager – Responsible for the strategic direction of the service and the registered manager of the service for registration with the Care Commission/Care Inspectorate (alongside other duties).</p> <p>Improvement Officer – this post was created in 2007 and is responsible for the operational delivery of the service as well as to implement improvement actions and ensure continuous improvement (alongside other duties)</p>

		<p>Team Leader – responsible for the management of the team and ensuring the work of the team met with care standards. Meet with individual carers to look at any concerns or complaints and ensure carers are supported to carry out their responsibilities.</p> <p>Senior Practitioner – Post created in 2009. To deputise for the team leader, carry out assessments and respond to enquiries. Coordinate the preparation groups for foster carers; support and coordinate the work of the Fostering and Permanence Panel.</p> <p>Senior Social Care Officer - support foster carers and children in placement, arranging practical support and providing babysitting duties for the carer. Spoke with children and young people in placement to gain feedback to contribute to carer reviews</p>
d)	<p>In relation to each role, what experience/qualifications did such staff have?</p>	<p>1930-1975</p> <p>In relation to the appointment of the first Children’s Officer by the County Council in 1951, the application form is within records, and indicates that the applicant had a general education but 18 years of experience working with children in the County Council. There are no other records which provide any additional insight into this question.</p> <p>1975-1996</p> <p>No information is contained in the available records</p> <p>1996 – December 2014</p> <p>The Council’s fostering service was inspected by the Care Inspectorate (previously the Care Commission) on four occasions over this period. On all occasions the quality of staffing has been a theme against which the service has been measured. In all inspections the quality of staffing has been graded either <i>good</i> or <i>very good</i>. The 2007 inspection by (what was then) the Care Commission noted that staff had qualifications, experience, knowledge and skills relevant to their roles and responsibilities.</p> <p>All staff described above were qualified to Social Work degree level apart from the Senior Social Care (SSCO) who was qualified to SVQ 3 in a relevant social care field. Staff generally employed within fostering service had previous experience of working within another role in child care social work. Some staff may also have had experience within residential child care provision.</p> <p>The report of the Care Commission inspection in 2008 noted that “<i>staff had the relevant qualification, experience and knowledge to carry out their role effectively</i>”.</p>

	<p>The 2014 inspection noted that staff were knowledgeable about fostering and had good awareness of their professional codes of conduct as workers registered with the Scottish Social Services Council.</p> <p>All staff were recruited using the Council's safe recruitment practices for staff working with children.</p>
<p>e) When were fostering panels set up? What was their purpose and remit?</p>	<p>1930 to 1975</p> <p>No records have been found which provide information or insight into this question. There was no legal requirement to establish a Panel until 1985.</p> <p>There is some limited evidence about the process for considering the suitability of foster carers from records from 1954 which involved an application, a process of assessment, and then interview by a sub-committee of the Council. It is not clear if this was a process which was consistently followed throughout this period.</p> <p>1975-1996</p> <p>Fostering Panels were established under s.4 Boarding Out and Fostering of Children (Scotland) Regulations 1985. Their functions are set out in s.6 of the Regulations.</p> <p>1996 – December 2014</p> <p>In February 1996, towards the end of the shadow period of local government re-organisation, the Council approved a constitution for the Fostering Panel for Perth and Kinross. With the introduction of the Children (Scotland) Act 199, the new arrangements for the Panel, along with its role, were set out in the Fostering of Children (Scotland) Regulations 1996. There was also statutory Guidance issued by Scottish Office.</p> <p>In Perth and Kinross, the Fostering Panel was combined with the Adoption Panel, required under the Adoption Agencies (Scotland) Regulations 1996.</p> <p>A fresh constitution for the Fostering and Permanence Panel was approved by the Council in August 2003, as part of the Council's preparation for the introduction of the requirement to register Fostering Services with the then Scottish Commission for the Regulation of Care, but also to reflect changes in social work practice and the nature of the business referred to the Fostering and Permanence Panel. National Standards for Adoption and Fostering Service had been issued against which local authorities would be inspected.</p> <p>That constitution states that <i>"the Panel will have a duty to promote and maintain high standards of professional practice in adoption and fostering"</i>.</p>

		<p>In relation to fostering, their remit was to consider and make recommendations on</p> <ul style="list-style-type: none"> • Whether a child needed alternative permanent placement • Whether a foster carer is suitable and whether that is in respect of a particular child or children or certain categories of children • Whether a permanent foster carer is suitable • whether a permanent foster carer is suitable for a particular child • review of foster carers every two years <p>From 2007, the Panel was chaired by an independent person, with suitable expertise. This was implemented following a recommendation made by the (as it was then) Care Commission during their first inspection of fostering services. The Panel produced an annual report of its business.</p> <p>In August 2011, the constitution was reviewed, and the Council's Lifelong Learning Committee agreed an updated version. Changes were made to reflect changes to the legislation and practice as a result of the Adoption and Children (Scotland) Act 2007 and Looked After Children (Scotland) Regulations 2009. The main change in relation to foster carers was a move from a review by the Panel every two years to every three years, with reviews in the intervening years being carried out internally by Council staff. This was in line with Regulations.</p>
f)	<p>How were fostering panels constituted? What skills and experience were the members required to have?</p>	<p>1930 to 1975</p> <p>There was no legal requirement to establish a Panel until 1985.</p> <p>1975 – 1996</p> <p>Tayside regional Council Minutes 1990/91-page 1076, sets out the composition of the Fostering Panel in respect of permanence. It is understood that the panel was a combined panel and that, as such the Fostering Panel dealt with all matters relating to Foster Care and Permanence.</p> <p>It indicates that the Panel should be chaired by a service manager who is not operationally responsible for the work under consideration. A vice chairman was to be nominated annually from the membership of the Panel. The panel should aim to be representative of the general population in respect of gender, ethnicity and socio-economic status. It was expected that the panel would be made up of no more than 7 members including:</p> <ul style="list-style-type: none"> • a designated senior social worker with expertise in fostering and permanent families, • A medical advisor,

- A district team representative from a different geographic area and drawn from social workers, foster carers or representatives from the day care and residential services for children,
- Independent members with relevant knowledge and expertise and knowledge
- A representative of the council's legal section (ex officio)

1996 – December 2014

The Fostering and Permanence Panel was constituted under the relevant Regulations in place at the time. It was the responsibility of the Council to appoint the Panel, and throughout this period, this task was undertaken by the relevant Service Manager with responsibility for fostering and adoption services.

In terms of the legislative framework, the Panel was a body which made recommendations to the local authority. There was a well-established practice of an "agency decision maker" considering the recommendation of the Panel and making the decision (for example to approve a foster carer). Throughout this period, the agency decision maker was generally the Head of Service in the organisation with responsibility for children's services.

The constitution was approved by the Council, first in February 1996, then in August 2003 and then in 2011.

The 2003 constitution required that the Panel include a number of members with varying experience or qualifications such as a medical and legal adviser, social workers, a member of staff from the education authority and an independent member. The independent members were to have "*known expertise or experience of fostering or adoption*".

This requirement was retained in the new constitution approved in 2011.

The 2007 inspection of fostering services by the (as it was then) then Care Commission noted that "*highly competent Panel members comprised a representative sample of professional backgrounds, including social work, education and psychology, as well as routine attendances of the medical and legal advisers, and independent members with personal experience of adoption or related fields*"

From 2007, the Panel was chaired by an independent person, with no links to the Council. This was implemented following a recommendation made by the (as it was then) Care Commission during their first inspection of fostering services. The Panel produced an annual report of its business, with this practice beginning in around 2007.

In 2014, it was recommended in an inspection that the fostering service should "*continue to ensure that panel membership is diverse, representing a mix of skills, a gender balance, independent members and people with direct experience of adoption.*" This led to further recruitment of appropriately experienced Panel members.

		<p>Panel members were appointed on a fixed term basis, with the option of the appointment being renewed.</p> <p>The Independent Chair and panel members had an annual appraisal of their work which acts as a learning experience, identifies training needs as well as offering feedback. The Head of Service carried out the Annual Appraisal of the Panel Chair using a template developed by BAAF and who is also the Agency Decision Maker (ADM) and who seeks feedback from staff and other panel members. The ADM's role is to ensure that the panel functions within standards and is respectful of those attending. The ADM has the unique insight into how recommendations are arrived at made from the minutes taken throughout the year. Feedback from families, staff and carers who have attended panel is used to inform these appraisals.</p>
Present		
g)	With reference to the present position, are the answers to any of the above questions different?	Yes
h)	If so, please give details.	<p>There has been a need to update the membership of the Fostering and Permanence Panel due to turnover and in 2016/17 a new Chair was appointed. The roles and responsibilities remain current and relevant to date.</p> <p>The 2017 inspection of fostering services by the Care Inspectorate noted that <i>"the fostering panel with a strong independent focus and a well-defined agency decision maker role, monitored the work of the service and provided appropriate challenge."</i></p>
(ii) Foster carers		
Past		
a)	How were foster carers identified and approved/registered?	<p>1930-1975</p> <p>There are very few available records which give insight into the process by which carers were identified and approved.</p> <p>In the 1948 annual report by the Medical Officer of Health there is reference to <i>"the traditional method of boarding out with carefully selected foster parents"</i> as being <i>"the method of choice"</i> where return to parents is impossible.</p> <p>In 1952 there is reference to an effort being made <i>"to set up a temporary foster-home system. In this connection District Nurses in the County were asked to enlist the co-operation of likely persons in their districts who might consider undertaking such duties. Unfortunately, no success has yet been obtained; nevertheless, the project is one well worth pursuing, not only in the interests of the children's service, but also in the interests of economy"</i>.</p>

In 1954, the Home Department of the Scottish Office encouraging use of a nationally produced leaflet to encourage people to apply to become foster carers.

There are detailed records from May 1955 which relate to a recruitment drive for foster carers. Advertising in the press took place, with successful foster carers being provided with rent-free accommodation. A number of applications are contained in the records, along with the outcomes.

In the early 1960s there appears to have been continued efforts to recruit foster carers for long term placement of children. In 1962 the Medical Officer reported that *"foster parents or guardians are now very much a part of the wider Child Care Service. It is not easy to get foster-parents for every child, yet efforts have to be made periodically to get amongst the people and bring to their notice the need for persons to take a child or children into their own homes. During the past 2 years, 74 children were placed with 46 foster-parents as against 51 children with 33 foster-parents over the preceding 2 years. It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing."*

It is not clear from those reports how carers were identified or approved. However, there is a report by the Children's Officer from 1967 which states that the *"staff...is deeply conscious of the responsibility placed upon them to investigate fully the circumstances and suitability of persons desiring to act as foster parents"*. There is reference to the assessment process, including interviews, references, checks, home visits and a general assessment taking place before the case is reviewed and a decision made.

1975-1996

In respect of Tayside Region, no information is available regarding the policies and procedures involved prior to 1986. As part of the implementation of the "Children in Crisis" strategy, a significant recruitment campaign was undertaken. The 1959 Boarding out of Children (Scotland) Regulations only required the local authority to satisfy themselves that those applying to be foster carers were suitable candidates. From 1985, the Boarding Out Regulations set clearer criteria for the necessary checks and that foster cares be approved by Fostering Panels. It would appear that Tayside Region made use of BAAF form E in the application and approval process.

1996 – December 2014

Throughout this period, various methods have been used to recruit carers. Various forms of publicity have been used, to encourage those with an interest to make contact with the Council. At times, publicity and effort in recruiting carers was directed towards those areas or groups of children where there was a shortage of foster carers.

For example, in 2004, a Specialist Foster Care Scheme was established to develop community-based alternatives to residential care for young people at risk of offending (Care4 Scheme).

[APG]

	<p>In February 2006, monies were made available by Scottish Government to address shortages of foster carers. The Council directed its share of those additional monies towards two aspects of recruitment. Firstly, a sum was allocated towards sustaining a local recruitment campaign, in conjunction with the Council's own media services. Secondly, a sum was directed towards recruitment follow-up and carer assessments. It was agreed that £60,000 would be allocated towards the increased costs of staff following up the campaign effectively, responding to applications, and doing carer assessment and preparation within 4 to 6 months (National Standard) with the goal of recruiting carers for up to 8 children. A Senior Social Worker was to take on a lead role in recruitment and be funded from the additional fostering monies.</p> <p>The Policy for Fostering and Adoption Services in Perth and Kinross, approved by Lifelong Learning Committee in April 2006, states that a <i>"thorough selection procedure allows carers to consider what aspect of caring is right for them and their families, and a social worker will visit and discuss all relevant issues"</i>.</p> <p>In 2012 changes were made to the fee structure for payment of fees to carers, by introducing a fourth level of fees. This was specifically targeted towards carers who provide placements for teenagers. A report to Lifelong Learning Committee in May 2013 noted that <i>"recruitment is an ongoing process throughout the year, at local events, concerts and fairs. However recent national research has indicated that 'word of mouth' recruitment by Foster Carers is one of the most successful approaches. Opportunities already exist for people interested in fostering to meet foster carers, but opportunities for wider use of this approach will be explored - for example 'open days' to meet foster carers.</i></p> <p><i>In addition, a specific recruitment drive was undertaken in November 2012 to coincide with National Fostering and Adoption Week, followed by a feature in the Perth and Kinross News in December 2012. Fostering opportunities in Perth and Kinross are visible on PRI [local hospital] Patient Screens. It is hoped that such activity will continue to encourage more people to come forward and express an interest in fostering."</i></p> <p>In terms of the approval/registration process, this was also outlined in the Policy for Fostering and Adoption Services in Perth and Kinross, approved by Lifelong Learning Committee in April 2006.</p> <p>This policy sets out that a competency-based assessment was undertaken which identified the relevant caring skills and those that needed further development. A number of checks were made to ensure that carers were suitable people, who were safe to care for children.</p>
b)	<p>1930-1975</p> <p>No records have been found which provide information or insight into this question. It can be inferred from information found about recruitment of carers that by the 1950s, the focus was not on qualifications, but on the potential carer's circumstances and experience. For example, in records found from 1955, relating to the recruitment of carers in response to an advert, there is a note of questions</p>

		<p>being asked which related to experience of caring for children, health, church membership, marital status and motivation for applying to be a carer.</p> <p>Similarly, from records found from 1967, there is reference to suitability but not to qualifications or experience.</p> <p>1975 – 1996</p> <p>They were required to satisfy the Fostering Panel that they had a stable home and that they could provide good care for the children placed with them.</p> <p>1996 – December 2014</p> <p>From organisational memory of those who have been employed by the Council throughout this period, it is known that no formal qualifications were needed to become a foster carer. The focus was instead on skills and competencies which were considered as part of the fostering assessment. This is reflected in the 2006 Policy on Adoption and Fostering Services.</p> <p>In 2004, the Council launched a specialist foster care scheme, aimed at recruiting carers to look after teenagers at risk of offending. Under this Scheme carers were sought who had the following experience: <i>“Carers could be a couple or single and should normally have no other young people living at home. In each carer’s household there will be one main carer who is available to care for one young person on a full time or respite basis. Ideally, we are looking for carers who have some experience of working with young people, with a suitable qualification and a demonstrable ability to learn.”</i></p> <p>The introduction of the skill-based fee scheme allowed for a foster carer’s skills to be assessed and rewarded through increased payments. The level of skill and experience was assessed throughout the application process and when approved a level was determined and agreed by the ADM. The definition of those skills looks at the qualities needed to be a foster carer.</p> <p>The CARE4 scheme determined that a minimum qualification of SVQ3 was required due to the increased payment and the nature of the placements.</p>
c)	<p>What checks were carried out in relation to a prospective foster carer, including criminal</p>	<p>1930-1975</p> <p>There is little information in records relating to this question.</p>

<p>record checks, references and interviews?</p>	<p>In 1967, there is reference in Town Council records to interviews and home visits being required, along with a number of checks and references. This includes information from a doctor and 2 references from non-related people. It is also noted that contact would be made with the doctor and referees to follow up on their information, along with contact with police, school attendance officer, health visitor and <i>“anyone else likely to know the family”</i>.</p> <p>There is reference in the County Council records in 1967 to local arrangements for checking if a prospective carer is known to local police. It is noted that this was done verbally <i>“as police cannot share their records”</i>. There is also a note that this issue has been raised nationally by the Scottish Children’s Officer Association but no progress had been made. There is reference to a wish to avoid a situation <i>“as arose in Glasgow”</i> with a child named [REDACTED] which is assumed to be a case which attracted some national concern.</p> <p>1975 – 1996</p> <p>The ‘Section 7’ document lists the statutory checks to be carried out prior to assessment. They include criminal records check, checks with other fostering/adoption agencies, RSPCC, other local authorities where applicants have lived, medical checks, references and 2 or 3 interviews were sought for all prospective foster carers.</p> <p>1996 – December 2014</p> <p>The 2006 Policy on Adoption and Fostering Services sets out the checks which were undertaken at that time. It is believed that this policy reflected existing informal policy prior to 2006.</p> <p>It states that <i>“a number of checks are made to ensure suitable people, who are safe to care for children, are selected. These include:</i></p> <ul style="list-style-type: none"> • <i>Disclosure Scotland Enhanced Checks</i> • <i>Verification of identity and personal histories</i> • <i>Medical examinations</i> • <i>References from different sources.”</i> <p>It should also be noted that in terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers, an examination of the Foster Carer Records show that almost, without exception, since 1990 onwards, a range of checks were carried out in compliance with the previously mentioned policy and these included Medical Examinations / Health / GP checks; Police / SCRO checks; Local Authority checks; Personal References etc and in many cases there is evidence to demonstrate that there were repeated checks carried out periodically whilst an individual was an Approved Foster Carer and / or where circumstances changed within the family.</p>
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d)	<p>What checks were carried out in relation to other persons residing with the prospective foster carer, including criminal record checks, references and interviews?</p>	<p>1930-1975 No records have been found which provide information or insight into this question, except one reference in 1967 to a Circular (5/1967) which reminded local authorities of the requirement that all members of the foster home are to be seen in the home before approved and after.</p> <p>1975 – 1996 No procedural records are available, however foster carers files indicate that the same checks were carried out.</p> <p>1996 – December 2014 A 2004 internal review of fostering services noted that a strength of the service was that the assessment process involved all members of the household.</p> <p>The 2006 Policy on Adoption and Fostering Services states that the assessment involves the whole family. From organisational knowledge, it is known that the Council took the view that the Fostering of Children Regulations required that both adult partners in a couple required to be assessed if living together in the household that would be used for fostering.</p> <p>It should also be noted that in terms of our response to Part D of this Notice, in particular with reference to the 41 children and young who are known to have made 43 past complaints and / or allegations of abuse against 26 individual Foster Carers, an examination of the Foster Carer Records show that in a number of the cases examined, since 1990 onwards, some checks were carried out in compliance with the previously mentioned policy and these included both Medical and Police checks, and Interviews particularly in relation to partners, spouses and other family children. However, this may not have been rigorously applied in all cases.</p>
e)	<p>What checks were carried out in relation to other family members and friends of a prospective foster carer including criminal record checks, references and interviews?</p>	<p>1930-1975 No records have been found which provide information or insight into this question.</p> <p>1975 – 1996 No procedural documents are available to answer this</p> <p>1996 – December 2014</p>

	<p>A 2004 internal review of fostering services noted that a strength of the service was that the assessment process involved all members of the household.</p> <p>The 2006 Policy on Adoption and Fostering Services states that the assessment involved the whole family. A child over 16 was subject to a criminal record check as were family and friends who were visiting and staying over. If a child or young person wished to stay with friends or family, they too would require to have a criminal records check.</p> <p>In 2008, the Scottish Government published <i>"Getting it right for every child: Guidance on Overnight Stays for Looked After and Accommodated Children."</i></p> <p>Following this, practice in relation to foster children having overnight stays with friends was amended to take account of the recommendations however, it remained that if there were adult children of the applicants living in the household then they were subject to a criminal records check.</p> <p>In terms of our response to Part D of this Notice, (with reference to the records associated with 42 children and 28 individual Foster Carers) records examined show that since 1990 onwards, some checks were carried out in compliance with the previously mentioned policy and these included both Medical and Police checks, interviews particularly in relation to partners, spouses and other family children. It is not possible to be assured however that this was rigorously applied in all cases.</p>
<p>f) To what extent, if any, were the checks referred to at paras (c) to (e) above reviewed? If so, how frequently and what checks were done? If not, why not?</p>	<p>1930-1975</p> <p>No records have been found which provide information or insight into this question.</p> <p>1975 – 1996</p> <p>No procedural documents are available but foster carers files would suggest that checks were regularly reviewed.</p> <p>1996 – December 2014</p> <p>The 2006 Policy on Fostering and Adoption Services states that an annual review is indicated in National Standards. Review by the Fostering Panel took place every second year. Reviews concentrated on the experience of carers with placements, carer development issues and impact of fostering on families as well as deciding on future registration criteria. As part of this process, criminal record checks were updated, and updated health assessments took place prior to the panel discussion.</p> <p>In the 2007 inspection of fostering services by the (as it was then) Care Commission a recommendation was made that a system should be in place to ensure that review checks were undertaken. It was noted in the Action Plan made following inspection that this recommendation had been complied with immediately and that all checks were up to date.</p>

[APG]

		<p>No similar recommendations were made during subsequent inspections.</p> <p>In terms of our response to Part D of this Notice, (with reference to the records associated with 42 children and 28 individual Foster Carers) records examined show that since 1990 onwards, that almost, without exception, since 1990 onwards, a range of checks were carried out in compliance with the previously mentioned policy and these included Medical Examinations / Health / GP checks; Police / SCRO checks; Local Authority checks; Personal References etc.</p> <p>In relation to Foster Carers, in many cases there is evidence to demonstrate that there were repeated checks carried out periodically whilst an individual was an Approved Foster Carer and / or where circumstances changed within the family.</p> <p>The picture is less clear in relation to partners, spouses and other family members and / or children and it is not possible to be assured that this was rigorously applied in all cases.</p>
g)	<p>What checks were carried out by the local authority of the available accommodation? How frequently were these carried out? Were they repeated? If so, how frequently? If not, why not?</p>	<p>1930-1975 There is little information in records relating to this question.</p> <p>In 1967, there is reference in Burgh Council records to home visits being carried out and accommodation being included in the “general assessment”.</p> <p>1975 – 1996 No procedural documents are available to answer this for Tayside; however, the above document indicates that in Perth and Kinross, applicants may be visited at home which suggests that home visits were not automatically carried out as part of the assessment.</p> <p>1996 – December 2014 Perth and Kinross used the health and safety checklist (Appendix 2) which was a national standard and compiled by BAAF as part of their assessment materials.</p>
h)	<p>Was the gender of the foster carer of any relevance to approval as a foster carer or in relation to the placement</p>	<p>1930-1975 No records have been found which provide information or insight into this question, apart from references to carers being married couples.</p> <p>1975 – 1996</p>

	<p>of a child with a particular carer? If so, why?</p>	<p>No procedural documents are available to answer this.</p> <p>1996 – December 2014</p> <p>In terms of our response to Part D of this Notice, (with reference to the records associated with 42 children and 28 individual Foster Carers) records examined show that in some cases, the gender of the foster carer and the child needing a placement was a consideration and documented. This was particularly the case at the start of being an Approved Foster Carer and in some cases, this was reviewed and relaxed as time progressed. In some cases, the Foster Carer themselves had their own preference which would also have been taken into consideration.</p>
<p>i)</p>	<p>Was the gender of other persons (including children) residing in the same house of any relevance to the approval of a foster carer or to the placement of a child with a carer? If so, why?</p>	<p>1930-1975</p> <p>No records have been found which provide information or insight into this question other than reference to carers having to be married couples.</p> <p>1975 – 1996</p> <p>No procedural documents are available to answer this however foster carer case files indicate that the gender of the foster carers own children was a consideration in both the gender of the children they were allowed to care for and the number of children who could be placed with them</p> <p>1996 – December 2014</p> <p>No except that in some cases, carers had a preference for children of a particular gender, either to suit their experience or to ensure a good match with other children in the household.</p> <p>In terms of our response to Part D of this Notice, (with reference to the records associated with 42 children and 28 individual Foster Carers) records examined show that in some cases, the gender of the foster carer and the child needing a placement was a consideration and documented. This was particularly the case at the start of being an Approved Foster Carer and in some cases, this was reviewed and relaxed as time progressed. In some cases, the Foster Carer themselves had their own preference which would also have been taken into consideration.</p>
<p>j)</p>	<p>Were foster carers required to provide any</p>	<p>1930-1975</p>

	<p>services for children in their care beyond accommodating them? If so, what were they?</p>	<p>There is little information in records. There are references at the time of the Children Act 1948 to recruiting carers who can give a child <i>“the nearest proximation of family life”</i>, which suggests that an element of nurturing and meeting of emotional needs was expected over and above the provision of a “roof over the head”. This theme can be seen again in records from the 1960s, at around the time of the issuing of a Circular (5/1967).</p> <p>1975 – 1996</p> <p>No procedural documents are available to answer this.</p> <p>1996 – December 2014</p> <p>The 2004 fostering agreement approved by the Council states that carers must undertake the care of any child placed in accordance with Council child care policy and practice (which was outlined in a handbook provided to carers).</p> <p>The agreement also states that carers must <i>“provide a good quality of physical and emotional care in line with Care Commission National Standards. You must endeavour to create an atmosphere of acceptance, safety and trust for the child at the time when he or she is living separately from his or her parents. You must care for the child as if he or she was a member of your family.”</i></p> <p>The agreement also requires carers to promote good health and meet health needs; enable and encourage social activities; respect, value and promote racial, religious and linguistic origins; ensure attendance at school and respect the importance of contact with birth family.</p> <p>These requirements in the fostering agreement were unchanged throughout this period.</p> <p>The Council’s 2006 Policy on Fostering and Adoption Services notes that the role of the foster carer is to <i>“uphold the principles outlined in the National Standards for Foster Care and the National Care Standards: that is giving due attention to the child’s dignity, privacy, choice and safety, helping them to realise their potential, promoting their equality and valuing diversity”</i>.</p>
<p>k)</p>	<p>Did children work manually in the placement or externally (e.g. farming work or other labour), or both? If so, did that change at any point? If so, why?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s</p>

		<p>2 from the 1990s 1 from the 2000s</p> <p>From this sample the following conclusion has been reached:</p> <p>There is evidence in the 1970s that three young people took part time jobs out with their foster home when they were older and able to do so.</p> <p>In the 1980s, another three who were living on their carers farm helped with some tasks and a further two went berry picking with their foster carers.</p> <p>In the 2000s two young people took part in a rota to do household chores.</p> <p>However, the evidence shows that most young people did not do any work either in the placement or externally.</p> <p>In terms of our response to Part D of this Notice, (with reference to the records associated with 42 children and 28 individual Foster Carers) records examined show that without exception, children did not work manually in the placement or externally (e.g. farming work or other labour).</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930-1975</p> <p>There are scant references in the small number of County Council and Town Council records available to children being boarded out at farms and a suggestion that they were undertaking work. No further information is available.</p> <p>1975 – 1996</p> <p>No information</p> <p>1996 – December 2014</p> <p>No</p>
l)	Were fostering agreements entered into? If so, were these in a prescribed form or	<p>1930-1975 No records have been found which provide information or insight into this question.</p> <p>1975 – 1996</p>

[APG]

<p>created on an ad hoc basis?</p>	<p>No procedural documents are available to answer this; however, some foster carer case files indicate that fostering agreements were used.</p> <p>1996 -December 2014</p> <p>Fostering Agreements between the Council and the carer were in a standard form updated periodically by the Council, and in line with legislation. Placement agreements were also used, which set out the day to day placement arrangements for an individual child.</p> <p>In 2004, the form of agreement was updated, and approved by the Council as part of an internal review of fostering and family placement services.</p> <p>It was a requirement of the 2007 inspection of fostering services by the (as it was then) Care Commission that carer agreements be in place for all carers. The Care The action plan following on from that inspection notes that this was achieved in March 2007.</p> <p>The 2009 inspection also referred to foster carer agreements. It was noted in the inspection findings that foster carer agreements were sent to foster carers after approval through the Fostering and Permanence Panel. It was noted that over 90% of carer agreements, at the time of the inspection, were in place. Foster carer agreements were not in evidence in Short Breaks Carers Scheme files. It was noted that the Short Breaks Scheme, which provided respite care for children with disabilities, was taken over from Barnardo's in 2007 and there had been a period of transition from 2007-2008 which had led to some delay in providing a consistent approach between mainstream fostering services and the Short Break Scheme. The management of this scheme was by that time within fostering services. It was noted in the 2009 Committee report setting out the inspection findings that carer agreements were by then up-to-date and the requirement was fully met.</p> <p>The 2010 inspection noted that the requirement that foster carer agreements are in place was met for all carers.</p> <p>The 2014 inspection noted that day to placement agreements were also in place which supported young people in being provided with consistent care.</p>
<p>Present</p>	

<p>m) With reference to the present position, are the answers to</p>	<p>Yes</p>
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	any of the above questions different?	
n)	If so, please give details.	<p><u>What experience and/or qualifications, if any, did a foster carer require to have?</u> The Council's current Prospective Foster Carer Information Pack dated 2019 states that:</p> <p><i>"All kinds of people become carers or adoptive parents - married, living in civil partnerships, divorced or single, male or female, from all ethnic and religious backgrounds, homeowners or tenants. You must be a minimum of 21 years old, but there are no restrictions on the basis of sexual orientation or disability. Some carers/adoptive parents are already parents, some are not.</i></p> <p><i>Personal qualities, and experience with children and/or young people, are more important than age or qualifications. Carers need to have experience of, and enjoy spending time with children and young people, and have a good sense of humour, lots of compassion, tolerance and bags of energy."</i></p> <p><u>How were foster carers identified and approved/registered?</u></p> <p>In 2015/16 the Council allocated £362,000 to support implementation of the Expansion of Family Based Care Transformation Project. This is a 4-year transformation project (2016-2020) designed to expand the number of foster carers and to increase the range of family-based care options for looked after children and young people as well as care leavers. It was primarily designed as a 'spend to save' project to expand the numbers of foster carers, respite carers and to establish a pool of supported lodgings providers.</p> <p>The key objective of this project is to meet the increasing demand for foster carers and family-based carers locally within Perth and Kinross and the immediate geographical area and to avoid the future costs associated with higher cost external placements. The aim is to be able to provide for our looked after children within our local communities and reduce the reliance on external placements via independent providers. This in turn allows children and young people to feel a sense of belonging to their local community.</p> <p><i>"Giving every child the best start in life"</i> is a strategic objective of the Council and this project addresses this by ensuring those children and young people who can't remain safely within their birth families have their needs met by supportive, caring and local foster carers. Children and Young People have often said that the being removed from their parents' care is traumatic enough but to then have to live in a community they don't know and perhaps change schools and lose friendships deepens that sense of isolation and lack of belonging.</p>

		<p>The project has been successful in meeting the targets set. This has meant that for fostering the project has seen an increase of 12 sets of foster carers March 2020 and a reduction of children and young people placed in external foster placements from 47 to 20. The creation of the supported lodgings scheme has seen the recruitment of 7 providers who are currently caring for 7 young people aged between 17 and 20.</p> <p><u>What checks were carried out in relation to a prospective foster carer, including criminal record checks, references and interviews?</u></p> <p>The Council's current Prospective Foster Carer Information Pack dated 2019 states that</p> <p><i>"Disclosure Scotland checks will be carried out to ensure you are not disqualified by law from working with children. You will also go through a full medical check and we will request personal references. For fostering and adoption, checks will also be undertaken with regard to previous partners; employment and finance, home health and safety, and pets in your home."</i></p> <p>This reflects the current procedure.</p> <p>Foster carer agreements are now updated following any change to foster carer approval and following each review.</p>
	Questions	
2	Organisational Structure and Oversight	Proposed Response
2.1	Culture	
a)	What was the nature of the culture within the local authority in relation to the	1930 -1975

<p>provision of foster care?</p>	<p>There are few records available which give any insight or information in relation to this question. There are references in the latter part of the 1930s to the boarding out of children, initially accommodated in poor houses and that <i>"the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution"</i>.</p> <p>In 1948 there is a reference in a Children's Officer file to boarding out giving children <i>"the nearest approximation of family life"</i>. This was in the context of the Children's Officers observations on the proposed 1947 Regulations relating to boarding out.</p> <p>In the Medical Officer Annual Report for the County Council in 1948, it states that <i>"there has been a steady increase in the work of caring for children who for various reasons may not be receiving proper care and attention, and as the facilities available becomes more widely known, the demand for these is likely to continue to increase. It is clear that a great deal of the work of the Children's Officer will be of an educative remedial nature involving a considerable amount of patience and time, since it is all important that the utmost should be done to maintain the family unit. Removal should be the exception and should if at all possible, terminate by return to parental care. If this is not possible, "boarding out" with carefully selected foster parents is the method of choice. These principles are being put into practice with considerable success, but there will always be a number of children who for one reason or another must be regarded as unsuitable for boarding out and for whom permanent stay in a local authority home is necessary.</i></p> <p>It does seem that the objective over this period was for children who came into care to be cared for in a setting which resembled family life where possible. In 1962, the Annual Report by the Chief Medical Officer of Health states <i>"Children from broken homes, either temporarily or permanently, require a settled way of life, if not in their own home with parents, then in a substitute home with substitute parents. Some children settle down in the Children's Home and are happier there than in an ordinary home. Most children, however, like to have a home, a home which they can call their own, some place they can speak about, and to have parents, even substitute parents, whom they can call "Mummy" and "Daddy" or "Auntie" and "Uncle." In the Child Care Service, those people are called foster-parents or guardians, and are now very much a part of the wider Child Care Service.....It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing. This, in turn, should lead to better citizenship and in time should help to reduce the number of problem children and problem families who require to be treated in some way or another today. It is hoped, and every endeavour must continue to be made, to increase the number of children with foster-parents in order that as many children as possible can benefit from an ordinary home life and upbringing."</i></p> <p>In 1967 there is a similar reference by the Children's Officer in response to a Circular 5/1967. It is recorded that <i>"it is well established that the fostering of children with good foster parents is the means of a child getting the nearest approximation to family life and thus receiving the opportunity to develop and become equipped for the transition to independence and self-reliance in later years"</i>.</p> <p>1975 – 1996</p>
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<p>In the early 1970s, evidence shows that the ethos in the organisation at that time was about improving how care could be provided. There was also a focus on the cost benefit of the improvements for children whilst recognising constraints on the budget at the time.</p> <p>From the mid-1980s it can be demonstrated that the organisation had a determined and sustained focus on improving the care service it provided for children. It developed strategies drawing on research and good practice which improved staff training and qualifications and introduced a focus on care planning which allowed the child's voice to be heard.</p> <p>No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report "<i>Children in Crisis: A Strategy for Children and their Families</i>" outlined key policies that should underpin all work with children and their families in Tayside.</p> <p>The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.</p> <p>Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents.</p> <p>1996 – December 2014</p> <p>Between 1999 and 2006 there is evidence of Service Plans which drove forward improvements across all Children's Services. In these plans the local authority identified one of their key service objectives as "<i>meeting the assessed needs of vulnerable children through a range of community supports, protecting children from harm and fulfilling their statutory duties to children who are 'looked after' by the council.</i>" This included improving the Foster Care Service.</p> <p>Perth and Kinross Council and its partner agencies placed the highest priority on keeping all children and young people safe and protecting them from harm, abuse, neglect and exploitation. It consistently and publicly declared its strong commitment to zero-tolerance of abuse, neglect and exploitation.</p>
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Since 2002, the message that it is *everyone's job* to protect children has been continually reinforced and a partnership approach has been led by Perth and Kinross Council, via the Children, Young People and Families Partnership (CYFPF). All efforts have been made to protect all children and young people and keep them safe at home, in school and within the community. This ethos applies equally to all children, including those in foster care and / or residential care and the principles of this approach are the same. This collective approach aims to provide better outcomes for all children and young people.

The Council has been proactive along with partners in the Child Protection Committee (CPC) to continually improve children's services and child protection services for all children and to respond to new and emerging risks to children.

Getting it right for every child (GIRFEC) added emphasis to the importance of foster care with the publication of "Getting it right in kinship and foster care" in Dec 2007. This strategy had two main aims, delivering a child-centred approach to kinship and foster care, supporting high quality kinship and foster care and a focus on early support. Perth and Kinross Council adopted the GIRFEC approach throughout its services seeking to ensure that children and young people who were looked after received the highest possible quality of care and positive outcomes emphasising the involvement of foster carers in the planning for individual children; encouraging foster carers to commit to children beyond 16/18yrs and at the same time investing in preventative approaches to prevent children coming into care such as early family support.

The concept of corporate parenting commenced in 2007 within Perth and Kinross Council supported and promoted by the then Chief Executive and the Council's Corporate Management Team. The philosophy encouraged the whole council to see itself as having responsibilities for looked after children. This commenced with a system whereby a lead officer mentored a child who was currently accommodated. They had a responsibility to oversee the arrangements for their care and progress across all aspects of their lives and to address any perceived barriers to their wellbeing and to achieving their full potential. For example, a corporate parent liaising with the lead social worker for a child who was looked after ensured that the young person had suitable accommodation when they moved into independent living or had all the financial support, they need to take up further or higher education. Through this the understanding of the needs of looked after children grew and a holistic approach to providing the best opportunities for looked after children was promoted.

In 2008, the Scottish Government published "*These are our bairns: a guide for community planning partnerships on being a good corporate parent*" this provided guidance for Councils and community planning partners on how to improve outcomes for looked after children and young people and care leavers. This provided additional impetus for the local approach to corporate parenting and a sense that children who were looked after were "our children" and a strengthened ethos that everyone working within the Council and its public service partners should be striving for the very best for children in care in the same way that they would strive for their own children. This ethos permeated the corporate parenting approach and was driven passionately by the Council's Chief Executive and Senior Management Team and the Community Planning Outcome Delivery Group for Children and Young People, the Children, Young People and Families Partnership (CYFPF).

A corporate parenting strategy was produced to ensure that the needs of looked after children were considered within Council policy and decisions. Applying this ethos to all children has meant that the organisation has been very proactive in ensuring there has been a significant investment to secure the highest standards of care. Constantly reviewing the models of care, participating in national initiatives on safe recruitment and capital investments are all evidence of this shared partnership commitment.

An example of this can be seen in the Education and Children's Service Plans between 2001-2004, whereby one of the main service objectives was to implement the Foster Care and adoption policy and invest more to increase the number of temporary and permanent carers by 20%, reduce the length of time children are awaiting placement by 30% and increase the number of carers per 1000 children by 10% by 2004.

In line with national strategies, emphasis was placed on the development of foster care as providing more positive outcomes for children and young people than residential care. A family setting allowed children and young people to experience safe and nurturing care and develop relationships with caring adults. The change of ethos from blame and removing children from dysfunctional families to providing support, nurture and compensatory care was supported by increased emphasis on attachment theory. Literature such as *"A child's journey through placement"* by Sally Wassel was a significant resource for professionals and foster carers and helped to develop a shared understanding about what children needed. The demand for highly attuned carers was reflected in training. Perth and Kinross Council required all foster carers to commit to 5 days training per year and encouraged them to reflect on how they put this training into practice through regular support from a designated social worker. Each foster carer was provided with a supervising social worker who undertook formal support and supervision and local support groups were set up to enable the sharing of experience and skills.

In advance of a joint inspection of services to protect children led by Her Majesty's Inspectorate of Education in 2010, the Child Protection Committee and the Children and Young People's Partnership carried out a self-evaluation across a range of quality indicators. This self-evaluation included a reflection on the extent to which the leadership within the Council and its partners were protecting children and meeting their needs. It concluded that the leadership of *"Chief Officers, Elected Members and Senior Officers individually and collectively, have and consistently demonstrate their leadership and accountability for the effectiveness of their work, particularly in relation to the care, welfare and protection of all children and young people"*.

There was evidence of a long-established history of strong partnership working and very effective working relationships between and across all services and agencies within Perth and Kinross which was promoting a culture of working together to keep all children and young people safe from harm, abuse, neglect and exploitation. The ethos that *"It's everyone job to make sure I'm alright"* had been used very successfully to promote consistently high standards of practice and to support a culture where all staff were continuously striving to provide better outcomes and to improve the life chances of all children and young people. It was noted that *"National child protection policy and legislative developments have been embraced to promote a culture of continuous improvement and change across children's services, with the key themes and consistent messages being translated*

		<p><i>into a wide range of practice environments, including Foster Care</i>". There was a recognition that procedures and guidance could not in themselves protect children and young people and there was an explicit focus on developing a competent, skilled and confident workforce.</p> <p>The findings of that inspection concluded that leadership and direction in services to protect children was excellent and the approach taken by the Council and its partners ensured that this was having a significant positive impact across all services for children, young people and families.</p> <p>The promotion of the voice of carers and children and young people who experienced care was evident in self-evaluation. Children and young people expressed their views about their experiences and foster carers were involved in the self-evaluation days. This contributed to an ethos of sharing of responsibility for providing a high-quality service and being part of a skilled team around children in care.</p> <p>Perth and Kinross Council also supported the development of a social work led therapeutic service known as Family Change. This provided easy access to play and art therapy alongside advice to foster carers to assist them in understanding and managing children's behaviour. This was held in high regard by families and carers and allowed for reparative care to be attuned to the needs of individuals.</p> <p>Who Cares? Scotland was founded in 1978 and provided the voice of children and young people who are looked after and accommodated. Perth and Kinross Council commissioned Who Cares? to provide independent support and advocacy to children and young people looked after in foster care. This means that their voice was heard within Looked After reviews and Children's Hearings. In addition, the Council supported an independent approach to the review of children's circumstances with a small team of reviewing officers. The strategy over this period included a target to include additional review meetings over and above the statutory requirement thus ensuring that the child's placement was meeting their needs at an early stage.</p>
b)	<p>Was that culture reflected in the local authority's policies, procedures and/or practice in relation the provision of foster care?</p>	<p>1930-1975</p> <p>There is no evidence available of policies, procedures and practices.</p> <p>1975 – 1996</p> <p>Although specific policies and procedures are not available, however the <i>Children in Crisis</i>" strategy document reflects the philosophy and principles of this time in relation to foster care.</p> <p>1996 - December 2014</p>

		Yes
c)	How can that be demonstrated?	<p>1930 – 1975</p> <p>N/A</p> <p>1975 -1996</p> <p><i>“Children in Crisis”</i> strategy document.</p> <p>1996 – December 2014</p> <p>It is evident from various Committee reports relating to the management structure within the Service responsible for delivery children’s services that there were clearly expressed priorities, aims and objectives and that the focus for all staff was on delivering the highest quality services for children and families in Perth and Kinross.</p> <p>It is also evident from the various Committee reports relating to policy and strategy for both fostering services and children’s services more widely that clear links were made to the strategic plan and culture within the Council.</p> <p>Inspection reports reflect that the Council’s strategic and cultural values in areas such as GIRFEC and corporate parenting were very evident within both procedure and practice.</p>
d)	Did the provision of care by foster carers reflect the local authority’s culture, policies and procedures?	<p>1930 -1975</p> <p>There are no records available which give insight or information in relation to this question.</p> <p>1975 – 1996</p> <p>As indicated specific policies and procedures are not available, however the strategy document and subsequent recruitment drive appear to reflect Tayside’s culture, policies and procedures.</p> <p>1996 – December 2014</p> <p>Yes. Foster carers are recruited and supported to embody the Council’s vision for children and young people in that they become passionate supporters for their wellbeing and for encouraging the very best outcomes. They are active contributors to achieving the very best for “our” children and young people and are core constituents of the corporate parenting vision.</p>
e)		

<p>If not, please provide a representative range of examples and explain, by reference to those examples, why particular foster carers did not, in material ways, work in accordance with the local authority's then culture, policies and procedures and what, if anything, was done to change that?</p>	<p>The culture of continuous improvement, training and care for children and young people was laid out in the foster care handbook. Supervising Social Workers would work with carers to ensure compliance with standards. Any concerns were addressed with action plans that would be presented to fostering and permanence panel. If foster carers did not adhere to the continuous improvement ethos or comply with care standards, then, in the most serious of cases, they would be de-registered.</p>
<p>f) When and why did any changes in the culture of the local authority in relation to the provision of foster care come about?</p>	<p>1930 -1975</p> <p>There are few records available which give any insight or information in relation to this question. There are references in the latter part of the 1930s to the boarding out of children, initially accommodated in poor houses and that <i>"the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution"</i>.</p> <p>In 1948 there is a reference in a Children's Officer file to boarding out giving children <i>"the nearest approximation of family life"</i>. This was in the context of the Children's Officers observations on the proposed 1947 Regulations relating to boarding out.</p> <p>In the Medical Officer Annual Report for the County Council in 1948, it states that <i>"there has been a steady increase in the work of caring for children who for various reasons may not be receiving proper care and attention, and as the facilities available becomes more widely known, the demand for these is likely to continue to increase. It is clear that a great deal of the work of the Children's Officer will be of an educative remedial nature involving a considerable amount of patience and time, since it is all important that the utmost should be done to maintain the family unit. Removal should be the exception and should if at all possible, terminate by return to parental care. If this is not possible, "boarding out" with carefully selected foster parents is the method of choice. These principles are being put into practice with considerable success, but there will always be a number of children who for one reason or another must be regarded as unsuitable for boarding out and for whom permanent stay in a local authority home is necessary.</i></p> <p>It does seem that the objective over this period was for children who came into care to be cared for in a setting which resembled family life where possible. In 1962, the Annual Report by the Chief Medical Officer of Health states <i>"Children from broken homes, either temporarily or permanently, require a settled way of life, if not in their own home with parents, then in a substitute home with substitute parents. Some children settle down in the Children's Home and are happier there than in an ordinary home. Most children, however, like to have a home, a home which they can call their own, some place they can speak about, and to have parents, even substitute parents, whom they can call "Mummy" and "Daddy" or "Auntie" and "Uncle." In the Child Care Service,</i></p>

those people are called foster-parents or guardians, and are now very much a part of the wider Child Care Service.....It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing. This, in turn, should lead to better citizenship and in time should help to reduce the number of problem children and problem families who require to be treated in some way or another today. It is hoped, and every endeavour must continue to be made, to increase the number of children with foster-parents in order that as many children as possible can benefit from an ordinary home life and upbringing."

In 1967 there is a similar reference by the Children's Officer in response to a Circular 5/1967. It is recorded that *"it is well established that the fostering of children with good foster parents is the means of a child getting the nearest approximation to family life and thus receiving the opportunity to develop and become equipped for the transition to independence and self-reliance in later years"*.

1975 – 1996

In the early 1970s, evidence shows that the ethos in the organisation at that time was about improving how care could be provided. There was also a focus on the cost benefit of the improvements for children whilst recognising constraints on the budget at the time.

From the mid-1980s it can be demonstrated that the organisation had a determined and sustained focus on improving the care service it provided for children. It developed strategies drawing on research and good practice which improved staff training and qualifications and introduced a focus on care planning which allowed the child's voice to be heard.

No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report *"Children in Crisis: A Strategy for Children and their Families"* outlined key policies that should underpin all work with children and their families in Tayside.

The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.

Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents.

1996 – December 2014

Perth and Kinross Council and its partner agencies placed the highest priority on keeping all children and young people safe and protecting them from harm, abuse, neglect and exploitation. It consistently and publicly declared its strong commitment to zero-tolerance of abuse, neglect and exploitation.

Since 2002, the message that it is *everyone's job* to protect children has been continually reinforced and a partnership approach has been led by Perth and Kinross Council, via the Children, Young People and Families Partnership (CYPFP). All efforts have been made to protect all children and young people and keep them safe at home, in school and within the community. This ethos applies equally to all children, including those in foster care and / or residential care and the principles of this approach are the same. This collective approach aims to provide better outcomes for all children and young people.

The Council has been proactive along with partners in the Child Protection Committee (CPC) to continually improve children's services and child protection services for all children and to respond to new and emerging risks to children.

Getting it right for every child (GIRFEC) added emphasis to the importance of foster care with the publication of "Getting it right in kinship and foster care" in Dec 2007. This strategy had two main aims, delivering a child-centred approach to kinship and foster care, supporting high quality kinship and foster care and a focus on early support. Perth and Kinross Council adopted the GIRFEC approach throughout its services seeking to ensure that children and young people who were looked after received the highest possible quality of care and positive outcomes emphasising the involvement of foster carers in the planning for individual children; encouraging foster carers to commit to children beyond 16/18yrs and at the same time investing in preventative approaches to prevent children coming into care such as early family support.

The concept of corporate parenting commenced in 2007 within Perth and Kinross Council supported and promoted by the then Chief Executive and the Council's Corporate Management Team. The philosophy encouraged the whole council to see itself as having responsibilities for looked after children. This commenced with a system whereby a lead officer mentored a child who was currently accommodated. They had a responsibility to oversee the arrangements for their care and progress across all aspects of their lives and to address any perceived barriers to their wellbeing and to achieving their full potential. For example, a corporate parent liaising with the lead social worker for a child who was looked after ensured that the young person had suitable accommodation when they moved into independent living or had all the financial support, they need to take up further or higher

education. Through this the understanding of the needs of looked after children grew and a holistic approach to providing the best opportunities for looked after children was promoted.

In 2008, the Scottish Government published *"These are our bairns: a guide for community planning partnerships on being a good corporate parent"* this provided guidance for Councils and community planning partners on how to improve outcomes for looked after children and young people and care leavers. This provided additional impetus for the local approach to corporate parenting and a sense that children who were looked after were "our children" and a strengthened ethos that everyone working within the Council and its public service partners should be striving for the very best for children in care in the same way that they would strive for their own children. This ethos permeated the corporate parenting approach and was driven passionately by the Council's Chief Executive and Senior Management Team and the Community Planning Outcome Delivery Group for Children and Young People, the Children, Young People and Families Partnership (CYFPF).

A corporate parenting strategy was produced to ensure that the needs of looked after children were considered within Council policy and decisions. Applying this ethos to all children has meant that the organisation has been very proactive in ensuring there has been a significant investment to secure the highest standards of care. Constantly reviewing the models of care, participating in national initiatives on safe recruitment and capital investments are all evidence of this shared partnership commitment.

Between 1999 and 2006 there is evidence of Service Plans which drove forward improvements across all Children's Services. In these plans the local authority identified one of their key service objectives as *"meeting the assessed needs of vulnerable children through a range of community supports, protecting children from harm and fulfilling their statutory duties to children who are 'looked after' by the council."* This included improving the Foster Care Service.

An example of this can be seen in the Education and Children's Service Plans between 2001-2004, whereby one of the main service objectives was to implement the Foster Care and adoption policy and invest more to increase the number of temporary and permanent carers by 20%, reduce the length of time children are awaiting placement by 30% and increase the number of carers per 1000 children by 10% by 2004.

In line with national strategies, emphasis was placed on the development of foster care as providing more positive outcomes for children and young people than residential care. A family setting allowed children and young people to experience safe and nurturing care and develop relationships with caring adults. The change of ethos from blame and removing children from dysfunctional families to providing support, nurture and compensatory care was supported by increased emphasis on attachment theory. Literature such as *"A child's journey through placement"* by Sally Wassel was a significant resource for professionals and foster carers and helped to develop a shared understanding about what children needed. The demand for highly attuned carers was reflected in training. Perth and Kinross Council required all foster carers to commit to 5 days training per year and encouraged them to reflect on how they put this training into practice through regular support from a designated social worker.

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Each foster carer was provided with a supervising social worker who undertook formal support and supervision and local support groups were set up to enable the sharing of experience and skills.

In advance of a joint inspection of services to protect children led by Her Majesty's Inspectorate of Education in 2010, the Child Protection Committee and the Children and Young People's Partnership carried out a self-evaluation across a range of quality indicators. This self-evaluation included a reflection on the extent to which the leadership within the Council and its partners were protecting children and meeting their needs. It concluded that the leadership of *"Chief Officers, Elected Members and Senior Officers individually and collectively, have and consistently demonstrate their leadership and accountability for the effectiveness of their work, particularly in relation to the care, welfare and protection of all children and young people"*.

There was evidence of a long-established history of strong partnership working and very effective working relationships between and across all services and agencies within Perth and Kinross which was promoting a culture of working together to keep all children and young people safe from harm, abuse, neglect and exploitation. The ethos that *"It's everyone job to make sure I'm alright"* had been used very successfully to promote consistently high standards of practice and to support a culture where all staff were continuously striving to provide better outcomes and to improve the life chances of all children and young people. It was noted that *"National child protection policy and legislative developments have been embraced to promote a culture of continuous improvement and change across children's services, with the key themes and consistent messages being translated into a wide range of practice environments, including Foster Care"*. There was a recognition that procedures and guidance could not in themselves protect children and young people and there was an explicit focus on developing a competent, skilled and confident workforce.

The findings of that inspection concluded that leadership and direction in services to protect children was excellent and the approach taken by the Council and its partners ensured that this was having a significant positive impact across all services for children, young people and families.

The promotion of the voice of carers and children and young people who experienced care was evident in self-evaluation. Children and young people expressed their views about their experiences and foster carers were involved in the self-evaluation days. This contributed to an ethos of sharing of responsibility for providing a high-quality service and being part of a skilled team around children in care.

Perth and Kinross Council also supported the development of a social work led therapeutic service known as Family Change. This provided easy access to play and art therapy alongside advice to foster carers to assist them in understanding and managing children's behaviour. This was held in high regard by families and carers and allowed for reparative care to be attuned to the needs of individuals.

	<p>Who Cares? Scotland was founded in 1978 and provided the voice of children and young people who are looked after and accommodated. Perth and Kinross Council commissioned Who Cares? to provide independent support and advocacy to children and young people looked after in foster care. This means that their voice was heard within Looked After reviews and Children's Hearings. In addition, the Council supported an independent approach to the review of children's circumstances with a small team of reviewing officers. The strategy over this period included a target to include additional review meetings over and above the statutory requirement thus ensuring that the child's placement was meeting their needs at an early stage.</p>
<p>g) Were any changes in culture driven by internal influences, incidents, experiences or events within the local authority, or any of the foster care placements?</p>	<p>1930 – 1975</p> <p>From the few records available, it appears that changes were more driven by national developments such as the introduction of the welfare state. In addition, there is some evidence of changes in foster care practice being driven by national guidance issued through Circulars, the changing legislative picture and, in the 1970s, increased sharing of information and practice across local authorities.</p> <p>1975 – 1996</p> <p>No information is available other than the fact that the strategy was led by Peter Bates who was appointed in 1983/84</p> <p>1996 – December 2014</p> <p>The changes in culture were driven by national policy and internal recognition that foster care was the best option for children and young people who were accommodated. The introduction of the role of improvement officer put emphasis on self-evaluation and improvement actions. The publication of self – assessment tools by SWIA was used as a framework and led to annual exercises involving staff, foster carers and feedback from children and young people in foster care.</p> <p>Feedback forms from Social workers at the ending of placements and from the fostering and permanence panel also contributed to improvements within the service.</p> <p>The changes in culture were driven by how external influences were interpreted by Senior Leaders within the organisation. From the mid2000s, the Chief Executive of the Council passionately drove forward a culture which placed children and families at the centre and constantly challenged staff at all levels to drive up standards and to improve performance. The Council provided a fertile environment for innovation and creativity and supported staff to have the skills and relevant frameworks to evaluate their work and motivate them to initiate and embed improvements. The aim was to create the right cultural conditions and expectations for staff to work in partnership and develop new ways of working and to seek out new areas for collaboration and Getting it Right for Every Child was embraced fully. The diagram was used to illustrate the leadership of culture within Perth and</p>

Kinross from mid2000s to 2018 represent the approach taken and submitted to the Care Inspectorate as part of a report of self-evaluation of leadership in 2017. The self-evaluation concluded that there were some examples of outstanding leadership which included:

- A strong coherent partnership vision for improving wellbeing in our communities which has been sustained over many years and is understood at all levels.
- Very strong commitment from the Children, Young People and Families Partnership and the Child Protection Committee to continuous improvement and successful track record in achieving transformational change.
- A strong ethos and culture of support and challenge within and across organisations.
- A focus on empowering staff to self-evaluate and continuously improve their work within an authorising environment to support creativity and innovation.

Enabling all Children, Young People and Families to be the best they can be



Enabling our staff to make a positive difference

<p>h)</p>	<p>Were there any changes in culture that were driven by abuse, or alleged abuse, of children in foster care?</p> <p>1930 – 1975 There is insufficient information available in records to determine this. There is one record in 1967 of a Scottish Home Department Circular being issued in response to death of a foster child in another part of Scotland, but there is no evidence from which it can be concluded that the culture in the local authority changed because of that.</p> <p>1975 - 1996 Yes, of particular note is the Inquiry Report 1975 (Richard Clark born ██████ 1970) which was published circa February 1975 which resulted in an immediate response by Perth Town Council. This was clearly Minuted at the Social Work Committee 20 February 1975. Reported to Full Council 21 February 1975, just prior to local government re-organisation.</p> <p>There is also evidence that the Director of Social Work and the Town Clerk were particularly active in ensuring the findings and conclusions were addressed by Perth Town Council. Following a Special Meeting of Social Work Committee 20 February 1975:</p> <p>Outcome – Report / Minute contained Immediate Recommendations made by the Social Work Committee (if not already operative) to improve allocation of cases in social work; establish a multi-agency committee to support complex cases and to provide advice on treatment and management; improve peer support in complex cases; improve supervision and support up to Director level; seek the views of children; improvement the arrangements and requirements for medical examinations; improve the private fostering arrangements and approval; develop a confidential register for vulnerable families and a system to collate multi-agency information – to be established by Social Work</p> <p>There is very strong evidence that the findings and conclusions were taken very seriously, and steps taken to improve local practice around the key issues. This work was taken forward by the then Director of Social Work, J D Burrows. Evidence of specific recommendations to improve social work practice locally.</p> <p>In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, The Robert Gordon University entitled “PREDICTORS OF ABUSE IN FOSTER CARE” Report to Tayside Region Social Work Department. Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18).</p> <p>The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were</p>
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		<p>placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.</p> <p>It was recommended that clear criteria were laid down for the action to be taken in response to allegations of abuse, and that procedures of investigation and follow-up action were carried out in a consistent manner and that steps were taken to ensure that information relating to abuse in care was drawn together in some way (a specific section possibly in carers' case files) to ensure that information could be presented to foster carer reviews in a structured and coherent way. However, it is not clear to what extent this report resulted in any change of culture.</p> <p>1996 – December 2014 There is no record of a formal inquiry or Significant Case Review (as per the national guidance for conducting Significant Case Reviews that existed) into the circumstances of a child or children who have experienced abuse in foster care over this period. It is of note however that there have been reviews of this nature undertaken into circumstances where a child has died or experienced significant harm at home and that there were agreed arrangements and protocols agreed by the Perth and Kinross Child Protection Committee for carrying these out. Inquiries or reviews of this nature would result in recommendations for improvement and the necessary leadership and management actions in order to meet these including changes to culture, systems and practice. There is no evidence of abuse or alleged abuse resulting in this kind of review or improvement planning or the associated drive to change culture that may arise from that.</p>
i)	<p>If so, when did they occur and how did they manifest themselves?</p>	<p>Of note is the Inquiry Report 1975 (Richard Clark born ██████ 1970) which was published circa February 1975 which resulted in an immediate response by Perth Town Council. This was clearly Minuted at the Social Work Committee 20 February 1975. Reported to Full Council 21 February 1975.</p> <p>There is also evidence that the Director of Social Work and the Town Clerk were particularly active in ensuring the findings and conclusions were addressed by Perth Town Council. Following a Special Meeting of Social Work Committee 20 February 1975:</p> <p>Outcome – Report / Minute contained Immediate Recommendations made by the Social Work Committee (if not already operative) to improve allocation of cases in social work; establish a multi-agency committee to support complex cases and to provide advice on treatment and management; improve peer support in complex cases; improve supervision and support up to Director level; seek the views of children; improvement the arrangements and requirements for medical examinations; improve the private fostering arrangements and approval; develop a confidential register for vulnerable families and a system to collate multi-agency information – to be established by Social Work</p>

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<p>j) Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?</p>	<p>1930 -1975</p> <p>There are few records available which give any insight or information in relation to this question. There are references in the latter part of the 1930s to the boarding out of children, initially accommodated in poor houses and that <i>"the interests of the child are much better served by boarding-out with a good guardian than by living in the Institution"</i>.</p> <p>In 1948 there is a reference in a Children's Officer file to boarding out giving children <i>"the nearest approximation of family life"</i>. This was in the context of the Children's Officers observations on the proposed 1947 Regulations relating to boarding out.</p> <p>In the Medical Officer Annual Report for the County Council in 1948, it states that <i>"there has been a steady increase in the work of caring for children who for various reasons may not be receiving proper care and attention, and as the facilities available becomes more widely known, the demand for these is likely to continue to increase. It is clear that a great deal of the work of the Children's Officer will be of an educative remedial nature involving a considerable amount of patience and time, since it is all important that the utmost should be done to maintain the family unit. Removal should be the exception and should if at all possible, terminate by return to parental care. If this is not possible, "boarding out" with carefully selected foster parents is the method of choice. These principles are being put into practice with considerable success, but there will always be a number of children who for one reason or another must be regarded as unsuitable for boarding out and for whom permanent stay in a local authority home is necessary.</i></p> <p>It does seem that the objective over this period was for children who came into care to be cared for in a setting which resembled family life where possible. In 1962, the Annual Report by the Chief Medical Officer of Health states <i>"Children from broken homes, either temporarily or permanently, require a settled way of life, if not in their own home with parents, then in a substitute home with substitute parents. Some children settle down in the Children's Home and are happier there than in an ordinary home. Most children, however, like to have a home, a home which they can call their own, some place they can speak about, and to have parents, even substitute parents, whom they can call "Mummy" and "Daddy" or "Auntie" and "Uncle." In the Child Care Service, those people are called foster-parents or guardians, and are now very much a part of the wider Child Care Service.....It is evident, therefore, that more children are getting the opportunity of living in a natural environment and of receiving the advantages of a good and steady upbringing. This, in turn, should lead to better citizenship and in time should help to reduce the number of problem children and problem families who require to be treated in some way or another today. It is hoped, and every endeavour must continue to be made, to increase the number of children with foster-parents in order that as many children as possible can benefit from an ordinary home life and upbringing."</i></p>

<p>In 1967 there is a similar reference by the Children's Officer in response to a Circular 5/1967. It is recorded that <i>"it is well established that the fostering of children with good foster parents is the means of a child getting the nearest approximation to family life and thus receiving the opportunity to develop and become equipped for the transition to independence and self-reliance in later years"</i>.</p> <p>1975 – 1996</p> <p>In the early 1970s, evidence shows that the ethos in the organisation at that time was about improving how care could be provided. There was also a focus on the cost benefit of the improvements for children whilst recognising constraints on the budget at the time.</p> <p>From the mid-1980s it can be demonstrated that the organisation had a determined and sustained focus on improving the care service it provided for children. It developed strategies drawing on research and good practice which improved staff training and qualifications and introduced a focus on care planning which allowed the child's voice to be heard.</p> <p>No information is available to indicate how Tayside viewed its functions and ethos in terms of foster care prior to the strategy document, "Children in Crisis" in 1986, discussed above. The report <i>"Children in Crisis: A Strategy for Children and their Families"</i> outlined key policies that should underpin all work with children and their families in Tayside.</p> <p>The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused. Whilst Tayside's strategy in relation to children in crisis should be recognised as being in the best interests of children and young people it should also be noted that, at the time, there was a major shift in both Scotland and the rest of the UK away from the use of residential care for young people. Whilst this was positive, it was also motivated by economic factors given the high costs involved in providing residential care. For example, in 1980, most regions decided to stop most out of region placements in residential care.</p> <p>Report 149/84 from 1984, indicates a review of foster care services with a recommendation that a specialist scheme be established specifically for adolescents.</p> <p>1996 – December 2014</p>
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Perth and Kinross Council and its partner agencies placed the highest priority on keeping all children and young people safe and protecting them from harm, abuse, neglect and exploitation. It consistently and publicly declared its strong commitment to zero-tolerance of abuse, neglect and exploitation.

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		team of reviewing officers. The strategy over this period included a target to include additional review meetings over and above the statutory requirement thus ensuring that the child's placement was meeting their needs at an early stage.
Present		
k)	With reference to the present position, are the answers to any of the above questions different?	Yes.
l)	If so, please give details.	<p>The most recent joint inspection of services for children and young people led by the Care Inspectorate and published in a report in April 2018 provides independent evidence of the current culture which continues to strive for excellent outcomes for every child. The inspection found that within Perth and Kinross:</p> <p><i>"A compelling vision alongside an embedded culture of highly aspirational partnership working contributed to a relentless determination to deliver quality services and improved outcomes for children, young people, families and communities"</i></p> <p><i>"The vision, commitment and passion to achieve "A confident and ambitious Perth and Kinross, to which everyone can contribute and in which all can share" was clearly articulated across a range of coherent and interconnected strategic plans. Staff understood and supported the direction of travel"</i>.</p> <p><i>"Leaders and staff across services presented as highly aspirational and were working diligently to improve outcomes for children, young people, families and communities through the delivery of high-quality and effective services. The local authority had invested in the Building Ambition 2015-20 programme to transform services in order to meet increasing demand, improve efficiency and deliver agreed outcomes. Activities included reviewing and remodelling residential care services for children and young people. This included the expansion of family-based care to avoid young people becoming accommodated in residential settings, as well as fulfilling future service demand in respect of continuing care responsibilities based on a proven model"</i>.</p> <p><i>"Planning to meet the needs of individual children and young people was particularly strong. Children and young people who are looked after were thriving as a result of the consistent care provided by well supported carers and were in quality residential provision. The efforts of innovative and creative staff were having a positive impact on the wellbeing of children and young people across all eight wellbeing indicators. Care experienced young people viewed corporate parents as committed, engaged and enabling. An embedded and sustained culture of self-evaluation and continuous improvement was a core attribute"</i>.</p>

		The positive, constructive and child-focused culture of the past and recent past has continued. It has been further strengthened by active efforts to extend advocacy for children and to amplify their voice in service planning as well as in delivery.
m)	To what extent, if any, has abuse or alleged abuse of children cared for in foster care caused, or contributed to, the adoption of the current policies, procedures and/or practices of the local authority, in relation to the provision of foster care services for children including the safeguarding and child protection arrangements applying to its current foster care placements?	Since 2014 there have been major changes in terms of policy and with the commencement of key Parts of the Children and Young People (Scotland) Act 2014. This includes enshrining wellbeing into legislation, the introduction of duties relating to continuing care, a greater emphasis on kinship care and limitations around placement numbers. All have had an impact on the delivery of the foster care service.

2.2 Structure, leadership and accountability		
Past		
a)	What was the structure of responsibility within the local authority in relation to foster care?	<p>1930 - 1975 Perth Town Council and Perth County Council had similar structures with a Children's Officer in charge of the care and welfare of children.</p> <p>The Children's Officer reported to the Town or County Clerk who was oversaw the officers of the authority and was accountable to Town or County Council. They presented business to the relevant Council Committee (the Public Assistance Committee, then Children's Committee and latterly Social Work Committee.</p> <p>From 1969 the statutory office of Chief Social Work Officer was a requirement in all local authorities in Scotland and the role of Children's Officer changed to that of Director of Social Work.</p> <p>1975 – 1996</p>

No information available

1996 – December 2014

In 2000, changes were made to the Council's Social Work Service. Children's Services were integrated with Education Services to form a new Education and Children's Service, headed by a Service Director.

In 2001 a new management structure was agreed which created a Head of Service for Children and Families (social work services). The fostering service and fieldwork social work services for children were within the portfolio of that Head of Service. The Head of Service reported to a Depute Director, who in turn reported to the Director.

In 2006, as part a policy on adoption and fostering services, the following service structure was agreed in relation to fostering services. The Head of Children and Families Services continued to report to the Depute Director until 2016 when the postholder moved to work in Housing and Community Care but as they continued in the role of Chief Social Work Officer for the Council continued to have a formal link for all professional social work functions.

In 2007, steps were taken to appoint an independent person to chair the Fostering and Permanence Panel. This appointment reported directly to the Head of Service.

	<p>The above diagram shows the structure in place at June 2014</p>
<p>b) What were the oversight and supervision arrangements by senior management?</p>	<p>1930 to 1975</p> <p>There are no records available which given insight or information into this question. It appears from records that certainly during the late 1940s and 1950s, the Children's Officer had minimal support from other professional staff.</p> <p>1975 – 1996</p> <p>No information available</p> <p>1996 – December 2014</p> <p>Over this period the arrangements for the oversight and supervision of fostering services by senior management increased and improved. From 2006 onwards, an improvement plan for the service was approved within the service management structures. Performance information, including performance indicators relating to the number of placement moves experienced by children,</p>

		<p>timeliness of looked after reviews and the time taken to achieve permanence for children, was reported regularly to the Education and Children's Services Senior Management Team using the structure of a Business Management and Improvement Plan and to the Council's Executive Officer Team, Lifelong Learning and Scrutiny Committees and submitted to the Scottish Government through the Local Government Benchmarking Framework.</p> <p>From June 2014, the Head of Service included regular observations of the Fostering and Permanence Panel as part of their quality assurance role and met with independent reviewing officers to establish key areas for improvement across the service.</p> <p>The Head of Service met regularly with the coordinator for the Fostering and Permanence Panel with a focus on improvement and held an annual appraisal of the Independent Chair of the Fostering and Permanence Panel.</p> <p>From 2007, all the Council's Executive Officer Team and senior management took on a corporate parenting role and were exposed to staff and individual circumstances for children who were looked after with the role of challenging practices to ensure that young people's outcomes were improved.</p> <p>From 2008, the Care Commission/Care Inspectorate have carried out regular independent inspections of care services including fostering services. All published reports of these inspections were reported to the Service Senior Management Team and improvement plans agreed. It was notable that the Director of Education and Children's Services met with inspectors to receive verbal feedback on their findings in 2010.</p> <p>The Head of Service met regularly to hold one to one supervision sessions with the Service Manager/registered manager. The Service Manager was responsible for ensuring that the service delivered on service improvements as well as investigating complaints and taking forward learning points.</p>
c)	What were the lines of accountability?	<p>1930 – 1975</p> <p>Records indicate that the Children's Officer and latterly, Director of Social Work within the Town and County Councils reported to the Town or County Clerk and to the Children's Committee.</p> <p>1975 - 1996</p> <p>There was a Director of Social Work and Chief Social Work Officer who was accountable to the Chief Executive.</p> <p>1996 – December 2014</p> <p>Following local government re-organisation in 1996, there was a Director of Social Work (also the Chief Social Work Officer) with overall responsibility for the delivery of the social work service. Directors reported to the Council Chief Executive. Staffing records are no longer available for much of this period, but from organisational memory it is known that there were Heads of Service who reported to the</p>

	<p>Director, and below Head of Service level there was a management structure which included Team Leaders, who were responsible for the line management of social work staff.</p> <p>In April 2000, the social work service was reorganised, and children’s services joined with education services to create Education and Children’s Services. The Council’s Education and Children’s Services Committee approved an interim management structure, with the overall objective being to improve the quality of life of children in Perth and Kinross. One of the key aims of the new structure was to be able to provide clear lines of accountability, with resources being delegated to those managers who were closest to the point at which activity took place.</p> <p>In 2001 following further review which was supported by an external consultant, a revised management structure was agreed by the Council. This revised structure further clarified operational and strategic roles within the Service. It was also confirmed that the Director of Education and Children’s Services would act as Chief Social Work Officer for the Council at that time.</p> <p>In 2001 a new management structure was agreed which created a Head of Service for Children and Families (social work services). The fostering service and fieldwork social work services for children were within the portfolio of that Head of Service. The Head of Service reported to a Depute Director, who in turn reported to the Director.</p> <p>There were subsequent changes to the structure in later years, but the lines of accountability have remained largely unchanged. In 2007, the post of Improvement Officer was added to the structure, with a focus on taking forward the improvement agenda. One of the posts had responsibility for looked after services. The Improvement Officer reported to the Service Manager and was also responsible for line management of the team which was responsible for delivery of fostering services. Another Improvement Officer had responsibility for carrying out this role for the fieldwork or locality teams which were responsible for the children’s case held by social workers.</p> <p>The Head of Children and Families Services continued to report to the Depute Director who also had the statutory role of Chief Social Work Officer until 2016 when the postholder moved to work in Housing and Community Care. As they continued in the role of Chief Social Work Officer for the Council, they continued to have a formal link with the Head of Service for all professional social work functions.</p>
<p>d) Within the local authority, who had senior management/corporate/organisational responsibility for the managers/management</p>	<p>1930 – 1975</p> <p>There are few records available, but it is known that the Children’s Officer reported to the County Clerk/Town Clerk, and was also accountable to the Children’s Committee.</p> <p>1975 – 1996</p>

	<p>teams/leadership teams who had responsibilities in relation to children in foster care?</p>	<p>The Director of Social Work/Chief Social Work Officer had overall senior management responsibility in relation to children in foster care. He or she will have reported to the Chief Executive of the Council. The Social Work Committee made key strategic and policy decisions. The Director of Social Work prior to reorganisation in 1996 was Peter Bates.</p> <p>Betty Bridgeford was Service Manager, Adolescents during 1990; District Manager during 1991 and Assistant Director Social Work from 1993.</p> <p>1996 – December 2014</p> <p>Until 2000, the Director of Social Work/Chief Social Work Officer had overall senior management responsibility in relation to children in foster care. He or she will have reported to the Chief Executive of the Council. The Social Work Committee made key strategic and policy decisions. The Director of Social Work from 1996 until 2000 was Betty Bridgeford.</p> <p>With the advent of Education and Children’s Services in 2000, Bill Frew became Director of Children’s Services, (Director of Education and Children’s Services from 2001) and Chief Social Work Officer. The Education and Children’s Services Committee made key strategic and policy decisions. A Head of Service had responsibility for child care social work within that structure. They in turn were supported by a Service Manager for Looked After Services, Andy Turnbull.</p> <p>The post of Director/Executive Director was subsequently held by George Waddell, Len McConnell, David Montgomery, Stuart Powell and John Fyffe. The current Executive Director, Sheena Devlin, took up the post in 2017. The role of Chief Social Work Officer has moved with various changes in role and turnover of senior officers and has on occasions been held by a postholder located in another Council service primarily Housing and Community Care.</p> <p>The Chief Social Work Officer role has been held by Jacquie Pepper 2017 – current (Depute Director in Education and Children’s Services), Bill Atkinson 2014-2017 (Director of Social Work Housing and Community Care 2016-17, Depute Director in Education and Children’s Services 2011-2017), David Burke 2007- 2014 (Depute Chief Executive 2014, Executive Director of Housing and Community Care 2011-2013, Depute Director Community Care circa 2007-2011).</p> <p>By 2003, there was a Lead Officer for Children’s Services, Joyce Clark. In 2006, the post of Head of Children’s Services replaced Lead Officer and was held by Bill Atkinson 2006-2011, Alison Irvine 2011-2014 and Jacquie Pepper (June 2014-2018).</p> <p>In 2005 the Council agreed a Framework for strategic policy and decision making which set out the roles and remits of officers at management level.</p>
e)	Who, within the local authority, took decisions	<p>1930 – 1975</p> <p>From the available records both the Children’s Officer and Children’s Committee made decisions.</p>

<p>on matters of policy, procedure and/or practice in relation to foster care?</p>	<p>1975 -1996 In Tayside Regional Council significant changes to policy, procedure or practice were presented by the Director of Social Work to the Social Work Committee for approval.</p> <p>1996 – December 2014</p> <p>Broadly the same process still applies however significant policies and strategies are approved by the Council or Council committees and are implemented by the officers of the council under the direction of the Chief Executive and the Executive Officer Team. Matter of procedure or practice were agreed through the management structure in place at the relevant time.</p> <p>The Social Work (Scotland) Act 1968 (the 1968 Act) requires local authorities to appoint a single Chief Social Work Officer for the purposes of listed social work functions. The role of the Chief Social Work Officer is significant to the leadership and oversight of professional social work practice and performance. The Scottish Office recognised that the need for the role was driven by " <i>the particular responsibilities which fall on social work services in that they affect personal lives, individual rights and liberties to an extent that other local authority services do not.</i>" (Circular: SWSG2/1995 May 1995). The Scottish Government Guidance published in 2009 set out the importance of the role in relation to children in the care of the authority, child protection and adult protection and the management of high-risk offenders and in supporting overall performance improvement and management of corporate risk. It was also clear that the CSWO was able to raise matters directly with Elected Members, Chief Executive to provide professional advice, ensure adherence to professional standards (including identifying weak practice and risks to people) and to contribute to decision-making.</p> <p>The description in 2.2 (d) shows that there were formal links to the Chief Social Work Officer in relation to matters relating to the professional practices and decision-making in relation to children in foster care, either because the postholder held line management responsibility for the service or in their quality assurance/governance responsibility for professional social work practices. The Chief Social Work Officer is also required to prepare and submit an annual report to the Scottish Government and to Perth and Kinross Council on all aspects of social work services. This includes a report on the activity and performance in relation to fostering services. Over time these can be shown to be more focused on the impact and outcomes for children and young people and the emphasis on continuous improvement has been strengthened. The Chief Social Work Officer would therefore have an overview of changes in policy and practice as it related to foster care as a member of the service management team, the Council's Executive Officer Team as well as in holding an overview of professional social work practice.</p>
<p>f)</p>	<p>1930 – 1975</p>

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	<p>To whom were foster carers accountable?</p>	<p>From the limited records available foster carers were approved by the Council and were accountable to the Council.</p> <p>1975 – 1996 Under the relevant legislative framework foster carers were approved by the Council and their approval was reviewed. Agreements were entered with carers. Carers were accountable to the Council through the supervision/support arrangements in place under the relevant framework and guidance in place at the time.</p> <p>1996 – December 2014 Under the relevant legislative framework foster carers were approved by the Council, further to a detailed assessment and approval process and recommendation by the expert Fostering and Permanence Panel. The terms of that approval were reviewed both internally and periodically by the Fostering and Permanence Panel.</p> <p>Formal written agreements were entered into with foster carers which set out the expectations of foster carers and how they were to be supervised and supported. Carers were accountable to the Council through the supervision/support arrangements in place under the relevant framework and guidance in place at the time.</p>
<p>g)</p>	<p>Who, within the local authority, was responsible for the implementation of, and compliance with, the local authority's policies, procedures and/or practices in foster care both by local authority staff and by foster carers?</p>	<p>1930 – 1975 From the available records, the Children's Officer was responsible.</p> <p>1975 - 1996 The responsibility fell to the Director of Social Work and their senior managers.</p> <p>1996 – December 2014 Until 2000, the Director of Social Work/Chief Social Work Officer had overall senior management responsibility in relation to implementation of and compliance with policy.</p> <p>With the advent of Education and Children's Services in 2000, this role fell to Director of Children's Services, then Director of Education and Children's Services and most recently to Executive Director of Education and Children's Services. The Chief Social Work Officer also had a responsibility for the oversight of the Council's social work functions and this role was either carried out by a Chief Officer (Head of Service, Depute Director or Director) with the relevant qualifications and experience. See 2.2.e for a description of this role.</p> <p>Heads of Service with responsibility for the children's social work service were supported by Service Managers, one of whom had responsibility for Looked After Services. From 2007, an Improvement Officer was also in place to take forward the improvement agenda in looked after services.</p>

		<p>Direct implementation and compliance with policies and procedures was the responsibility of the family placement team, which included supervising social workers, whose role was to directly supervise and support carers.</p> <p>In 2005 the Council agreed a Framework for strategic policy and decision making which set out the roles and remits of officers at management level.</p>
h)	To whom were fostering panels accountable?	<p>1930 -1975 There were no Panels during this period.</p> <p>1975 – 1996 Not known</p> <p>1996 – December 2014 Fostering Panels were appointed by the Council and so ultimately were accountable to the Council. Panels only made recommendations, and those recommendations were considered by the Agency Decision Maker, who was the Head of Service for Children’s Services. The Agency Decision Maker made the decision about each case which had been considered by Panel.</p> <p>The Chair of the Fostering and Permanence Panel was accountable for the work of the Panel and in turn reported on its performance at least annually to the Head of Service for children’s social work services (who is also the Agency Decision Maker).</p>
i)	What were the oversight and supervision arrangements in respect of fostering panels?	<p>1930 – 1975 There were no Panels during this period.</p> <p>1975 – 1996 Not known</p> <p>1996 – December 2014 Fostering Panels only made recommendations and so oversight was undertaken by the Agency Decision Maker who made decisions after considering those recommendations.</p> <p>Prior to 2007, the Panel was chaired by a Service Manager from Children’s Services, who would have been subject to normal supervision by his/her line manager. Issues of concern would have been raised through discussion between the Chair and the Head of Service.</p>

		<p>In 2007, steps were taken to appoint an independent person to chair the Fostering and Permanence Panel. This appointment reported directly to the Head of Service, rather than through the normal line management structure. The Chair of the Fostering and Permanence Panel was accountable for the work of the Panel and in turn reported on its performance at least annually to the Head of Service for children's social work services (who is also the Agency Decision Maker).</p> <p>The registered manager provided quarterly supervision to the chair of the panel whilst the panel co-ordinator and chair provide supervision to the members.</p>
Present		
j)	With reference to the present position, are the answers to any of the above questions different?	Yes.
k)	If so, please give details.	<p>Overall, the answers are broadly the same. Elected members receive briefings and training on their responsibilities as Corporate Parents. Some senior elected members are also members of the Corporate Parenting Group and have direct access to care-experienced young people.</p> <p>Policy and strategic decisions are approved by the Council or Council Committees and these are implemented by the officers of the council under the overall direction of the Chief Executive and the Executive Officer Team.</p> <p>In 2014, the Head of Service introduced an annual observation of the Fostering and Permanence Panel, annual appraisal of the independent Chair of the panel and discussion on improvements with panel members. To allow this to happen the Chief Social Work Officer has taken on the role of Agency Decision Maker for the recommendations arising from the Panel which is observed by the Head of Service to eliminate conflicts of interest.</p> <p>The formalisation and strengthening of corporate parenting through the Corporate Parenting Plan and the multi-agency Corporate Parenting Sub Group has meant that more data and performance information in relation to children in foster care is shared with partners. There is opportunity for greater external challenge as partners become more aware of the needs of young people in foster care.</p> <p>The introduction of new technology through the purchasing of a system called Mind of My Own allows children in foster care to pass on their views, wishes, worries and proud moments anonymously to any named person within the service. This is designed to provide feedback to formal meetings but also to be a conversation opener with any one that they designate to receive it. This allows young people access to external support quickly 24/7 and in a manner that is most comfortable to them. This and the additional investment</p>

of £50k annually in children’s independent advocacy since 2018 means that there are more opportunities for children to seek support and report concerns and for these to be addressed quickly.

2.3 External Oversight

Past	
a)	<p>1930 – 1975 There were no known arrangements for systematic or formal external oversight except that there is evidence of numerous Circulars being issues by the Home Department of the Scottish Office, which Councils were required to comply with. There is also evidence of returns being made by Councils to the Home Department with figures relating to numbers of children in care and similar information.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 Apart from the introduction of registration, regulation and inspection by the Care Commission from 2002 there are no external arrangements for the oversight of the Council’s foster care service.</p> <p>Periodically the service would commission an external and suitably experienced and qualified person to carry out a review of a placement breakdown as part of the procedures for dealing with disrupted placements.</p>
b)	<p>1930 – 1975 There were no known arrangements for systematic or formal external oversight except that there is evidence of numerous Circulars being issues by the Home Department of the Scottish Office, which Councils were required to comply with. There are records indicating that statutory visits were carried out by the Children’s Officer and in later years by his/her assistant.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 This list is not exhaustive, but the visitors of note are:</p>

		<ol style="list-style-type: none"> 1. The Care Commission and Care Inspectorate for the purposes of carrying out their inspection functions. 2. Supervising social workers also carried out visits under the relevant legal framework but these were internal to the Council. 3. Improvement Officer and Service Manager for the purposes of conducting annual reviews of foster carers and quality assurance. 4. Independent Reviewing Officers for the purposes of carrying out reviews of looked after children and their plans. 5. Looked After Children Nurse for the purpose of supporting the children in foster care's health requirements. 6. Child care social workers in order to see the child and ensure that the child's needs were being met. 7. Various professionals who were required to see the child within the foster home as part of a child's plan e.g. health visitor or home visiting support teacher.
c)	How often did this occur?	<p>1930 – 1975 There were no known arrangements for systematic or formal external oversight except that there is evidence of numerous Circulars being issued by the Home Department of the Scottish Office, which Councils were required to comply with.</p> <p>1975-1996 No information available</p> <p>1996 -December 2014 This list is not exhaustive, but the visitors of note are:</p> <ol style="list-style-type: none"> 1. The Care Commission and Care Inspectorate for the purposes of carrying out their inspection functions. (annually/bi-annually) 2. Supervising social workers also carried out visits under the relevant legal framework but these were internal to the Council (monthly/six-weekly). 3. Improvement Officer and Service Manager for the purposes of conducting annual reviews of foster carers and quality assurance. (annually/bi-annually) 4. Independent Reviewing Officers for the purposes of carrying out reviews of looked after children and their plans (occasionally and not in all cases). 5. Looked After Children Nurse for the purpose of supporting the children in foster care's health requirements. (6-12 monthly) 6. Child care social workers in order to see the child and ensure that the child's needs were being met (weekly – monthly). 7. Various professionals who were required to see the child within the foster home as part of a child's plan e.g. health visitor or home visiting support teacher (in accordance with the child's plan).
d)	What did these visits involve in practice?	<p>1930 – 1975 There were no known arrangements for systematic or formal external oversight except that there is evidence of numerous Circulars being issued by the Home Department of the Scottish Office, which Councils were required to comply with.</p>

1975-1996

No information available

1996 – December 2014

This list is not exhaustive, but the visitors of note are:

1. The Care Commission and Care Inspectorate for the purposes of carrying out their inspection functions.
The inspection visits will take place over a fortnight and will include examination of sampling of children who are currently in foster care. For each child a meeting with the carer, staff involved and on occasions child as well as reading of the files will form the basis of the inspection. Meeting with panel, ADM, registered manager and other professionals will take place. Foster carers also have the opportunity to meet with the inspector to give feedback. The inspector will ask for evidence for the implementation of any new legislation and policy as well as follow up any requirement or recommendations from previous inspections.
2. Supervising social workers also carried out visits under the relevant legal framework but these were internal to the Council.
To meet with foster carers offering emotional support, advice and guidance. To observe children in placement and interactions.
3. Improvement Officer and Service Manager for the purposes of conducting annual reviews of foster carers and quality assurance.
To meet with foster carers to review their practice over the period and to discuss the effectiveness of support provided and to help identify a development plan.
4. Independent Reviewing Officers for the purposes of carrying out reviews of looked after children and their plans.
On occasions the child's review meeting may take place within the foster carers home and will include all plan partners in a meeting about the child.
5. Looked After Children Nurse for the purpose of supporting the children in foster care's health requirements.
To see or examine the child and to discuss health matters with the child and foster carers.
6. Child care social workers in order to see the child and ensure that the child's needs were being met.
Visits to children in placement and spending time speaking with the child, foster carers and observing aspects of the home environment and interactions.
7. Various professionals who were required to see the child within the foster home as part of a child's plan e.g. health visitor or home visiting support teacher.
to support the child with their health and wellbeing in the caring environment and in line with their individual plan.

Present		
e)	With reference to the present position, are the answers to any of the above questions different?	No
f)	If so, please give details.	Not applicable

Part B	Current Statement
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Questions		Proposed Response
3	Retrospective Acknowledgement/Admission	
3.1	Acknowledgement of Abuse	
a)	Does the local authority accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?	Yes. From records held by the Council, there is evidence that 42 children alleged abuse or were found to have been abused whilst in foster care between 1930 and 2014. We accept that it is also probable there were other instances where children experienced abuse or ill-treatment whilst in foster care because there are archives of children having been in foster care but there are no case records about their experiences in care to interrogate. There may have been allegations that were not recorded, and we would expect that not all children will have disclosed abuse or ill-treatment.
b)	If so, what is the local authority's assessment of the extent and scale of such abuse?	<p>Yes – From our search of Children's Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014, we found evidence of 42 individual children and young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014.</p> <p>This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in foster care. For the 2671 children's records screened this represents 1:64 children reported or were reported to have experienced some form of abuse.</p>
c)	What is the basis of that assessment?	<p>This assessment is based on examination of available historical documents relating to policy, procedures, and practices in relation to children in foster care via the organisation throughout the period of the inquiry. A schedule of documents is provided separately. It is also informed by accounts volunteered by existing and former staff employed in care services from 1976 to the current date.</p> <p>The Council has searched 2671 case records relating to children in foster care and 916 foster carer records covering the period 1981 – December 2014. From this, 28 sets of foster carers were identified where children in their care had made allegations of physical or sexual abuse. Those case records were examined in depth by a team of suitably qualified social work staff. Case records relating to children who made allegations were also examined, and in some cases, case records of other children who had been in the care of these foster carers.</p>

		<p>Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care.</p>
3.2	Acknowledgement of Systemic Failures	
a)	<p>Does the local authority accept that its systems failed to protect children in foster care between 1930 and 17 December 2014 from abuse?</p>	<p>The local authority acknowledges the finding from our research into 2671 children’s records that 42 individual children and young people have reported experience of abuse in foster care during 1981 to 2014. This represents 1:64 of the 2671 children. That is a deeply disturbing finding and indicates that there has been a failure in each of these individual circumstances to keep these children and young people safe and protected.</p> <p>It is acknowledged that for each of these individual children being in foster care did not provide the loving and nurturing experience they deserved. That they were not kept safe, or did not feel safe, and suffered abuse is an intolerable consequence of having been in foster care and deeply regrettable.</p> <p>From the evidence available, it is our belief that the organisation was at the forefront of new thinking in respect of care models and practice. This included in some instances influencing changes in legislation and national policy and this work has been guided by sound research and appropriate national reports. There is evidence that such changes have been incremental and sustained. Within this context there is no evidence of systemic or systems failures within the establishment or organisation. The instances where the abuse of children has been reported or recorded relate to the unacceptable and abhorrent behaviours of individuals who abused their position as trusted adults and employees of the organisation. Although this is a significant proportion of children, there is no evidence that this was as a result of systemic failings or systems failures</p> <p>In relation to the past prior to Perth and Kinross Council being established in 1996, it is difficult to give a definitive answer because our current level of knowledge is limited</p>
b)	<p>What is the local authority’s assessment of the extent of any such systemic failures?</p>	<p>The historical records show that there were determined efforts by the organisation over time to respond to the needs of children, young people, families and communities and to adapt and improve the quality of foster care over the period. Over time the arrangements to enhance foster carers’ skills, increase the effectiveness and levels of support and supervision of foster care, and, at the same time provide more opportunities for children to have strong and trusting relationships with professionals overseeing their care and to express their views has reduced the likelihood of abuse significantly. Overall, from the evidence available, it is our opinion that the systems in place throughout the period were likely to be sufficient within the legislative and social context of</p>

		<p>the time and ensured that the vast majority of children in foster care were cared for in a non-abusive environment and they were assisted to stay healthy, attend local schools and move into work.</p> <p>In relation to the recent past and present position, Perth and Kinross Council places the highest priority on the protection of children and young people. It has consistently and publicly declared its strong commitment to zero-tolerance of abuse and exploitation. The message that it is everyone's responsibility to protect children at home, school and community is continually reinforced and a partnership approach has been led personally by Perth and Kinross Council's Chief Executive as the Chief Officer for child and public protection since 2004. The Council works proactively with the Child Protection Committee to continually improve child protection services and to respond to new and emerging risks to children.</p> <p>The Joint Inspection of Services to Protect Children in 2011 reported favourably on the quality and effectiveness of child protection arrangements. Inspectors found the following key strengths in how well children were protected and their needs met in the Perth and Kinross Council area, noting:</p> <ul style="list-style-type: none"> • The exceptional leadership and direction provided to staff. • Exceptionally high quality and trusting relationships with staff. • Outstanding individual support provided to children and families at an early stage and for as long as it is needed. • The high-quality support available in evenings and at weekends. • Very positive improvements in the lives of children in need of protection. • A strong culture and ethos of improving outcomes through integrated services and partnership working at all levels. <p>There is evidence throughout the years of continuous improvement and innovation to advance standards of care and introduce effective systems to protect children from abuse. These include:</p> <ul style="list-style-type: none"> • Safer recruitment practices • Staff training and development • Staff supervision • Enhanced external management • Independent advocacy • Visible interest and greater oversight by Senior Managers and Elected Members
c)	What is the basis of that assessment?	<p>There are three reasons for the basis of our assessment: -</p> <ol style="list-style-type: none"> 1. The evidence available indicates that recorded allegations of abuse of children in foster care provided by Perth and Kinross Council and its predecessor bodies for the period 1980 -2014 relates to 42 children from 2671 known to have been in foster care during that period. This is 0.02% or 1:64 of the total number. 2. The instances where the abuse of children has been reported or recorded relate to the unacceptable and abhorrent behaviours of individuals who abused their position as trusted adults.

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		<p>3. There is evidence throughout the years of continuous improvement and innovation to advance standards of care and introduce effective systems to protect children from abuse.</p> <p>Within this context there is no evidence of systemic failures within the organisation.</p>
d)	What is the local authority's explanation for any such failures?	The instances where the abuse of children has been reported or recorded relate to the unacceptable behaviours of individuals who abused their position as trusted adults. It is for this reason the processes for the recruitment and assessment of prospective foster carers is continuously improved to ensure that it is as robust as it can be to anticipate the responses and behaviours of adults in the challenging role of foster carers.
3.3 Acknowledgement of Failures/Deficiencies in Response		
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?	<p>In reviewing historical documents and children's records it is our belief that the introduction of explicit policies and procedures to guide a systematic and robust response to children at risk of abuse in 1988 brought about significant improvements in the way in which the organisation responded to children in need of protection regardless of their circumstances. This included children in foster care. These processes placed the child at the centre and emphasised the importance of listening to children, believing what they have to say and cultivating trusting relationships. Nevertheless, to the best of our knowledge and with the evidence available to us, there is no substantial evidence that the prior arrangements were inadequate within the legislative, policy and social context in which they took place.</p> <p>Looking back, children in foster care prior to these developments lacked access to the levels of independent support; regular review and planning for looked after children which is available currently. Without this, it is acknowledged that children in care were not afforded enough opportunity to speak out and to be heard and it is highly probable that there were instances where children experienced abuse or ill-treatment whilst in foster care and that this went unreported and/or unnoticed. Our examination of the records relating to 42 children and young people who alleged or reported abuse it is noted, that the response did not seem to consider fully the risks associated with continuing with the placement which was the most common outcome along with increased levels of supervision and monitoring. In reviewing historical documents and children's records it is our belief that the introduction of explicit policies and procedures to guide a systematic and robust response to children at risk of abuse in 1988 brought about significant improvements in the way in which the organisation responded to children in need of protection regardless of their circumstances. This included children in foster care. These processes placed the child at the centre and emphasised the importance of listening to children, believing what they have to say and cultivating trusting relationships. Nevertheless, to the best of our knowledge and with the evidence available to us, there is no substantial evidence that the prior arrangements were inadequate within the legislative, policy and social context in which they took place.</p>
b)	What is the local authority's assessment of the extent of	Recorded allegations of abuse or alleged abuse of children in foster care amount to 42 children and young people in the period 1930 to 2014. It is acknowledged that it is probable that over this period that there may also have been other occasions in which

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	any such failures in its response?	<p>abuse has either gone undetected or there has been a failure to respond appropriately. The records indicate that all the 42 children were seen and spoken to by social workers and/or police officers however the follow-up actions were often to increase level of monitoring visits and supervision of the placement. It is difficult therefore to assess with the benefit of hindsight whether this was enough to remove the risks associated with continuing with the placement for the child or young person and to keep them safe or to help them feel safe.</p> <p>Our records show that there were determined efforts by the organisation over time to respond to the needs of children, young people, families and communities and to adapt and improve the quality of care over the period. It is acknowledged that recording practices pre 1970s were not always thorough and important gaps in records and children's individual histories exist. It is acknowledged that until the late 1980s there was very limited understanding of child abuse nationally and a lack of reliable methods of detecting and responding to child abuse.</p>
c)	What is the basis of that assessment?	<p>This assessment is based on examination of available historical documents relating to policy, procedures, and practices in relation to children in foster care provided by the organisation throughout the period of the inquiry. The Council has searched 2671 case records relating to children in foster care and 916 foster carer records covering the period 1981 – December 2014. Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care.</p>
d)	What is the local authority's explanation for any such failures/deficiencies?	<p>It is acknowledged that recording practices pre 1970s were not always thorough and important gaps in records and children's individual histories exist. It is acknowledged that until the late 1980s there was very limited understanding of child abuse nationally and a lack of reliable methods of detecting and responding to child abuse.</p> <p>In reviewing historical documents and children's records it is our belief that the introduction of explicit policies and procedures to guide a systematic and robust response to children at risk of abuse in 1988 brought about significant improvements in the way in which the organisation responded to children regardless of their circumstances. These processes placed the child at the centre and emphasised the importance of listening to children, believing what they have to say and cultivating trusting relationships. Nevertheless, to the best of our knowledge and with the evidence available to us, there is no substantial evidence that the prior arrangements were inadequate within the legislative, policy and social context in which they took place.</p> <p>Looking back, children in foster care prior to these developments lacked access to the levels of independent support; regular review and planning of looked after children in the present day. Without this, it is acknowledged that children in foster care were not afforded enough opportunity to speak out and to be heard and it is highly probable that there were instances where children experienced abuse or ill-treatment whilst in foster care and that this went unreported and unnoticed.</p>

3.4 Changes	
<p>a)</p> <p>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?</p>	<p>Whilst there is no evidence of systemic or systems failures, the following demonstrates the efforts the Council has made to improve children’s safety and wellbeing. The organisation has strong track record of robust self-evaluation and continuous improvement in the care, protection and education of children and young people consistent with Getting It Right for Every Child. Our focus puts children firmly at the centre of planning and service delivery, ensuring there are effective arrangements to enable children’s voices to be heard. Over the period, the arrangements to ensure that individual children had access to independent support and advocacy and external overview of provision was enhanced significantly. Incremental improvements in the way in which abuse was defined, understood and responded to are also evident. It is acknowledged that there may have been failures because children did not have enough opportunity or lacked confidence to speak freely about their experiences. Opportunities for children to talk about their experiences, to be listened to and respected are much in evidence from 1990s onwards with evidence of involvement of Who Cares? Scotland, regular visits by the Children’s Rights Officer and frequent mentions of the child’s view in the child’s record.</p> <p>The organisation has invested in developing the workforce through improved recruitment, support, supervision and training. We have also improved external management of foster care and increased significantly social work capacity to improve standards of practice and resource the shift from residential care to preventative foster care, community and family support.</p> <p>Perth and Kinross Council contributed to the Government’s Safer Recruitment Through Better Recruitment in 2007 and was proactive in the development of a national toolkit and implementation locally. Following the Skinner Report, in 1996 as part of a pilot, HR professionals in Perth and Kinross Council were trained to observe candidate interaction and piloted assessment centres, group discussions and interviews with safe-guarding questions for candidates. Safer Recruitment and Selection for Staff Working in Child Care: A Toolkit was subsequently launched across our Council for posts that involved working with vulnerable children and adults.</p> <p>Following a significant case review report published by South Lanarkshire Child Protection Committee in 2014, Perth and Kinross Council’s Chief Social Work Officer commissioned a refresh of our safer recruitment practices. Whilst Perth and Kinross Council met many of the standards in both the foundation and higher level of the Scottish Government’s guidance Safer Recruitment Through Better Recruitment, the refresh also considered a further incident, namely the Glasgow bin lorry incident. To ensure continuous improvement improvements to the Council’s recruitment and selection practices for all posts was introduced in 2015.</p> <p>Taking account of the lessons learned from the South Lanarkshire Significant Case Review, additional rigour around recruitment to regulated posts (where a role involves working with children or vulnerable groups and requires an individual to be a member of the PVG scheme) was also considered. A bank of safe-guarding questions, based on the Warner questions, that explores candidate’s attitudes, beliefs and motives for working with vulnerable groups was piloted. These questions, endorsed by our Chief Social Work Officer, are used for all regulated work roles with questions being controlled so they do not become widely accessible. They are refreshed from periodically to ensure they do not become widely known.</p>

	<p>The Learn Innovate Grow ethos offered all staff, including recruiting managers, the opportunity to develop coaching skills. Additionally, a recruitment and selection workshop is currently being developed for managers which will provide an overview of our safer recruitment practices, coaching techniques as well as support managers to have courageous conversations.</p> <p>Perth and Kinross Council also contributed to the working group in 2016 that resulted in the development and launch of revised safer recruitment guidance from Scottish Government, available via the Care Inspectorate website.</p> <p>In 2016 the Council refreshed and updated training modules in child protection and continued to make these mandatory for <u>all staff</u> in relation to their duties and responsibilities as well as what to do if they are concerned about a child.</p> <p>Over the period, the arrangements to ensure that individual children had access to independent support and advocacy and external overview of the provision was enhanced significantly. Incremental improvements in the way in which abuse was defined, understood and responded to are also evident. It is acknowledged that there may have been failures because children did not have enough opportunity or lacked confidence to speak freely about their experiences. Opportunities for children to talk about their experiences, to be listened to and respected are much in evidence from 1990s onwards with evidence of involvement of Who Cares? Scotland, regular visits by the Children's Rights Officer and frequent mentions of the child's view in the child's record.</p> <p>The Council's organisational ethos is focused on achieving the best outcomes for children and young people through making it everyone's responsibility. Protecting children and young people and keeping them safe at home, in school and within the community is the single most important priority for the Council and all its employees. The Council is proactive along with the Child Protection Committee to continually improve child protection services and to respond to new and emerging risks to children such as our comprehensive response to child sexual exploitation including a Leadership Summit and Masterclass, and an 'Innovation Lab' led by young people with over 200 participants. Elected Members have stated publicly their commitment to a zero-tolerance approach to abuse and exploitation. The Council's approach has been validated as excellent practice by external inspection agencies.</p>
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Part C	Prevention and Identification
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Questions		Proposed Response
4	Policy and Practice	
4.1	National	
a)	Was there national policy/guidance relevant to the provision of foster care for children?	<p>1930 - 1975</p> <p>There is some evidence of national policy and guidance in relation to the provision of foster care for children in the available County Council and Town Council records. This is predominantly found as references to the issuing of new Circulars or the passing of new legislation, within Committee Minute Books and miscellaneous administrative files.</p> <p>It would appear there was no separate national policy dictating how organisations and establishments should operate or the policy framework for promoting children’s wellbeing in the way that, for example, GIRFEC does currently.</p> <p>This is reflected in the Kilbrandon Report, which resulted in the Social Work (Scotland) Act 1968 and the creation of the Children’s Hearing System which set out the principles of intervention in family life but did not at the time produce separate, distinct policy.</p> <p>1975 - 1996</p> <p>Whilst the Social Work (Scotland) Act 1968 was itself a direct response to the Kilbrandon Report which established the Scottish approach and policies in relation to children in need, it does not appear to have been directly translated into policy and guidance. The absence of specific national policies and guidance appears to have continued and the Scottish Government’s own website appears to suggest one of the earliest “policies” was the Skinner report in 1992 - “1992 - The Scottish Office published Another Kind of Home – a review of residential child care (The Skinner Report) which, although mindful of abuse scandals, was focussed on a thorough review of then current practice and in conclusion outlined principles for good practice.” This does not paint an accurate picture.</p> <p>It is known that the first National guidance in Scotland on Child Protection was Effective Intervention in 1989. There were also, Scottish Education Department circulars or memos such as those noted above.</p> <p>In respect of child abuse, it is known that significant policy developments began to take place across the UK in response to the death of Maria Caldwell in 1970. In essence, it is believed that Scottish governmental policy was focused on the broad themes and principles introduced by the Kilbrandon Report, enacted through the Social Work (Scotland) Act 1968 regarding the role of social services and the operation of the Children’s Hearing System followed by the White Paper “Scotland’s Children – Proposals for Child Care Policy and Law in 1983.</p>

Other government led publications and legislation which it is known influenced policy in Scotland which relate to Foster Care include:

1974 – Maria Caldwell Inquiry. The report sensitised the public to issues relating to abuse within the family and the response of the state and promoted a much greater understanding of physical and emotional abuse as well as neglect.

1988 – The Cleveland Inquiry. The Inquiry highlighted significant issues in relation to understanding and intervention relating to sexual abuse.

1992 – The Orkney Inquiry. This Inquiry highlighted the difficulties in protecting children’s rights whilst at the same time acknowledging parental responsibilities and rights. It was also significant in highlighting the need for clear legislation, policy and procedures related to the powers and duties of professionals intervening in family life, including the need for evidence-based practice.

1992 – The Fife Inquiry. Unlike other inquiries, the Fife Inquiry was not related to events surrounding harm to a child or children but rather a debate about the role and nature of intervention in family life. The policies within Fife promoted the developments in relation to juvenile justice which had come out of the research by Lancaster University suggesting that, if left alone children grow out of offending behaviour and that intervention frequently proved detrimental rather than helpful. Consequently, Social Workers in Fife were expected to exercise the discretion allowed in legislation to only refer young people to the Reporter if they considered compulsory measures of care were necessary. Reporters and panel members objected to this approach believing it was for them to determine whether compulsory measures were necessary.

1996 – The Dunblane Inquiry – This Inquiry changed the approach to who could work with children and young people and introduced more stringent checks.

1996 – December 2014

National policy in relation to the provision of foster care for children is contained within various pieces of guidance and legislation. The Children (Scotland) Act 1995 and the Regulations made under the Act (mainly the Fostering of Children (Scotland) Regulations and Arrangements to Look After Children (Scotland) Regulations 1996 in the context of fostering) marked a significant stage in the development of legislation on the care of children in Scotland. It centred on the needs of children and their families and defined both parental responsibilities and rights in relation to children. It set out the duties and powers available to public authorities to support children and their families and to intervene when the child's welfare requires it.

Three volumes of guidance were issued by the Scottish Office to supplement the legislation.

The Regulation of Care (Scotland) Act 2001 established the principles of the rights of care service users to dignity, privacy, choice, safety, realising potential, equality and diversity and introduced the independent regulation of care provision by the Scottish Commission for the Regulation of Care (known as the Care Commission). National Care Standards were published which registered care services (including fostering services) had to comply with. From April 2011 the Public Services Reform Act (Scotland) Act 2010 established Social Care and Social Work Improvement Scotland (known as the Care Inspectorate) which took over the regulation of care services as well as the inspection of social work services in Scotland.

The Adoption and Children (Scotland) Act 2007 whilst mainly concerned with matters relating to Adoption also placed emphasis on family placements and support to those children and young people who were permanently placed within fostering and kinship arrangements.

A National Fostering Strategy was issued by Scottish Government in 2008 – Getting it Right for Every Child in Kinship and Foster Care. The guiding principles of this National Kinship and Foster Care Strategy were that:

- The needs of the child must be paramount, and the child's preferences should be taken into account.
- Unless there are clear reasons why placement within the family would not be in the child's best interests, care within the wider family and community circle will be the first option for the child.
- If that is not possible, the child should be placed with foster carers with a specific purpose and plan, designed as (a) as part of a planned short-term arrangement; or (b) a planned process that will result in a return home or to a more suitable temporary care arrangement; or (c) in care with a permanent substitute family arrangement underpinned by a permanence order or an adoption order or other relevant court order.

The Looked After Children (Scotland) Regulations 2009 set out expectation for the assessment and care planning for all Looked After Children whether in foster care or in other settings. Those Regulations were supplemented by comprehensive statutory guidance on the Regulations issued by the Scottish Government.

In 2006 - Getting it right for every child (GIRFEC) was launched by the Scottish Government. This was perhaps the most significant, specific national policy, relevant to all children, which was developed over this period. This was the Scottish Government's plan to modernise children's services to ensure every child in Scotland received the help they needed when they needed it. The origin of the policy was as a response in 2004, to "Getting it Right for Every Child: A Report on the Responses to the Consultation on the Review of the Children's Hearing System". Some of this policy was eventually incorporated into primary legislation through the Children and Young People (Scotland) Act 2014

Throughout this period there were other national developments which either directly or indirectly impacted on foster care:

1997 –The Children's Safeguards Report (The Kent Report) reported on the dangers faced by children living away from home and made recommendations related to the necessary safeguards.

		<p>1999 – The Edinburgh Inquiry reported on abuse and protection of children in care, investigating complaints of abuse between 1973 and 1987 in Edinburgh’s children homes</p> <p>Other inquiries which influenced policy and practice include the Victoria Climbié Inquiry in 2000 and Peter Connelly in 2008.</p> <p>In 2001 the Regulation of Care (Scotland) Act set up the Scottish Commission for the Regulation of Care (The Care Commission) and the Scottish Social Services Council for the registration and regulation of care services and social services workers. The Act also led to the publication of Care Standards and Codes of Practice. This meant that all care services were registered with the Care Commission and were inspected against the relevant standards by Care Commission inspectors. On April 1st 2011, this responsibility passed to the Care Inspectorate.</p> <p>In December 2013 CELCIS published the conclusions and recommendations to the Scottish Government following a national review of foster care. The recommendations included setting of placement limits to 3 unrelated children which, in turn was placed in legislation, Also the introduction of placement descriptors which defined the type of care a child would receive. Recommendations were also made regarding a national allowance rate and a national training and development framework. Both recommendations are still being taken forward.</p>
b)	<p>If so, to what extent was the local authority aware of such?</p>	<p>1930 – 1975 There is evidence that the local authority was aware as there is reference to legislation and Circulars in Committee Minutes and in miscellaneous administrative files of the County Council and Town Council.</p> <p>1975 – 1996 There is no information in the available records</p> <p>1996 – December 2014 There is evidence in Council records of an awareness of national policy and guidance. By and large this evidence can be seen by reference to Committee Reports presented to the relevant Council Committee by officer and through implementation of guidance and procedure which referred to national legislation, policy and guidance.</p> <p>Committee reports were also presented around the implementation of legislation such as The Adoption and Children (Scotland) Act 2007. Policy and procedures were amended to take account of the recommendations from national foster care review.</p>
c)	<p>If there was national policy/guidance in respect of any of the following in relation to provision of foster care for children, to what</p>	<p>See Below</p>

extent was the local authority aware of such?	
i. Child welfare (physical and emotional)	<p>1930 – 1975</p> <p>There are references throughout this period in Perth Town Council and Perth County Council minutes to legislation and explanatory circulars regarding child welfare and child protection, although this is in the main in general terms and not specifically related to children who are boarded out.</p> <p>On 25 September 1931 the Public Assistance Committee of Perth County Council considered a Scottish Health Department circular regarding the procedure for dealing with orphans, deserted or unsupported children. The same Committee noted on 6 April 1934 that responsibilities under the Children and Young Persons (Scotland) Act 1932 fell to both that Committee and the Education Committee.</p> <p>On 30 September 1937, Perth Town Council Magistrates Committee considered Magistrates circular E.81 from the Scottish Office regarding the provisions of the Children and Young Persons (Scotland) Act 1937. The Magistrates remitted the circular to the officials concerned for their attention.</p> <p>Child protection arrangements in The Children and Young Persons (Scotland) Act 1932 and earlier poor laws were consolidated in the Children and Young Persons (Scotland) Act 1937. Part 1 made specific Child Life Protection provisions in relation to the local authority registering and inspecting those who kept children under nine years of age for reward.</p> <p>There are numerous references in the Perth Town Council and Perth County Public Assistance Committee minutes in the 1930s to show the administration of these provisions, with the processing of applications from, and visits to, persons keeping children for reward. Part II of the 1937 Act makes specific provisions to deal with the prevention of cruelty and exposure to moral and physical danger.</p> <p>Perth Archive retains a volume of Scottish Office and Service circulars in relation to children. Within the volume is Scottish Home Department circular 6913 dated 6 August 1948 which discusses the provisions of The Children Act 1948. This circular was discussed at the inaugural meeting of the Children's Committee held on 20 September 1948. The Children's Committee continued to meet to discuss children's issues until the provisions of the Social Work (Scotland) Act 1968 were implemented in the early 1970s.</p> <p>1975 – 1996</p> <p>There are no records which indicate that there was any national policy or guidance specifically related to foster care. There are however records which relate to child welfare more generally.</p>

Tayside Regional Council minutes show that it was informed by national reports regarding child abuse. Its report 1220/88 detailed its response to the Cleveland Enquiry and 1221/88 reported on Scottish Office circular SW9/88 and the requirement to change Service guidelines to take account of an increased awareness of the prevalence of sexual abuse and the need for improved practice.

Minute references to reports 1267/88 and 1582/88 by the Director of Social Work detail the “increasingly sophisticated” services required from the Social Work Service to respond to child abuse, and introduced a unified child abuse register and responsible officer and staffing to develop practice standards. It discussed child protection and rights of parents and detailed social work response in two processes:

- Investigation and early intervention into suspected cases
- Supervision, alternate care and rehabilitation of children

There was recognition of issues for staff, the Service, the Director and the Council including:

- Training and support for staff
 - Developing integrated responses
- Increased instance of reporting

The minutes also noted the publication of the Social Work Inspectorate Inspection of Child Protection Services in Rochdale and refer to report 1916/90 and article 238 Social Work Committee regarding revision and updating of operational instructions issued to staff as an aid to assist staff in carrying out their statutory duties in cases of suspected, alleged or actual child abuse. The Committee approved the revised Child Protection Instructions for implementation in the Social Work Service from January 1991.

Child Protection Committees (CPCs) were first established in each local authority area in Scotland in 1991. At that time, they may not have been known as CPCs.

Since 1991, in Scotland all policy, practice and legislation relating to child welfare and child protection have been underpinned by principles derived from Articles of the United Nations Convention on the Rights of the Child. This was ratified by the UK Government in 1991.

1996 – December 2014

Similarly, there are few references throughout this period to policy specifically related to foster care.

The Guidance issued by the Scottish Office in relation to implementation of the Children (Scotland) Act 1995 contained chapters which were relevant to the physical and emotional welfare of children in foster care, and also assessment, supervision and support for foster carers.

In 2007/8 the Scottish Government published a National Fostering Strategy – “Getting it Right for Every Child in Kinship and Foster Care”

Guidance was issued under the Adoption and Children (Scotland) Act 2007, both in relation to looked after children and foster carers.

The Council was aware of all of these developments and there are Committee reports which make reference to them and their implementation locally.

More broadly, there have been a range of national policies/guidance which affect all children. In general terms, the historic and current practices around child welfare and child protection for all children have developed within Scotland as a result of key national child protection policy and legislative developments; learning extracted from inquiry reports; learning extracted from inspection reports and learning from elsewhere.

Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – “*Protecting Children and Young People: Child Protection Committees*” (Scottish Executive: 2005); “*National Guidance for Child Protection in Scotland 2010*” (Scottish Government: 2010) and “*National Guidance for Child Protection in Scotland 2014*” (Scottish Government: 2014).

“Child Protection Committees are locally-based, inter-agency strategic partnerships responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across the public, private and wider third sectors in their locality”.

(Source: National Guidance for Child Protection in Scotland 2014)

In 1998 the then Scottish Office published its comprehensive guidance “*Protecting Children – A Shared Responsibility. Extract from Protecting Children – A Shared Responsibility*” (Scottish Office: 1998):

These principles are:

- *“Each child has a right to be treated as an individual.*
- *Each child who can form a view on matters affecting him or her has the right to express those views if he or she so wishes.*
- *Parents should normally be responsible for the upbringing of their children and should share that responsibility.*
- *Each child has the right to protection from all forms of abuse, neglect or exploitation.*

- *So far as is consistent with safeguarding and promoting the child's welfare, public authorities should promote the upbringing of children by their families.*
- *Any intervention by a public authority in the life of a child must be properly justified and should be supported by services from all relevant agencies working in collaboration."*

In support of these principles, three main themes appear in Scottish children's legislation:

- *"The welfare of the child is the paramount consideration when his or her needs are considered by Courts, Children's Hearings and local authorities.*
- *No Court should make an Order relating to a child and no Children's Hearing should make a supervision requirement unless the Court or Hearing considers that to do so would be better for the child than making no Order or supervision requirement at all.*
- *The child's views, taking appropriate account of age and understanding, should be taken into account where major decisions are to be made about his or her future."*

This 1998 Scottish Office guidance made significant references to child welfare and to child protection. It effectively set into context the wider multi-agency child welfare and child protection arrangements in Scotland following the Cleveland and Orkney Inquiries.

The 1998 guidance empowered all professionals to promote children's wider welfare; to protect them from abuse and neglect; promoted all the provisions of The Children (Scotland) Act 1995; promoted inter-agency working; placed key child welfare and child protection responsibilities on local authorities; defined the role of CPCs; described the child protection process and, more importantly, Child Protection in Special Circumstances – Children Living Away from Home which stated:

"Local authorities and other agencies, who provide care and accommodation for children in residential placements, schools, foster care, or in other forms of accommodation, should ensure guidance and procedures are in place to respond to allegations of abuse concerning children living away from home."

Following the death of Kennedy McFarlane (Dumfries and Galloway on 17 May 2000) and the subsequent inquiry report by Hammond, H, (2000): Child Protection Inquiry into the circumstances surrounding the death of Kennedy McFarlane, in 2000 the then Scottish Executive commissioned a Multi-Agency Audit and Review of Child Protection in Scotland. This resulted in publication of the Report of the *"Child Protection Audit and Review: It's everyone's job to make sure I'm alright"* (Scottish Executive: November 2002).

This in turn led the Scottish Executive's Child Protection Reform Programme (CPRP) 2003 – 2006. This report included numerous references to child welfare and child protection.

By this time (2003), Perth and Kinross had an established Child Protection Committee (CPC).

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Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – *“Protecting Children and Young People: Child Protection Committees”* (Scottish Executive: 2005); *“National Guidance for Child Protection in Scotland 2010”* (Scottish Government: 2010) and *“National Guidance for Child Protection in Scotland 2014”* (Scottish Government: 2014).

Since 2005, findings from inquiry reports and all national reports, policy and legislative developments have been considered by the CPC and used to shape local child welfare and child protection local practices, procedures and guidance.

National policy developments from the Child Protection Reform Programme focussed specifically on child welfare and child protection and included:

- *Scottish Executive (2004): Protecting Children and Young People: The Charter*
- *Scottish Executive (2004): Protecting Children and Young People: Framework for Standards*
- *Scottish Executive (2005): Protecting Children and Young People: Child Protection Committees*

Following publication of these key national policy developments, Perth and Kinross CPC led on their implementation locally to ensure local policy, procedures and practice arrangements reflected these national requirements.

Since 2005, every national policy development (and legislation, inquiry report and inspection report) in relation to child welfare and child protection since has been considered by the CPC and implemented locally. This also included new child welfare, child protection and children's services scrutiny and inspection arrangements via the now Care Inspectorate.

Perth & Kinross Council has promoted GIRFEC since 2005 and has embraced the emergence of *“Getting it Right for Every Child”* (GIRFEC) in 2006 which resulted in many policy (and legislation) developments. Every GIRFEC development has been embraced and adopted in Perth and Kinross.

Perth & Kinross Council takes account of this and continually reviewed its policy and practice consistently with GIRFEC within which child welfare and child protection sits.

In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: *A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)*.

These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service

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		<p>delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to Foster care identified that:</p> <ul style="list-style-type: none"> • <i>Children and young people who were no longer able to remain at home thrived as a result of the encouragement, care and predictable routines and boundaries established by kinship and foster carers, and residential care staff.</i> • <i>Young people remaining in kinship and foster placements beyond the age of 16 years benefitted greatly from living in a stable home base.</i> • <i>Children and young people looked after away from home in foster care were fully included in the lives of their foster families and communities.</i> <p><i>Careful assessment and review ensured kinship and foster carers received personalised support to best meet their individual practical, emotional and financial needs.</i></p>
ii.	The child's views	<p>1930 – 1975 There is no information in the available records which provides any insight or information in relation to this question.</p> <p>1975 -1996 There is no information available in relation to any national policy on this or how Tayside Regional Council was aware of any national policy in this area.</p> <p>Since 1991, in Scotland all policy, practice and legislation relating to child welfare and child protection have been underpinned by principles derived from Articles of the United Nations Convention on the Rights of the Child. This was ratified by the UK Government in 1991.</p> <p>1996 – December 2014 In May 1996 the Council agreed to respect the principles and standards contained in the UN Convention on the Rights of the Child in all aspects of its work and to seek to promote the fullest possible implementation of the Convention. The need to seek and have regard to children's views is enshrined in the UNCRC.</p>

Between 1996 and 1997, the Council embarked upon a comprehensive programme of training in relation to the implementation of the Children (Scotland) Act 1995 and its associated guidance. Operational policies, practices and procedures were updated to reflect these changes.

In 1998 the then Scottish Office published its comprehensive guidance "Protecting Children – A Shared Responsibility. Extract from Protecting Children – A Shared Responsibility" (Scottish Office: 1998):

These principles included:

- Each child has a right to be treated as an individual.
- Each child who can form a view on matters affecting him or her has the right to express those views if he or she so wishes.

This national guidance was cascaded throughout the organisation and the need to seek the views of the child was embedded in operational practice.

In 2009 guidance to supplement the Adoption and Children (Scotland) Act 2007 was issued and again, this includes sections on children's views.

Seeking and taking account of children's views is embedded in all social work practice in the Council.

Perth and Kinross commissioned a service from Who Cares? Scotland who provide individual advocacy for accommodated children and young people. The children's rights officer also represented views to professional meetings.

The assessment framework was redeveloped taking account of the SHANARRI wellbeing outcomes which are part of GIRFEC with a section dedicated to providing the views of children and young people.

Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to child's views identified that:

"Sensitive engagement and careful observation enabled staff to establish the views and experiences of very young children and those with communication difficulties. Most vulnerable children and young people were listened to, helped to express their views and involved meaningfully in decisions that affected them. In order to prioritise young people's voices the recently introduced MOMO (mind of my

		<i>own) app was successfully helping looked after children and young people structure their thoughts and tell services what they want, whenever it suited them best”.</i>
iii. Reviewing a child’s continued residence in a foster care placement		<p>1930 – 1975 The records do not disclose any information about national policy or guidance on this subject.</p> <p>1975-1996 There is no known information about national policy or guidance in relation to this or how Tayside Regional Council was aware of any national policy in this area.</p> <p>1996 -December 2014 The Council was aware of and implemented the legislation and guidance relating to the review of care plans for children in the Children (Scotland) Act 1995, which remained in force until it was replaced by the Adoption and Children (Scotland) Act 2007.</p> <p>The Looked After Children (Scotland) Regulations 2009 set out expectation for the assessment and care planning for all Looked After Children. These Regulations also defined the arrangements for the regular review of children’s care and the minimum intervals for that review.</p>
iv. Child protection		<p>1930 – 1975 There are references throughout this period in Perth Town Council and Perth County Council minutes to legislation and explanatory circulars regarding child welfare and child protection, although this is in the main in general terms and not specifically related to children who are boarded out.</p> <p>On 25 September 1931 the Public Assistance Committee of Perth County Council considered a Scottish Health Department circular regarding the procedure for dealing with orphans, deserted or unsupported children. The same Committee noted on 6 April 1934 that responsibilities under the Children and Young Persons (Scotland) Act 1932 fell to both that Committee and the Education Committee.</p> <p>On 30 September 1937, Perth Town Council Magistrates Committee considered Magistrates circular E.81 from the Scottish Office regarding the provisions of the Children and Young Persons (Scotland) Act 1937. The Magistrates remitted the circular to the officials concerned for their attention.</p>

Child protection arrangements in The Children and Young Persons (Scotland) Act 1932 and earlier poor laws were consolidated in the Children and Young Persons (Scotland) Act 1937. Part 1 made specific Child Life Protection provisions in relation to the local authority registering and inspecting those who kept children under nine years of age for reward.

There are numerous references in the Perth Town Council and Perth County Public Assistance Committee minutes in the 1930s to show the administration of these provisions, with the processing of applications from, and visits to, persons keeping children for reward. Part II of the 1937 Act makes specific provisions to deal with the prevention of cruelty and exposure to moral and physical danger.

Perth Archive retains a volume of Scottish Office and Service circulars in relation to children. Within the volume is Scottish Home Department circular 6913 dated 6 August 1948 which discusses the provisions of The Children Act 1948. This circular was discussed at the inaugural meeting of the Children's Committee held on 20 September 1948. The Children's Committee continued to meet to discuss children's issues until the provisions of the Social Work (Scotland) Act 1968 were implemented in the early 1970s.

1975 – 1996

There are no records which indicate that there was any national policy or guidance specifically related to foster care. There are however records which relate to child welfare more generally.

Tayside Regional Council minutes show that it was informed by national reports regarding child abuse. Its report 1220/88 detailed its response to the Cleveland Enquiry and 1221/88 reported on Scottish Office circular SW9/88 and the requirement to change Service guidelines to take account of an increased awareness of the prevalence of sexual abuse and the need for improved practice.

Minute references to reports 1267/88 and 1582/88 by the Director of Social Work detail the "increasingly sophisticated" services required from the Social Work Service to respond to child abuse, and introduced a unified child abuse register and responsible officer and staffing to develop practice standards. It discussed child protection and rights of parents and detailed social work response in two processes:

- Investigation and early intervention into suspected cases
- Supervision, alternate care and rehabilitation of children

There was recognition of issues for staff, the Service, the Director and the Council including:

- Training and support for staff
 - Developing integrated responses
- Increased instance of reporting

The minutes also noted the publication of the Social Work Inspectorate Inspection of Child Protection Services in Rochdale and refer to report 1916/90 and article 238 Social Work Committee regarding revision and updating of operational instructions issued to staff as an aid to assist staff in carrying out their statutory duties in cases of suspected, alleged or actual child abuse. The Committee approved the revised Child Protection Instructions for implementation in the Social Work Service from January 1991.

Child Protection Committees (CPCs) were first established in each local authority area in Scotland in 1991. At that time, they may not have been known as CPCs.

Since 1991, in Scotland all policy, practice and legislation relating to child welfare and child protection have been underpinned by principles derived from Articles of the United Nations Convention on the Rights of the Child. This was ratified by the UK Government in 1991.

1996 – December 2014

Similarly, there are few references throughout this period to child protection policy specifically related to foster care.

It is evident from the content of foster carer agreements throughout this period that normal child protection procedures were to be followed when allegations of abuse were made against foster carers.

The Guidance issued by the Scottish Office in relation to implementation of the Children (Scotland) Act 1995 contained chapters which were relevant to the physical and emotional welfare of children in foster care, and also assessment, supervision and support for foster carers.

In 2007/8 the Scottish Government published a National Fostering Strategy – “Getting it Right for Every Child in Kinship and Foster Care”

Guidance was issued under the Adoption and Children (Scotland) Act 2007, both in relation to looked after children and foster carers. This contains sections about how allegations against foster carers are to be dealt with and cross-referenced to the National Child Protection Guidance (2010 refreshed in 2014).

There was interim best practice guidance published in 2010 in relation to managing allegations against foster carers. This was replaced in 2013 by Guidance “Managing Allegations Against Foster Carers and Approved Kinship Carers – How Agencies Should Respond”. This is also referenced in the National Child Protection Guidance 2010 (refreshed 2014). The National Child Protection Guidance also contains sections about investigating concerns about and allegations against foster carers. This was reflected in local child protection procedures.

More broadly, there have been a range of national policies/guidance which affect all children including those in foster care. In general terms, the historic and current practices around child welfare and child protection for all children have developed within Scotland as a result of key national child protection policy and legislative developments; learning extracted from inquiry reports; learning extracted from inspection reports and learning from elsewhere.

In 1998 the then Scottish Office published its comprehensive guidance *"Protecting Children – A Shared Responsibility. Extract from Protecting Children – A Shared Responsibility"* (Scottish Office: 1998).

These principles are:

- *"Each child has a right to be treated as an individual.*
- *Each child who can form a view on matters affecting him or her has the right to express those views if he or she so wishes.*
- *Parents should normally be responsible for the upbringing of their children and should share that responsibility.*
- *Each child has the right to protection from all forms of abuse, neglect or exploitation.*
- *So far as is consistent with safeguarding and promoting the child's welfare, public authorities should promote the upbringing of children by their families.*
- *Any intervention by a public authority in the life of a child must be properly justified and should be supported by services from all relevant agencies working in collaboration."*

In support of these principles, three main themes appear in Scottish children's legislation:

- *"The welfare of the child is the paramount consideration when his or her needs are considered by Courts, Children's Hearings and local authorities.*
- *No Court should make an Order relating to a child and no Children's Hearing should make a supervision requirement unless the Court or Hearing considers that to do so would be better for the child than making no Order or supervision requirement at all.*
- *The child's views, taking appropriate account of age and understanding, should be taken into account where major decisions are to be made about his or her future."*

This 1998 Scottish Office guidance made significant references to child welfare and to child protection. It effectively set into context the wider multi-agency child welfare and child protection arrangements in Scotland following the Cleveland and Orkney Inquiries.

The 1998 guidance empowered all professionals to promote children's wider welfare; to protect them from abuse and neglect; promoted all the provisions of The Children (Scotland) Act 1995; promoted inter-agency working; placed key child welfare and child protection responsibilities on local authorities; defined the role of CPCs; described the child protection process and, more importantly, Child Protection in Special Circumstances – Children Living Away from Home which stated:

"Local authorities and other agencies, who provide care and accommodation for children in residential placements, schools, foster care, or in other forms of accommodation, should ensure guidance and procedures are in place to respond to allegations of abuse concerning children living away from home."

Following the death of Kennedy McFarlane (Dumfries and Galloway on 17 May 2000) and the subsequent inquiry report by Hammond, H, (2000): Child Protection Inquiry into the circumstances surrounding the death of Kennedy McFarlane, in 2000 the then Scottish Executive commissioned a Multi-Agency Audit and Review of Child Protection in Scotland. This resulted in publication of the Report of the *"Child Protection Audit and Review: It's everyone's job to make sure I'm alright"* (Scottish Executive: November 2002).

This in turn led the Scottish Executive's Child Protection Reform Programme (CPRP) 2003 – 2006. This report included numerous references to child welfare and child protection.

By this time (2003), Perth and Kinross had an established Child Protection Committee (CPC).

Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – *"Protecting Children and Young People: Child Protection Committees"* (Scottish Executive: 2005); *"National Guidance for Child Protection in Scotland 2010"* (Scottish Government: 2010) and *"National Guidance for Child Protection in Scotland 2014"* (Scottish Government: 2014).

Since 2005, findings from inquiry reports and all national reports, policy and legislative developments have been considered by the CPC and used to shape local child welfare and child protection local practices, procedures and guidance.

National policy developments from the Child Protection Reform Programme focussed specifically on child welfare and child protection and included:

- *Scottish Executive (2004): Protecting Children and Young People: The Charter*
- *Scottish Executive (2004): Protecting Children and Young People: Framework for Standards*
- *Scottish Executive (2005): Protecting Children and Young People: Child Protection Committees*

Following publication of these key national policy developments, Perth and Kinross CPC led on their implementation locally to ensure local policy, procedures and practice arrangements reflected these national requirements.

Since 2005, every national policy development (and legislation, inquiry report and inspection report) in relation to child welfare and child protection since has been considered by the CPC and implemented locally. This also included new child welfare, child protection and children's services scrutiny and inspection arrangements via the now Care Inspectorate.

	<p>Perth & Kinross Council has promoted GIRFEC since 2005 and has embraced the emergence of <i>"Getting it Right for Every Child"</i> (GIRFEC) in 2006 which resulted in many policy (and legislation) developments. Every GIRFEC development has been embraced and adopted in Perth and Kinross.</p> <p>Perth & Kinross Council takes account of this and continually reviewed its policy and practice consistently with GIRFEC within which child welfare and child protection sits.</p> <p>In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to child protection identified that:</p> <p><i>"The way in which services initially responded to child protection concerns was a particular strength. Children and young people were kept safe as a result of staff acting promptly and effectively together. When concerns were raised, multi-agency discussions were convened quickly and strong professional relationships supported helpful discussion and effective multi-agency working. Within our review of case records, in almost all instances the initial response to child protection concerns was swift, timely and proportionate."</i></p>
v.	<p>Discipline</p> <p>1930 – 1975 There is no information in records about any national policy or guidance relating to discipline.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p> <p>There is no known national guidance or policy on this subject for this time period, although it has always been set out in foster carer agreements, foster care handbook and in training for carers that physical or corporal punishment is not permitted. This seems to be reflected in the national guidance issued under the Adoption and Children (Scotland) Act 2007 which states that <i>"local authorities across all their children's services, including social work and education, do not allow any corporal punishment to the child."</i></p>

[APG]

<p>vi. Complaints handling</p>	<p>1930 -1975 There are no records of national policy or guidance on this subject</p> <p>1975 – 1996 The Quality Assurance Advisory Sub Committee of the Social Work Committee met on 29 November 1991 and discussed a leaflet: Your Right to Complain and a note of the authority’s complaints procedures, together with Scottish Office circular SW5/1991 which provided advice to local authorities on the operation of a complaints procedure which was required to be established by 1 April 1991 in respect of all social work functions.</p> <p>1996 - December 2014 Councils were required to have procedures and guidelines for dealing with complaints under the Social Work (Scotland) Act 1968 and the Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.</p> <p>Throughout this period, the Council had a complaints procedure in place which complied with the Directions issued under the 1968 Act which is set out in later sections.</p> <p>Under both the Fostering of Children (Scotland) Regulations 1996 and the Looked After Children (Scotland) Regulations 2009, complaints procedures require to be set out in fostering agreements. There is evidence that these requirements were met.</p> <p>The National Fostering Strategy 2007/8 - “Getting it Right for Every Child in Foster and Kinship Care” made specific links to the National Care Standards: Foster care and family placement services, which required that information was made available to both children and carers about their statutory right to complain to the Care Commission about concerns they had about the fostering service and how these complaints would be investigated.</p> <p>Through the involvement of independent advocacy services children and young people were fully aware of their rights and can make complaints.</p> <p>The Care Commission/Inspectorate have inspected the fostering service since 2007 and made a number of recommendations on how to improve complaint handling. In 2014 the inspection noted:</p> <p><i>“Young people were being provided with a welcome pack which included the carer’s profile, giving them information about where they were staying, and who with, contact details for ‘Who Cares’, and the children’s rights service, information on how to complain and how to contact the Care Inspectorate. We felt all of this was in line with the National Care Standards to ensure</i></p>
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		<i>young people were given a variety of opportunities to express their view. This should ensure young people feel valued, included and safeguard their rights”.</i>
vii.	Whistleblowing	<p>1930 -1975 There are no records of national policy or guidance on this subject</p> <p>1975 -1996 No information is available</p> <p>1996 - December 2014 In July 2000 a report on the Public Interest Disclosure Act 1998 was submitted to Council. National legislation was relevant here rather than national policy. In addition, following the 2008 Letter on Whistleblowing in Child Protection from Adam Ingram MSP, Scottish Government Minister for Children and Early Years, Perth and Kinross Child Protection Committee (CPC) included practice advice and guidance within its CPC Inter-Agency Child Protection Guidelines which were widely promoted and readily available 24/7 to all staff.</p>
viii.	Record retention	<p>1930 – 1975 Records indicate there were Boarding-out Regulations in the 1940s, 1950s and 1960s which specified the retention period for records relating to boarding-out of children. There are limited references in records to these being noted. In May 1970 it is recorded in a file note by the Clerk that Perth Town Council was destroying child welfare and school medical service record cards when the child reached the age of 21. The Scottish Records Office had advised against their permanent retention. It is also noted that correspondence files were ‘weeded’ regularly.</p> <p>It is noted that the Social Work Service came into being in November 1969 and had not yet formulated a records policy. The Social Work Division of the Scottish Education Department had recommended 10-year retention for non-current probation files. A similar period, or less, was considered reasonable for children’s and welfare files.</p> <p>There is no record of any other national policy or guidance.</p> <p>1975 – 1996 There is no information in the available records</p> <p>1996 – December 2014</p>

		<p>The requirements for retention of records relating to foster carers and children were set out in the Arrangements to Look After Children (Scotland) Regulations 1996 and the Looked After Children (Scotland) Regulations 2009. Guidance/policy on the retention of other records is provided by the Scottish Council on Archives Records. The Council used this guidance to determine retention schedules for other records.</p> <p>From 2014, policy and practice on records management was governed by the Public Records (Scotland) Act 2011.</p>
ix.	<p>Recruitment and training of foster carers</p>	<p>1930 – 1975 There is no record of national policy or guidance although there are limited records relating to the production of leaflets to promote fostering by the Scottish Home Department.</p> <p>1975 -1996 There is no information in the available records</p> <p>1996 – December 2014 There were very limited national policies/guidance specifically in relation to recruitment and training of carers. The Guidance issued by the Scottish Office in relation to the Children (Scotland) Act 1995 made limited references to this.</p> <p>By and large, the Council aligned its practice in relation to recruitment and assessment with guidance issued by BAAF (British Agencies for Adoption and Fostering) and Fostering Network.</p> <p>The guidance issued under the Adoption and Children (Scotland) Act 2007 contained more detail in relation to recruitment and training.</p> <p>Following the introduction of the above Act the Council devised a training strategy which meant that each foster carer would complete 5 days training per year and like their Social Work colleagues would provide reflective accounts of their learning. Concerns were expressed about committing to this but the offer of a variety of learning from reading of books and articles, face to face training and online training meant that carers were able to achieve this. The importance of training was cemented in the foster carer review when a list of all training completed was attached to the foster carer report.</p> <p>Foster carers were also encouraged to complete SVQ3 and two carers were also trained as assessors.</p> <p>All approved carers became members of Fostering Network which offered continued training and development.</p> <p>From 2009, Perth and Kinross CPC provided a comprehensive Multi-Agency learning and development programme for all practitioners and managers across the public, private and third sectors within Perth and Kinross. This training was also accessible to Foster Carers</p>

	<p>and the CPC's public facing website not only contained a wealth of information, advice and guidance on a wide range of child care, welfare and protection, it also contained easily accessible online learning and development modules on child protection, GIRFEC and vulnerable adults.</p> <p>The Care Commission/Inspectorate have noted consistently that foster carers are appreciative of the training provided by the council and felt that their training needs were met. In 2014 inspection noted:</p> <p><i>"Carers were also supported to achieve nationally recognised qualifications such as Scottish Vocational qualifications (SVQ3), which the carers we spoke to felt was very important. Newly approved carers were provided with induction training, and all of this should support carers to gain skills and knowledge relevant to their role as foster carers, and to support young people to remain safe, healthy, active, nurtured, achieving, respected, included, and ensure their rights were protected"</i></p>
<p>x. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority</p>	<p>1930 -1975 There are no records of national policy or guidance on this subject</p> <p>1975 -1996 There is no information in the available records</p> <p>1996 - December 2014 The guidance issued under the Adoption and Children (Scotland) Act 2007 indicated that it was best practice to make contact with the employer, and if appropriate, former employers of a prospective carer. This has been good practice for several years and was part of the assessment process produced by BAAF.</p> <p>With the introduction of the Protection of Vulnerable Groups scheme the council was made aware of any concerns regarding registered foster carers that arose as a result of their employment.</p>
<p>d) If the local authority was aware of such, did they give effect to that policy/guidance?</p>	<p>Yes. The organisation did give effect to that policy/guidance as detailed above</p>
<p>e) If so, how was effect given to such policy/guidance?</p>	<p>1930 - 1975 There are no records which provide any insight or information in relation to this question.</p> <p>1975 -1996</p>

		<p>Through the available Committee reports/Minute Books, changes were made changes to policy and practice which, it is assumed, would then have been implemented through agreed management structure/processes.</p> <p>1996 – December 2014</p> <p>Through the available Committee reports/Minute Books, changes were made changes to policy and practice which would then have been implemented through Service decision making structures/processes.</p> <p>Detailed operational guidance and a fostering handbook were available for staff and carers throughout the period which were the main vehicles for giving effect to policy and guidance, although it should be noted that older versions of these were not retained once updated.</p>
f)	If not, why not?	Not applicable
Present		
g)	With reference to the present position, are the answers to any of the above questions different?	Yes.
h)	If so, please give details.	<p>iv. Child protection</p> <p>Since 2014, the overarching child welfare and child protection policy guidance has been the National Guidance for Child Protection in Scotland 2014 (Scottish Government: 2014). This guidance updated previous 2010 guidance and Perth and Kinross Council has translated its requirements into local child welfare and child protection policy guidance and practice developments within the framework of GIRFEC. Every national policy development (and legislation; inquiry report and inspection report) in relation to child welfare and child protection has been considered by the CPC and implemented locally.</p> <p>On 25 February 2016, following publication of Safeguarding Scotland's Vulnerable Children from Abuse: A Review of the Scottish System (Brock - Child in Scotland: 2014) and Inspecting and Improving Care in Social Work in Scotland: Findings from the Care Inspectorate 2011 - 2014 (Care Inspectorate: 2015), Angela Constance MSP, the then Scottish Government's Cabinet Secretary for Education and Lifelong Learning, announced a National Child Protection Improvement Programme (CPPI) for Scotland.</p> <p>This one-year improvement review programme was led and independently chaired by Catherine Dyer CBE, former Crown Agent and Chief Executive of the Crown Office and Procurator Fiscal Services (COPFS). It involved a review of policy, practice, services and structures of the current child protection system to identify what works well and what could be improved, with a particular focus on:</p> <ul style="list-style-type: none"> • Child Protection Committees (CPCs) • Child Protection Case Conferences (CPCCs)

	<ul style="list-style-type: none"> • Child Protection Register (CPR) • Initial Case Reviews (ICRs) and • Significant Case Reviews (SCRs) <p>On 2 March 2017, the Scottish Government published “Protecting Scotland's Children and Young People: It is Still Everyone's Job” (Dyer: 2017) which contains 12 recommendations for the Scottish Government; Chief Officers; CPCs; Chief Executives; the Care Inspectorate; and Scotland's Commissioner for Children and Young People.</p> <p>The Scottish Government accepted all 12 recommendations and in response published its Child Protection Improvement Programme Report (Scottish Government: 2017) which sets out 35 actions. This includes a commitment to articulating a national child protection policy including a National Child Abuse Prevention Plan, which creates strong and dynamic cross-government policy connections to keep children and young people safe. This remains a work in progress between now and April 2018.</p> <p>We have almost completed a full review of our interagency guidelines reflecting the national improvement plan, policy and legislative requirements and these will be published in the autumn of 2017. At present, the Perth and Kinross CPC Inter-Agency Child Protection Guidelines, which reflect key child welfare and child protection policy and legislative requirements, are being revised. This work is almost complete and publication is imminent.</p> <p>Perth and Kinross Council also contributed to the working group in 2016 that resulted in the development and launch of revised safer recruitment guidance from the Scottish Government, available via the Care Inspectorate website.</p> <p>ix. Recruitment and training of foster carers</p> <p>In 2017, the SSSC published the Foster Care Standard which was developed to establish a framework for the learning foster carers need to undertake for the foster carer role, and to support a realistic level of standardisation and consistency in the ways learning is provided and used.</p> <p>As a result of the national foster care review a training and development framework is due to be commissioned by the Scottish Government.</p>
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4.2 Local Authority		
(i) Policy		
Past		
a)	Was there local authority	1930 – 1975

[APG]

<p>policy/guidance in relation to the provision of foster care?</p>	<p>During this period local authority policy in relation to provision of foster care for children was not laid out in detailed policy or guidance documents but was referenced in minutes and reports of appropriate council committees.</p> <p>1975 – 1996</p> <p>There is no available record of local authority policies in respect of children in Tayside prior to 1986. As with national policy, local practice appears to have been primarily driven by primary and secondary legislation with the addition of Scottish Office circulars. The latter however, tended to focus on practical matters rather than what we would recognise as policy. In addition, the Maria Caldwell Inquiry in 1974, as with other inquiries, led to particular practice developments across the UK.</p> <p>Further to a request at Social Work Committee in August 1983 regarding a complete review of child care services, a report to Tayside Regional Council (149/84) was considered at the Social Work Committee in March 1984. It highlighted the need for a change in the philosophy of child care from residential to foster care and support within the community.</p> <p>Tayside Regional Council minutes show that in September 1986 Peter Bates having taken over as Director of Social Work for Tayside Regional Council, produced a report for the Social Work committee entitled "Children in Crisis: A Strategy for Children and their Families" (1107/86). The council minutes continue to show the implementation of this strategy including an update presented to the Social Work committee in October 1991 entitled, "Strategies For: Children and Families, Young People and Child Protection." The original report outlined key policies that should underpin work with children and their families in Tayside, this included policy guidance in relation to Foster Care.</p> <p>Policy decisions were also recorded in the minutes including "the accomplishment of the wider preventive and treatment strategies in the community" and "the increase of professional training opportunities for staff dealing with child abuse."</p> <p>Tayside Regional Council minutes and report 1221/88 detail their response to Scottish Office circular SW9/88 and note the requirement to change service guidelines to take account of increased incidence of sexual abuse and the need for improved practice.</p> <p>The result of that acknowledgement of the need to change service guidelines led to policy being laid out in reports 1267/88 and 1582/88 by the Director of Social Work.</p> <p>Article 1963 (Social Work Committee, 28 March 1988). Report No 798/92 by the Director of Social Work advising as to new departmental guidelines which had been produced to assist social workers who undertook assessment, preparation and selection of foster and adoptive parents, those involved in the process of approving carers, and managers in districts responsible for the placement of children and young people in families. The report further outlined the statutory criteria and the conditions laid down by the Social Work Department in relation to applicants who wished to foster or adopt.</p>
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		<p>The Committee noted the development of the new guidelines and agreed to approve the criteria outlines under the departmental policy and practice as detailed in Appendix 1 to Report 789/92, which specified criteria to be adopted in addition to the statutory provisions, in relation to selection of foster and mainstay carers and adoptive parents.</p> <p>1996 -December 2014</p> <p>In May 1996 Perth and Kinross Council Social Work Committee considered report 96/237 regarding the United Nations Convention on the Rights of the Child and it was agreed that all work with children would be underpinned by this. In March 1997 the Committee approved report 96/483 by the Director of Social Work <i>"Implementing the Children (Scotland) Act 1995"</i> which set out local policy on the implementation of the Act.</p> <p>During this period, a range of local authority policy/guidance relevant to provision of foster care for children was set out in policy or guidance documents.</p> <p>Perth and Kinross Council Social Work Service operational instructions and manuals of administration were approved by the Social Work Committee in April 1996. (Report 96/110), although it should be noted that these are no longer available. Operational guidance has been regularly issued throughout this period, both to fieldwork teams who work with children, and to those staff who assess and support foster carers. It should also be noted that older versions of this guidance were not retained once updated.</p> <p>In 1997 a Foster Care Strategy was approved by Social Work Committee and in 2006, a policy in relation to fostering and adoption services was approved. This policy was consistent with the requirements of the National Care Standards, The Fostering of Children (Scotland) Regulations 1996 The Adoption Agencies (Scotland) Regulations 1996 and The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.</p> <p>The Looked After Children (Scotland) Regulations 2009 set out expectation for the assessment and care planning for all Looked After Children. These Regulations also set out the arrangements for the regular review of children's care and the minimum intervals for that review. Practice in Perth and Kinross Council ensured that children's plans adhered to these Regulations and that statutory timescales for the review of looked after children were met. Performance in relation to the statutory review of looked after children was reported quarterly at service level and to the Council's Lifelong Learning Committee every six months.</p> <p>Throughout this period a Foster Carer Handbook has been made available to all foster carers which contains a full suite of policy and guidance for foster carers.</p>
b)	<p>Was there a particular policy and/or procedural aim/intention?</p>	<p>1930-1975 It is not evident from records whether there was a particular policy aim or intention, other than to give children the nearest approximation to family life.</p>

1975 – 1996

The report "*Children in Crisis: A Strategy for Children and their Families*" aimed report outlined key policies that should underpin all work with children and their families in Tayside. The report recognised that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children 'drifting' in the care system and, as such, the need to ensure planning and reviews for children were focused.

1996 – December 2014

In 2001 a best value review of looked after children services was undertaken, and it was stated in the accompanying Committee report that all decision making and services related to looked after children would be underpinned by the values set out in the Children (Scotland) Act 1995.

In 2006, a policy on fostering and adoption services was approved by Committee. This set out clear aims and objective which underpinned the policy and which were also consistent with the Council's Corporate Plan.

The purpose of the policy was to promote safety and well-being; improve learning and achievement and help children to be active in their community. The Policy contained a number of objectives which included keeping individuals safe and protected and improving health and wellbeing.

The policy also set out a number of aims for fostering and adoption services in Perth and Kinross:

- a child centred approach which promotes the development, learning and achievement of each individual
- quality, safe care in family settings
- stability at times of crisis and throughout childhood
- respect for individuals in relation to racial, cultural, religious and linguistic backgrounds
- consideration for the gender, disability, sexuality of individuals when making placements - attention to positive mental and physical health
- a diversity of foster carers to meet a range of needs
- support for foster carers and children through teams and out-of-hours services across 7 days and 24 hours
- an integrated, partnership approach
- appropriately qualified and trained social work and social care staff
- a commitment to ongoing carer training and development
- effective links to throughcare and aftercare services

A range of guidance was produced following introduction of the policy in 2006 and updated periodically but the aims set out in the 2006 policy remained unchanged.

c)	Where were such policies and/or procedures recorded?	<p>1930 – 1975 No information is available</p> <p>1975 – 1996 It is believed that the strategy document was widely circulated, both within Tayside and to organisations and residential establishments providing services to children and their families within Tayside such as Independent Residential Schools.</p> <p>As indicated above, except for the document entitled 'Section 7' no records of procedures are available from this period. This is perhaps consistent with good practice of destroying previous copies of procedures when new ones are introduced to avoid confusion.</p> <p>1996 – December 2014 Policies were agreed by Committee of the Council and would thereafter be retained as part of operational guidance in place periodically.</p> <p>Fostering policies and procedures were recorded in a Foster Carer Handbook issued to all foster carers although it should be noted that older versions of the Handbook are not kept when they are updated.</p> <p>General operational guidance was available for all staff in Children's Service throughout the period. From 2007 operational guidance specific to staff involved in the fostering service was available. The guidance related to the duties of the team as well as reflecting on national policy and guidance and was updated regularly.</p>
d)	What did the policies and/or procedures set out in terms of the following:	
i.	Child welfare (physical and emotional)	<p>1930 - 1975 There is no information in available records in relation to this.</p> <p>1975 to 1996 The information in the following sections are taken from the report "Children in Crisis: A Strategy for Children and their Families" from 1986, together with the 'Section 7' document referred to above and council minutes from 1991 relating to the constitution of Fostering and</p>

Adoption Panels. There are no other available policies and or procedures which provide information relating to these questions for the period from 1975 to 1986.

Section 3 of the 'Children in Crisis' report, sets out a 'value base', which should underpin all aspects of policy and practice within Tayside. It recognised children have specific physical and developmental needs that must be met. This includes the fact that all children should be treated with dignity and respect and have their confidentiality and privacy respected. Reference is made to a child's right to love, security and protection from abuse. Recognition is given to the fact that whilst this is the responsibility of parents, where this is not possible the local authority has a responsibility to intervene, possibly through the use of alternative family care (foster care)

1996 – December 2014

In March 1997 a report 96/483 *"Implementing the Children (Scotland) Act 1995"* by the Director of Social Work set out local policy on implementation of the Act which required that children's welfare be paramount when making decisions.

Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – *"Protecting Children and Young People: Child Protection Committees"* (Scottish Executive: 2005); *"National Guidance for Child Protection in Scotland 2010"* (Scottish Government: 2010) and *"National Guidance for Child Protection in Scotland 2014"* (Scottish Government: 2014).

In January 1999, Children's Services produced its first operational guidance for social work staff *"Protecting Children from Abuse and Neglect"*.

Thereafter, *"Child Protection Guidelines and Procedures"* were produced in March 2001 for staff in education and schools.

In January 2004, there was a review of child protection processes in the Council was. The Child Protection Guidance and Procedures were then developed in partnership and collated into a single comprehensive file of guidance by Perth and Kinross Council Education and Children's Services and issued in 2008.

The fully revised version of the Child Protection Guidance and Procedures published by Perth and Kinross Council Education and Children's Services was published on the 1 May 2014 and remains under continual review.

These processes apply to looked after children including those in foster care in the same way as they apply to all other children. The 2006 policy on fostering and adoption services also makes reference to child protection, indicating that allegations against carers will be investigated thoroughly and at that time there was a separate procedure note (although this itself is no longer available it is referred to in the policy).

From 2006, local policy, guidance and procedure in relation to child welfare was developed in line with GIRFEC.

	<p>Child welfare was at the heart of all social work practice throughout this period and policy in relation to this was embedded in operational guidance followed by all social work staff and updated periodically, although it should be noted that older versions of this guidance were not retained when they were updated.</p>
<p>ii. The child's views</p>	<p>1930 – 1975 There is no information in the available records which provides any insight or information in relation to this question.</p> <p>1975 -1996 Since 1991, in Scotland all policy, practice and legislation relating to child welfare and child protection have been underpinned by principles derived from Articles of the United Nations Convention on the Rights of the Child. This was ratified by the UK Government in 1991.</p> <p>Section 3.14 of the 'Children in Crisis' report, states that children over 7 should be fully involved and consulted over all decisions affecting their lives. This includes having the right to attend reviews and or submit written views. Children under the age of 7 should be represented by or accompanied by an individual advocate acting on their behalf.</p> <p>1996 – December 2014 In May 1996 the Council agreed to respect the principles and standards contained in the UN Convention on the Rights of the Child in all aspects of its work and to seek to promote the fullest possible implementation of the Convention. The need to seek and have regard to children's views is enshrined in the UNCRC.</p> <p>Between 1996 and 1997, the Council embarked upon a comprehensive programme of training in relation to the implementation of the Children (Scotland) Act 1995 and its associated guidance. Operational policies, practices and procedures were updated to reflect these changes.</p> <p>In 1998 the then Scottish Office published its comprehensive guidance "Protecting Children – A Shared Responsibility. Extract from Protecting Children – A Shared Responsibility" (Scottish Office: 1998):</p> <p>These principles included:</p> <ul style="list-style-type: none"> • Each child has a right to be treated as an individual. • Each child who can form a view on matters affecting him or her has the right to express those views if he or she so wishes. <p>This national guidance was cascaded throughout the organisation and the need to seek the views of the child was embedded in operational practice.</p>

	<p>In 2009 guidance to supplement the Adoption and Children (Scotland) Act 2007 was issued and again, this included sections on children's views.</p> <p>In 2011 guidance was issued to staff under the GIRFEC banner which set out the principles to be applied in seeking children's views.</p> <p>Seeking and taking account of children's views was embedded in all social practice in the Council and policy in relation to this was embedded in operational guidance followed by all social work staff and updated periodically, although it should be noted that older versions of this guidance were not retained when they were updated.</p> <p>Inspections undertaken by the Care Commission/Inspectorate between 2007 and 2014 all indicate that the service has taken account of the views of children and young people and constantly strived to improve this. The inspection in 2010 noted:</p> <p><i>" Children who were of an age to do so, were formally consulted during the LAC review process. The fostering service had been proactive in promoting the involvement of the national organisation "Who Cares", by commissioning a member of staff on a part-time basis. The local authority provided its own children's rights service for children for all "looked after" children. This approach ensured that children's rights were protected, and that care planning was taken forward appropriately. Young people in foster care, were assured of independent advocacy by having the opportunity to contact either "Who Cares" or the local authority children's rights service"</i></p>
iii. Placemen t of siblings	<p>1930 – 1975 There are no records which provide evidence of local policies or procedures, although there are references in records to accommodation being sourced for which would be let to foster carers who were able to care for sibling groups. This suggests that there was some recognition that it was important for siblings to be placed together.</p> <p>1975 - 1996 No information is available in relation to policies and procedures relating to the placement of siblings</p> <p>1996 – December 2014 In 2004, a review of fostering and adoption services took place and the action plan from that review does note that guidelines for placing siblings together were to be reviewed. This suggests that guidelines were in place, and it is likely that these were part of the operational guidance then in force. It should be noted that older versions of operational guidance were not retained once updated.</p> <p>The placement of siblings together or apart is a question which required detailed assessment and whilst in emergency situations this was often dictated by placement availability there was also an expectation that siblings should be reunited whenever possible. With permanent fostering arrangements a detailed sibling assessment was presented to the fostering and permanence panel along with the Form E which indicated whether siblings were placed together or apart.</p>

		In 2014 guidance for the Family Placement Team (the team with responsibility for fostering) it stated that <i>"Where at all possible, the Family Placement Team will try to place siblings together unless specified by the referring social worker."</i>
iv. The placement of a child in foster care		<p>1930 – 1975 There are no records which provide evidence of local policies or procedures</p> <p>1975 – 1996 The "Children in Crisis: A Strategy for Children and their Families" report recognises that, where possible, children should be cared for within their families, including when necessary extended families, and only when either it is not safe or possible for a child to remain within the family should the child be received into care. When reception into care was necessary, the report sets out the importance of placing children within an alternative family placement through foster care and, when a return home is not possible, to place the child with permanent carers or adoptive parents.</p> <p>1996 – December 2014 There is a continuing thread through policies during this period relating to the preference for a child to be placed with foster carers where at all possible if cannot be accommodated within their family. In 2001, there was a review of looked after services which stated that the aim of the Council was that looked after children should be placed in foster care and should only be placed in residential care when this was a positive choice based on the needs of the child. The 2007 Looked After strategy placed the emphasis on children being accommodated within foster care placements and encouraged the emphasis away from being accommodated in residential care. This remains the position.</p>
v. The particular placement of a child with foster carers		<p>1930 – 1975 There are no records which provide evidence of local policies or procedures</p> <p>1975 – 1996 No information is available in relation to policies and procedures relating to the placement of a child with foster carers</p> <p>1996 – December 2014 The Council's approved 2006 policy on fostering and adoption states that <i>"at the time a placement is made, the match of child with carers needs to take into account many factors. In permanent "matches", the BAAF matching form is used, while in the case of temporary placements a risk assessment is required to ensure that all important areas, including children and carer needs, have been given due consideration."</i></p> <p>Individual placement agreements under the relevant statutory framework were required, which set out the day to day arrangements for the care of the child in placement.</p>

		<p>The Care Commission in 2007 noted:</p> <p><i>"Children and young people, and foster carers indicated that whenever possible in planned placements children and young people were given the opportunity to meet with foster carers prior to a placement beginning. In emergency placements information was shared about preferences and routines by the placing Social Worker within a short timescale, often verbally and/or by email. Some children spoke of receiving written information and pictures from foster carers which told them about the foster carer's home, their new room, or about any family pets or possibly about the local area. Some 'Carer Profiles' as they were named by the service were examined and were seen to reflect very good practice. Birth family members were involved in the introductions of a new foster carer, if the care plan supported such arrangements and if it was in the best interests of the child or young person."</i></p>
vi.	Contact between a child in foster care with his or her family	<p>1930 – 1975 There are no records which provide evidence of local policies or procedures</p> <p>1975 -1996 In 1975 there is evidence that family contact was recognised as being important and measures taken to facilitate this.</p> <p>By the mid-nineties the report template for case reviews required Social-Workers to include updates under various headings including details of: pen picture of the child, summary of work done, suitability of placement, school report, health, contact with natural parents, parental contributions and social worker's views regarding future actions.</p> <p>The report prepared by staff for network meetings and case reviews included comments under various heading including family, current placement, education, health, community involvement and any additional information felt to be relevant such as contact with parents.</p> <p>1996 – December 2014 In May 1996 the Council agreed to respect the principles and standards contained in the UN Convention on the Rights of the Child in all aspects of its work and to seek to promote the fullest possible implementation of the Convention. The importance of children maintaining contact with their families is enshrined in the UNCRC.</p> <p>Between 1996 and 1997, the Council embarked upon a comprehensive programme of training in relation to the implementation of the Children (Scotland) Act 1995 and its associated guidance. Operational policies, practices and procedures were updated to reflect these changes and would have reflected the duty on local authorities within the legislation to promote contact between children and parents.</p>

	<p>In 2014 guidance for the Family Placement Team (the team with responsibility for fostering) it states that <i>“contact arrangements will be detailed in the day to day arrangements...Contact is usually an essential part of the Care Plan (except where other decisions have been made through legal actions in the child’s best interests). Foster Carers have a key role, in both enabling the child to prepare positively for contact, and in helping the child sensitively after contact has taken place.”</i></p>
vii. Contact between a child in foster care and other siblings in foster care	<p>1930 – 1975 There are no records which provide evidence of local policies or procedures</p> <p>1975 -1996 No information is available in relation to policies and procedures relating to contact between a child in foster care and their siblings in foster care</p> <p>1996 – December 2014 Throughout this period, practice reflected the requirements of the 1995 Act, with the welfare of the child being paramount. Consideration of contact between a child and other family members was a critical aspect of decision making for a child. The Arrangements to Look After Children (Scotland) Regulations 1996 set out that contact between a child and his or her family (not just parents) should be considered as part of a care plan for a looked after child. That continued to be the position in the Looked After Children (Scotland) Regulations 2009. These were supplemented by national guidance which informed local practice.</p> <p>There was no written policy in relation to this, but this was instead reflected in operational guidance and practice. It should be noted that this was reviewed periodically, and older versions of operational guidance are not retained once updated.</p> <p>In 2014 guidance for the Family Placement Team (the team with responsibility for fostering) it states that <i>“Where it is not possible to place siblings together, contact arrangements are made so that brothers and sisters can share time together, and also time with their parents and extended family, if appropriate”.</i></p>
viii. Information sharing with the child’s family	<p>1930 – 1975 No information is available in relation to policies and procedures relating to information sharing with a child’s family.</p> <p>1975 - 1996 No information is available in relation to policies and procedures relating to information sharing with a child’s family.</p> <p>1996 – December 2014</p>

		<p>Fostering agreements during this period reflect that foster carers were increasingly expected to share information through reports, which parents would have access to. However, it was also noted that the child's social worker was primarily responsible for sharing information with the family.</p> <p>The involvement in the child's plan of the birth family has been paramount throughout this period. Following the implementation of the Children (Scotland) Act 1995, the Adoption and Children (Scotland) Act 2007 and the implementation of the GIRFEC assessment framework emphasis was placed on working in partnership with the family. Sections of the child's assessment reports included a section on the recording of the family's views. Foster carers were encouraged to be open with families about their child's progress in placement and to keep accurate records of activities.</p>
	<p>ix. Fostering panels (including constitution, remit, frequency and record keeping)</p>	<p>1930 – 1975 There were no Panels during this period</p> <p>1975 – 1996 There are Minutes of a Tayside Regional Council meeting where the constitution was approved</p> <p>1996 – December 2014 Throughout this period the Fostering Panel has had a formally agreed constitution setting out its remit and membership. Frequency of meetings and recording of meetings were not matters of policy, but of operational practice. The panel met on a fortnightly basis and a full minute of the meeting was taken.</p> <p>The Care Inspectorate noted in 2013:</p> <p><i>"The fostering panel provided an important quality assurance measure within the service. The Chair made comments at the end of each item about the quality of assessments amongst other things and these would be fed back directly to the Agency Decision Maker. Regular meetings between the Chair and the Agency Decision Maker allowed for discussion about any emerging issues within the adoption service. Regular business meetings to which all panel members were invited allowed for discussion to ensure that panel members were discharging their duties effectively and identifying developments."</i></p>
	<p>x. Recruitment and training of foster carers</p>	<p>1930 – 1975 No information is available in relation to policies and procedures relating to recruitment and training of carers. There is some evidence of what happened in practice, but it is not possible to determine whether this was reflected in policy or guidance.</p> <p>1975 -1996</p>

		<p>Section 5 of the “Children in Crisis: A Strategy for Children and their Families” report sets out a ‘Home finding Strategy’ to both identify permanent foster carers and adopters for children in need of permanent care as well as increasing the pool of temporary and specialist placements. The ‘Section 7’ document sets out a framework for recruitment of foster carers</p> <p>1996 – December 2014 It is known that throughout this period, prospective foster carers undertook some training ahead of approval, to prepare them for the fostering task. This was supported through use of materials provided by either BAAF (British Agencies for Adoption and Fostering) or Fostering Network.</p> <p>In 2006, a policy on fostering and adoption was approved by the Council. This sets out the local policy in relation to the continuing development of foster carers, and states that <i>“the Service is committed to providing training at different levels for foster carers who are often carrying out complex and demanding tasks. Approved foster carers are expected to continue their development after approval”</i>. The policy also set out the outcomes expected for carers through continuing development. These included the development of skills and knowledge to help them feel better equipped to do their job; learning to reflect on and improve practice and becoming confident in providing safe care and protecting children from harm.</p> <p>The training policy was updated regularly and a record of all training undertaken by carers recorded in their file.</p> <p>The Care Inspectorate in 2014 noted: <i>“Perth and Kinross Fostering Service provides very good support to foster carers with regular supervision and good opportunities for training.”</i></p>
xi.	Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority	<p>1930 – 1975 No information is available in relation to policies and procedures relating to policy or guidance in relation to employer references.</p> <p>1975 - 1996 No information is available in relation to policies and procedures relating to policy or guidance in relation to employer references.</p> <p>1996 – December 2014 The policy on recruitment was in line with national framework for assessment of foster carers devised by BAAF. A reference request from an employer was introduced as part of that framework.</p>
xii.	Reviewing a child’s	<p>1930 – 1975</p>

<p>continued residence in foster care or in a particular foster care placement</p>	<p>No information is available in relation to policies and procedures relating to reviewing a child's placement in foster care. There is evidence that children were visited and some evidence of changes in placement being made because placements were not considered to be satisfactory, but it is not possible to determine whether this was reflected in policy or guidance.</p> <p>1975 – 1996</p> <p>Consistent with the requirements set out in the Social Work (Scotland) Act 1968, Section 3.13 of the "Children in Crisis: A Strategy for Children and their Families" report sets out a requirement that all children received into care must be reviewed within 3 days of admission to formulate an immediate treatment plan and a further review within 4 weeks setting out the treatment plan. It goes on to state that within a year a decision should be made as to whether it is possible to return a child to his or her family and if not, legal steps should be taken to place them with a permanent substitute family.</p> <p>In 1988, the Case Sub Committee of the Social Work Committee sought guidance from the Director of Social work on the role of the Committee and authority in regard to children coming into care, the formulation of care plans and relevant factors to be considered in the long term plan for children unlikely to be rehabilitated with their own family. The report in response discussed the review of children in care which included:</p> <ul style="list-style-type: none"> • Well established process • Clear plans within 6 weeks • Reviewed by reviewing officers at 3 months and 6 months • Plans not met drawn to attention of the area manager • Reviewing officers challenge the effectiveness of plans <p>Children and parents were invited to reviews - these reviews were in addition to reviews held by the Children's Hearing for children under supervision orders.</p> <p>1996 – December 2014</p> <p>Throughout this period the statutory requirements relating to review were followed. The processes and requirements for review would have been set out in operational guidance for staff, rather than policy. It should be noted that older versions of operational guidance were not retained once updated.</p> <p>Since the introduction of GIRFEC in 2006, further refinements to the practice in relation to reviews were made, to ensure compatibility with the guidance in relation to Child's Plans.</p> <p>Also, in 2006, the Council policy on fostering and adoption stated that the purpose of Looked After Children's Reviews was <i>"to ensure that care plans are in place and work is moving to achieve care plan goals"</i>.</p>
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	<p>xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)</p>	<p>1930 – 1975 There are a number of records relating to the visiting of children, but it appears from these that there were no local policies. The records indicate that the local authority at that time carried out visits in accordance with Regulations. For example, there are references to visits being completed satisfactorily in 1949 and to the duty to visit under the Boarding Out Regulations in 1959. In 1967, there is reference to "statutory" four times a year visits, and a comment that "contact with the child and foster parent after boarding out is very important, and this demands time".</p> <p>1975 -1996 No records are available, and it is assumed that visits took place in accordance with statutory requirements at least.</p> <p>1996 – December 2014 Throughout the period, the minimum requirements for visiting were set out in the relevant statutory framework. Since the introduction of the Care Standards there have been prescribed visiting patterns for both children and foster carers. Children must be visited at least fortnightly in placement, and carers the same. Monthly supervision of carers takes place at their home. For those children who are permanently placed in foster care the visits are 3-monthly.</p> <p>The purposes of these visits were to follow through on the care plan ensuring that the needs of the child or young person were met. The supervising social worker for the foster carer would ensure that the carer was managing the care of the child and provide any practical support that was required.</p> <p>All of the visits were recorded on the electronic case management system whilst the monthly supervision of the carers was recorded within their file on a separate template.</p>
	<p>xiv. Transfer of a child from</p>	<p>1930 – 1975 No information is available in relation to policies and procedures relating to transfer of a child's placement.</p>

<p>one foster placement to another (including preparation and support)</p>	<p>1975 -1996 No information is available in relation to policies and procedures relating to transfer of a child's placement.</p> <p>1996 – December 2014 There was no specific policy in relation to this. Moving a child or young person between placement was determined by their care plan and the reason for the move. If this was a transfer from a temporary placement to a permanent one there was a formal process whereby the child was formally linked with the carers. A matching report was completed and presented to the fostering and permanence panel for approval. If agreed, a co-ordination process was put in place which detailed a series of visits prior to moving.</p> <p>If the move was from temporary placement to another temporary placement, introductory meetings, information sharing, and profiles being exchanged was a principle that was followed at much quicker pace than above. However, it was recognised that this was not always possible and on occasions children and young people would need to move in a matter of hours.</p> <p>Profiles for carers were created which had photographs of the carers and information about their home which could be shared with the child quickly.</p> <p>In 2007 The Care Commission noted:</p> <p><i>"Children and young people, and foster carers indicated that whenever possible in planned placements children and young people were given the opportunity to meet with foster carers prior to a placement beginning. In emergency placements information was shared about preferences and routines by the placing Social Worker within a short timescale, often verbally and/or by email. Some children spoke of receiving written information and pictures from foster carers which told them about the foster carer's home, their new room, or about any family pets or possibly about the local area. Some 'Carer Profiles' as they were named by the service were examined and were seen to reflect very good practice. Birth family members were involved in the introductions of a new foster carer, if the care plan supported such arrangements and if it was in the best interests of the child or young person."</i></p>
<p>xv. Transfer of a child between foster care and residential care (including preparation and support)</p>	<p>1930 – 1975 No information is available in relation to policies and procedures relating to transfer of a child from foster care to residential care.</p> <p>1975 -1996 No information is available in relation to policies and procedures relating to transfer of a child from foster care to residential care.</p> <p>1996 – December 2014 There is no specific policy in relation to this. There were very few occasions where a child or young person was transferred from a foster care placement to residential care but when this did happen it was usually with little notice, for example where child's needs could no longer be met in foster care. In these circumstances the transfer would usually take the format of the social worker discussing with the child, helping</p>

	<p>them to understand the move and transporting them to the new placement. The carer would be part of this if appropriate and it was good practice to allow an opportunity for the child or young person to say goodbye.</p>
<p>xvi. Child protection</p>	<p>1930 – 1975 No information is available in relation to policies and procedures relating child protection.</p> <p>1975 – 1996 Tayside Regional Council minutes show that on 8 September 1986 the Director of Social work submitted a paper 1107/86 regarding the social work services for the care and protection of children. Policy decisions were recorded in the minutes including “the accomplishment of the wider preventive and treatment strategies in the community” and “the increase of professional training opportunities for staff dealing with child abuse.”</p> <p>Minutes reference reports 1267/88 and 1582/88 by the Director of Social Work and detail the “increasingly sophisticated” services required from the Social Work Service to respond to child abuse and introduced a unified child abuse register and responsible officer and staffing to develop practice standards. It discussed child protection and rights of parents and detailed social work response in two processes:</p> <ul style="list-style-type: none"> • Investigation and early intervention into suspected cases • Supervision, alternate care and rehabilitation of children <p>There was recognition of issues for staff, Service, the Director and the Council including:</p> <ul style="list-style-type: none"> • Training and support for staff • Developing integrated responses • Increased instance of reporting <p>The minutes also noted the publication of the Social Work Inspectorate Inspection of Child Protection Services in Rochdale and refer to report 1916/90 and Article 238 Social Work Committee regarding revision and updating of operational instructions issued to staff as an aid to assist staff in carrying out their statutory duties in cases of suspected, alleged or actual child abuse. The Committee approved the revised Child Protection Instructions for implementation in the Social Work Service from January 1991.</p> <p>In 1991 a Child Protection Committee (CPC) was first established in Tayside.</p> <p>In 1992, the Directors of Social Work for Scotland, including Peter Bates Director of Social Work for Tayside, came together to produce a Report entitled ‘Child Protection: Policy, Practice and procedure to assist the Orkney Inquiry. This report demonstrates that whilst specific policy and procedures from Tayside may no longer be available, such policies and procedures were in place.</p>

At the Tayside Regional Council Social Work Committee of 28 October 1995, report 1267/95 was presented by the Director of Social Work referring to a management study of social work practice within his Service in relation to child abuse/children at risk of non-accidental injury. The Committee directed preparation of a further report to detail procedures within social work establishments.

1996 – December 2014

In March 1997 a report 96/483 *"Implementing the Children (Scotland) Act 1995"* by the Director of Social Work set out local policy on implementation of the Act which included the statutory provisions relating to emergency protection of children.

Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – *"Protecting Children and Young People: Child Protection Committees"* (Scottish Executive: 2005); *"National Guidance for Child Protection in Scotland 2010"* (Scottish Government: 2010) and *"National Guidance for Child Protection in Scotland 2014"* (Scottish Government: 2014).

In January 1999, Children's Services produced its first operational guidance for social work staff *"Protecting Children from Abuse and Neglect"*.

Thereafter, *"Child Protection Guidelines and Procedures"* were produced in March 2001 for staff in education and schools.

In January 2004, the Chief Executive of Perth & Kinross Council requested that the Depute Director of Education & Children's Services lead a review of child protection and processes in the Council. This review was carried out in the period from 1 March to 31 May 2004.

The Child Protection Guidance and Procedures were then developed in partnership and collated into a single comprehensive file of guidance by Perth and Kinross Council Education and Children's Services and issued in 2008.

These processes apply to looked after children including those in foster care in the same way as they apply to all other children. The 2006 policy on fostering and adoption services also makes reference to child protection, indicating that allegations against carers will be investigated thoroughly and at that time there was a separate procedure note (although this itself is no longer available it is referred to in the policy).

The fully revised version of the Child Protection Guidance and Procedures published by Perth and Kinross Council Education and Children's Services was published on the 1 May 2014 and remains under continual review. These guidelines include a section in relation to allegations against foster carers, in line with the National Child Protection Guidance.

In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMIE and the Care Inspectorate, the most recent being: *A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)*. These have allowed the organisation an opportunity to self-evaluate and quality assure

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		<p>its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to child protection identified that:</p> <p><i>“The way in which services initially responded to child protection concerns was a particular strength. Children and young people were kept safe as a result of staff acting promptly and effectively together. When concerns were raised, multi-agency discussions were convened quickly, and strong professional relationships supported helpful discussion and effective multi-agency working. Within our review of case records, in almost all instances the initial response to child protection concerns was swift, timely and proportionate”.</i></p>
xvii.	Complaints handling	<p>1930 – 1975 No information is available in relation to policies and procedures relating to complaints.</p> <p>1975 -1996</p> <p>The Quality Assurance Advisory Sub Committee of the Social Work Committee met on 29 November 1991. It discussed a leaflet Your Right to Complain and a note of the authority’s complaints procedures, together with Scottish Office circular SWSG5/1991 which provided advice to local authorities on the operation of a complaints procedure that was required to be established by 1 April 1991 in respect of all social work functions. The Committee also made arrangements for a seminar on complaints procedures in January 1992, to which representatives from all registered establishments and officers involved in the registration process were invited.</p> <p>1996 – December 2014</p> <p>Perth and Kinross Council issued a revised complaints procedure in 2005 and updated this in 2013. Education and Children’s Services produced guidance to complement the Corporate Complaints process in 2005 and 2014</p> <p>The 2006 policy on fostering and adoption sets out the policy on complaints by foster carers and made it clear that carers could access the Council’s complaints procedure. This information was included in the fostering handbook, although it should be noted that older versions of this are not retained once updated.</p>

		<p>It was a requirement that there was a suitable complaints process for children as part of the registration of the fostering service. Child-friendly material was supplied to children in foster care which publicised to them how they could make a complaint and/or seek independent support from the Children's Rights Officer and advocacy services provided by Who Cares? Scotland.</p>
xviii.	Whistleblowing	<p>1930 – 1975 There are no records available which provide any information on policy or procedure in relation to this.</p> <p>1975 – 1996 There are no records available which provide any information on policy or procedure in relation to this.</p> <p>1996 – December 2014 In July 2000 a report on the Public Interest Disclosure Act 1998 was submitted to Council. The report recommended the adoption of a local Public Interest Disclosure Procedure to address the requirements of the legislation. This was approved and implemented with immediate effect. Evidence HR Doc 1 (Report 00/369).</p> <p>The local procedure was updated in May 2004 and became Procedure for Employees to Report Concerns.</p> <p>In addition, following the 2008 Letter on Whistleblowing in Child Protection from Adam Ingram MSP, Scottish Government Minister for Children and Early Years, Perth and Kinross Child Protection Committee (CPC) included practice advice and guidance within its CPC Inter-Agency Child Protection Guidelines which were widely promoted and readily available 24/7 to all staff.</p>
xix.	Record retention	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 The Social Work Services record retention schedule from August 1999 set out that files for children in care / looked after / accommodated should be retained until the child was 75 years old or for 25 years if the child died before they were 18 years old.</p> <p>This was in line with statutory requirements at the time. The Council also followed the guidance issued by the Scottish Council on Archive Records Retention Schedules (SCARRS) in respect of other records.</p> <p>Since November 2014, the Council has had a Records Management Policy and Records Management Plan in place under the 2011 Act, as well as continuing to use the SCARRS guidance.</p>

e)	Who compiled the policies and/or procedures?	<p>1930 – 1975 No information</p> <p>1975 – 1996 The report “Children in Crisis: A Strategy for Children and their Families” was written by Peter Bates in 1986. No information is available regarding the writing/compilation of other policies and procedures.</p> <p>1996 – December 2014 Policies were written by senior officers within either the social work service or education and children’s services.</p>
f)	When were the policies and/or procedures put in place?	<p>1930 – 1975 No information</p> <p>1975 - 1996 As indicated, no information is available regarding policies and procedures prior to 1996. Although no specific dates are available are available for the implementation of the strategy set out in “Children in Crisis: A Strategy for Children and their Families”, it is assumed that it would have been implemented following its approval by the Social Work Committee in 1986.</p> <p>1996 – December 2014 Where reference is made to local policies in the sections above, the dates have been included where known.</p>
g)	Were such policies and/or practices reviewed?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 Yes</p>
h)	If so, what was the reason for review?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p>

		<p>1996 – December 2014 The policies and practices were reviewed to keep them up to date with legislation, national policy and guidance, practice changes and also to ensure compatibility with National Care Standards. For example, the 2006 policy on fostering and adoption was in part drafted to take account of the National Care Standards.</p> <p>It is known that operational guidance and the foster carer handbook were updated periodically to take account of changes to practice and procedure.</p>
i)	<p>What substantive changes, if any, were made to the policies and/or procedures over time?</p>	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 As the policies and practices were reviewed to keep them up to date with legislation, national policy and guidance, practice changes and also to ensure compatibility with National Care Standards, the most substantive changes would have been in response to these factors. The most substantive changes were precipitated by:</p> <ul style="list-style-type: none"> • National Care Standards • Changes to child protection guidance and policy • Changes to safer recruitment practices • GIRFEC • The National Fostering Strategy • Changes in practice in relation to the recruitment and training of carers
j)	<p>Why were changes made?</p>	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 As the policies and practices were reviewed to keep them up to date with legislation, national policy and guidance, practice changes and also to ensure compatibility with National Care Standards, the most substantive changes would have been in response to these factors. For example, the 2006 policy on fostering and adoption was in part drafted to take account of the National Care Standards.</p>

		<p>The most substantive changes were precipitated by:</p> <ul style="list-style-type: none"> • Changes to child protection guidance and policy • Changes to safer recruitment practices • GIRFEC • The National Fostering Strategy • Changes in practice in relation to the recruitment and training of carers
k)	Were changes documented?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996. It is assumed that changes were documented at the time, although records are not available to show this.</p> <p>1996 – December 2014 Changes were documented in the sense that new versions of policies and procedures were issued. In keeping with good practice, previous copies of procedures were destroyed when new ones were introduced to avoid confusion. Where policies were agreed by Committee of the Council these were retained with Committee records.</p>
l)	Was there an audit trail?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 Prior to 2014 there was no specific audit trail for operational guidance. Committee reports and decisions made by Committee were retained.</p> <p>From November 2014, the Council applied its Records Management Policy in relation to all records, which contains guidance on document version control and the lifecycle of documents.</p>
Present		
m)	With reference to the present	

	position, are the answers to any of the above questions different?	Yes. National policy/guidance relevant to the provision of foster care for children continues to be developed, and Perth and Kinross takes account of developments in its local policies, processes and procedures.
n)	If so, please give details.	<p><u>Children's Views</u> The Council issued an updated decision-making process for accommodating a child in 2018. This contains a section in relation to seeking children's views and stresses the importance of access to advocacy. A range of options are available for children to express their views. These include face to face meetings, providing a written view, use of an App, or through an advocate.</p> <p>The Council also operates a Corporate Advocacy Scheme. A child or young person who is looked after, the Lead Professional or the carer can request the assistance of a nominated Corporate Parent to help "unblock challenges or barriers". The Corporate Advocate receives regular reports from the Social Worker and they can use their position to influence decision making across all the support services to remove any barriers that may exist.</p> <p><u>Child Protection</u> The current Council guidance and procedures for child protection contain a section in relation to allegations against foster carers, which provides detailed guidance in relation to how staff should deal with allegations.</p> <p>Since 2014, the overarching child welfare and child protection policy guidance has been the "<i>National Guidance for Child Protection in Scotland 2014</i>" (Scottish Government: 2014). This guidance refreshed previous 2010 guidance and Perth and Kinross Council has translated its requirements into local child welfare and child protection policy guidance and practice developments.</p> <p>Every national policy development (and legislation; inquiry report and inspection report) in relation to child welfare and child protection since has been considered by the Child Protection Committee and implemented locally.</p> <p>On 25 February 2016, following publication of Safeguarding Scotland's Vulnerable Children from Abuse: A Review of the Scottish System (Brock - Child in Scotland: 2014) and Inspecting and Improving Care in Social Work in Scotland: Findings from the Care Inspectorate 2011 - 2014 (Care Inspectorate: 2015), Angela Constance MSP, the then Scottish Government's Cabinet Secretary for Education and Lifelong Learning, announced a National Child Protection Improvement Programme (CPIP) for Scotland.</p> <p>This one-year improvement review programme was led and independently chaired by Catherine Dyer CBE, former Crown Agent and Chief Executive of the Crown Office and Procurator Fiscal Services (COPFS). It involved a review of policy, practice, services and structures of the current child protection system to identify what works well and what could be improved, with a particular focus on:</p>

[APG]

- Child Protection Committees (CPCs);
- Child Protection Case Conferences (CPCCs);
- Child Protection Register (CPR);
- Initial Case Reviews (ICRs); and
- Significant Case Reviews (SCRs).

On 2 March 2017, the Scottish Government published "Protecting Scotland's Children and Young People: It is Still Everyone's Job" (Dyer: 2017) which contains 12 recommendations for the Scottish Government; Chief Officers; CPCs; Chief Executives; the Care Inspectorate; and Scotland's Commissioner for Children and Young People.

The Scottish Government accepted all 12 recommendations and in response published its Child Protection Improvement Programme Report (Scottish Government: 2017) which sets out 35 actions. This includes a commitment to articulating a national child protection policy including a National Child Abuse Prevention Plan, which creates strong and dynamic cross-government policy connections to keep children and young people safe. This remains a work in progress between now and April 2018.

At present the Perth and Kinross CPC Inter-Agency Child Protection Guidelines, which reflect key child welfare and child protection policy and legislative requirements, are being refreshed. This work is almost complete and publication is imminent.

Perth and Kinross Council also contributed to the working group in 2016 that resulted in the development and launch of revised safer recruitment guidance from Scottish Government, available via the Care Inspectorate website.

All policies reflect the changes in legislation over the past 20 years and remain in continual review. Each year an improvement process is undertaken which involves feedback from services users and their families as to how the service is operating. This feedback, together with identified improvements from the staff and the annual inspection, leads to a team plan for the forthcoming year being devised.

Perth and Kinross Council has records of Care Inspectorate inspection reports for residential child care for the past 10 years which demonstrates a high degree of performance in relation to consistent compliance with standards and regulations. Inspection grades on a 6 point scale assessing the Quality of: Care and Support; Staffing; Environment and of Management and Leadership have been graded no lower than 4, with the majority being assessed at 5 over a sustained period. These reports show that recommendations made are acted upon and improvements made. Since 2002, there have been some statutory requirements following inspection. These have related to creating or updating policies regarding the work carried out; creating monitoring systems; improving the environment and staff training. Action was taken to address each issue identified and the last requirement for action was received in 2009.

Reviewing a child's continued residence in foster care or in a particular foster care placement
The current intervals for LAC Review meetings are:

		<ul style="list-style-type: none"> • Within 72 hours of secure placement being made (<u>statutory</u>) • Within 72 hours of placement (<u>local practice</u> to make early plans for child) • 6 weeks after first review (<u>statutory</u>) • 3 months after 6 week review (<u>statutory</u>) • 6 monthly thereafter (<u>statutory</u>) <p>If there is a placement breakdown (not a planned change as per child’s plan) the above timeline is repeated</p> <p><u>Complaints Handling</u></p> <p>The Council reviewed its whistleblowing policy in 2015. The Council complaints handling procedure was also reviewed in 2017, and new guidance was produced. This is in line with the requirements set by the Scottish Public Services Ombudsman.</p> <p><u>Moving between placements</u></p> <p>Work has been ongoing to minimise the impact of moves between placements. Over recent years additional support has been provided to carers to ensure that placements don’t end in a crisis and any moves are planned.</p> <p>A new policy was created in 2016 for Children moving on to permanent placements which took account of recent research and was written in conjunction with foster carers. This has been updated this year.</p>
(ii) Practice		
Past		
a)	<p>Did the local authority adhere in practice to its policy/procedures in relation to the provision of foster care?</p>	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 children’s case files had been examined, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>In depth file reading was also undertaken in the Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014 for those cases where 42 children and young people alleged abuse against 28 individual Foster Carers.</p>

		<p>It had not been possible to carry out any sampling of case file for foster carers prior to the exercise being suspended. Foster carer records are held separately from those of the children they cared for. This means that the Council's ability to provide answers to those questions which relate to foster carer practice is very limited.</p> <p>Under each of the subject headings below there is a section outlining the findings from that sample. The answers given are qualified by the fact that the sample size is small.</p> <p>In relation to other records held by the archive and the Council, additional information is included where relevant to the subject heading. In terms of those records, the position is as follows:</p> <p>1930-1975 As indicated in the preceding sections, there is no available information relating to policy and procedures for the period 1930 - 1975. As such, the answers to the following questions are limited in scope and describes information which has been found about practice. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1975-1996 As indicated in the preceding sections, there is no available information relating to policy and procedures within Tayside for the period from 1975 – 1986. Whilst the strategy document sets out the broad policy objectives from 1986 to 1996 the only procedural document available is the 'Section 7' document which sets out a framework for the recruitment of foster carers. As such, the answers to questions about adherence in practice to policy are very limited in scope and based on the position from 1986. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures. The conclusions from the Kendrick study show a lack of consistency in response to an allegations about abuse which suggests that policies and procedures relating to child protection were not consistently followed.</p> <p>1996 – December 2014 Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The early inspections by the Care Commission identified some discrepancy in relation to the practice of issuing foster carer agreements and sought improvement in this area. New procedures ensured that this was carried out systematically within a short period.</p>
b)	Did the local authority adhere in practice to its policy/procedures on the following:	

<p>i. Child welfare (physical and emotional)</p>	<p>From the case file sample, the following conclusion has been reached:</p> <p>In almost every case that was sampled there was evidence of social work assessments covering the physical and emotional welfare of the child and these were prepared for and considered at regular Looked After Child meetings and Children’s Hearings. In addition, there were some medical reports and educational psychology assessments giving a wider perspective of the child’s welfare and needs requiring to be met.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children’s services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to Foster care identified that:</p> <ul style="list-style-type: none"> • <i>Children and young people who were no longer able to remain at home thrived as a result of the encouragement, care and predictable routines and boundaries established by kinship and foster carers, and residential care staff.</i> • <i>Young people remaining in kinship and foster placements beyond the age of 16 years benefitted greatly from living in a stable home base.</i> • <i>Children and young people looked after away from home in foster care were fully included in the lives of their foster families and communities.</i> <p><i>Careful assessment and review ensured kinship and foster carers received personalised support to best meet their individual practical, emotional and financial needs.</i></p>
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	<p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that the welfare, both physical and emotional needs of the children were quickly responded to, addressed and assessed; albeit in a number of the cases the child was not necessarily moved placement as this was not always considered to be in his / her best interests. Additional help and support was invariably put in place for both the child and the Foster Carer.</p> <p>The Care Commission/Inspectorate have inspected the fostering service since 2007. Part of that inspection is focused on the care and support offered to children placed with carers. There have been consistently good or very good grades for this theme. An example of this is quoted below from the 2010 inspection:</p> <p><i>"A particular strength of the service was the holistic approach to the care of children and young people. Education, health and social work services were very well integrated, ensuring that children's all-round development and wellbeing were promoted. The service had well established working links with other professionals and agencies ensuring stakeholder involvement in identifying improvements."</i></p>
<p>ii. The child's views</p>	<p>From the case file sample, the following conclusion has been reached:</p> <p>In most of the cases sampled there was evidence of social workers meeting with the young people and seeking their views. The young people also attended Children's Hearings as well as regular Looked After Child review meetings and their views are contained in the minutes of these meetings.</p> <p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that the Child was always seen, listened to and their views noted. This took place whether the child was still in the placement or not and additional supports were put in place to support the child.</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014</p>

	<p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case files, which included some children and young people in foster care and the findings were published in Inspection Reports. The Inspection findings identified recurring strengths in terms of practice and performance, and specifically in relation to child's views:</p> <p><i>"Sensitive engagement and careful observation enabled staff to establish the views and experiences of very young children and those with communication difficulties. Most vulnerable children and young people were listened to, helped to express their views and involved meaningfully in decisions that affected them. In order to prioritise young people's voices the recently introduced MOMO (mind of my own) app was successfully helping looked after children and young people structure their thoughts and tell services what they want, whenever it suited them best".</i></p> <p>The Care Commission in 2010 found that:</p> <p><i>"The service provided a range of opportunities for all stakeholders to routinely contribute to the assessment and improvement of the fostering service. A range of evidence was sampled and we found major strengths in relation to participation.</i></p> <p><i>Children who were of an age to do so, were formally consulted during the LAC review process. The fostering service had been proactive in promoting the involvement of the national organisation "Who Cares", by commissioning a member of staff on a part-time basis. The local authority provided its own children's rights service for children for all "looked after" children. This approach ensured that children's rights were protected and that care planning was taken forward appropriately. Young people in foster care, were assured of independent advocacy by having the opportunity to contact either "Who Cares" or the local authority children's rights service."</i></p>
iii. Placement of siblings	<p>Although there was no policy in relation to this, from the case file sample, the following conclusion has been reached:</p> <p>From the available evidence where siblings were accommodated, they were usually placed together unless the relevant assessment deemed otherwise.</p> <p>On one occasion, three siblings who had been living in the same placement had to be separated following the death of their foster carer and they did not live together in placement again.</p> <p>In another, three siblings were placed together but the eldest made an allegation against the foster carer and after investigation he was moved to another placement. His siblings remained in the placement until the carers withdrew and another placement was found for them.</p> <p>Decision making in relation to placement of siblings was reviewed within the Looked After Review to ensure that decisions made were ones which met the child's needs and were consistent with the child's welfare. There was ongoing management oversight of placement decisions within the usual line management processes.</p>

	<p>iv. The placement of a child in foster care</p>	<p>Although there was no policy in place, from the case file sample, the following conclusion has been reached:</p> <p>The evidence would indicate that in two thirds of cases assessments were undertaken and adhered to. By the 1990s/ 2000s foster care seemed to be the preferred option for children and young people as it was felt they would benefit from a normal family life experience.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p> <p>1975 -1996 Throughout this period, where children were subject to compulsory supervision orders through the Children’s Hearing system, an assessment including how foster care was meeting the child’s needs would have been required review.</p> <p>1996 – December 2014 Throughout this period, where children were subject to compulsory supervision orders or requirements through the Children’s Hearing system, full assessments of the child and how their needs were being met were required by the Hearing. These orders were subject to annual review. Local authority guidance, training and procedures set out how reports were to be completed.</p> <p>Throughout this period, there were requirements under the relevant statutory framework to consider the child’s welfare, needs and how well a placement was meeting those needs as part of the care plan for every child who was looked after. This was kept under review by independent Reviewing Officers and would be discussed at regular Looked After Reviews. Local authority guidance, training and procedures set out how assessment and reports were to be completed for all Looked After children.</p>
	<p>v. The particular placement of a child with foster carers</p>	<p>Although there was no policy in place, although from the case file sample, the following conclusion has been reached:</p> <p>There was evidence in 8 cases of a matching process having taken place mainly during the 1980s and 1990s.</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 No information</p> <p>1975 -1996 Throughout this period, where children were subject to compulsory supervision orders through the Children’s Hearing system, an assessment including how foster care was meeting the child’s needs would have been required review.</p>

		<p>1996 – December 2014</p> <p>Throughout this period, there was a requirement to have a placement agreement between the Council and the carer (in addition to the foster care agreement) which set out how the child's day to day care needs were to be met. This was kept under review as part of the Looked After review process.</p> <p>Throughout this period, there were requirements under the relevant statutory framework to consider the child's welfare, needs and how well a placement was meeting those needs as part of the care plan for every child who was looked after. This was kept under review by independent Reviewing Officers and would be discussed at regular Looked After Reviews. Local authority guidance, training and procedures set out how assessment and reports were to be completed for all Looked After children</p> <p>The 2007 Care Commission inspection stated:</p> <p><i>"Children and young people, and foster carers indicated that whenever possible in planned placements children and young people were given the opportunity to meet with foster carers prior to a placement beginning. In emergency placements information was shared about preferences and routines by the placing Social Worker within a short timescale, often verbally and/or by email. Some children spoke of receiving written information and pictures from foster carers which told them about the foster carer's home, their new room, or about any family pets or possibly about the local area. Some 'Carer Profiles' as they were named by the service were examined and were seen to reflect very good practice. Birth family members were involved in the introductions of a new foster carer, if the care plan supported such arrangements and if it was in the best interests of the child or young person."</i></p>
	<p>vi. Contact between a child in foster care with his or her family</p>	<p>Although there was no policy, from the case file sample, the following conclusion has been reached:</p> <p>There is clear evidence throughout all the decades that there was contact between the child and his or her family. At times it may have been sporadic and infrequent, but it did take place and the social workers were at pains to ensure that it did, perhaps because of a contact clause in a supervision requirement, although there is no direct evidence of this.</p> <p>In the 1980s, there is evidence that for one family there was no contact because their mother and step father were convicted of offences against them and went to prison for five years and the whereabouts of the birth father was unknown.</p> <p>Another young person chose to end his contact as it was not positive for him.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p>

	<p>1975 -1996 Throughout this period, where children were subject to compulsory supervision orders through the Children’s Hearing system, contact is most likely to have been regulated through a condition attached to these orders and subject to annual review.</p> <p>1996 – December 2014 Throughout this period, where children were subject to compulsory supervision orders or requirements through the Children’s Hearing system, contact was most likely to have been regulated through a condition attached to these orders and subject to annual review. Local authority guidance, training and procedures made it clear that conditions had to be complied with other than in the most exceptional of circumstances and would be reviewed by the Children’s Hearing.</p> <p>Throughout this period, there were requirements under the relevant statutory framework to consider contact as part of the care plan for every child who was looked after. This was kept under review by independent Reviewing Officers and would be discussed at regular Looked After Reviews. Local authority guidance, training and procedures set out how assessment and reports were to be completed for all Looked After children</p> <p>Recognition of the importance of contact between children and their families was embedded in social work practice throughout this period and reinforced through training, guidance and supervision.</p>
vii. Contact between a child in foster care and other siblings in foster care	<p>Although there was no policy in relation to this, review of plans for contact was embedded in the Looked After Reviewing system and minutes of these reviews were retained on children’s files.</p> <p>From the case file sample, the following conclusion has been reached:</p> <p>In almost all cases where children had siblings either still at home or also in care, efforts were made to maintain contact between them either by visits supported by the social workers or by letter</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 No information</p> <p>1975 -1996 Throughout this period, where children were subject to compulsory supervision orders through the Children’s Hearing system, contact is most likely to have been regulated through a condition attached to these orders and subject to annual review.</p> <p>1996 – December 2014</p>

		<p>Throughout this period, there were requirements under the relevant statutory framework to consider contact as part of the care plan for every child who was looked after. This was kept under review by independent Reviewing Officers and would be discussed at regular Looked After Reviews.</p> <p>Local authority guidance, training and procedures set out how assessment and reports were to be completed for all Looked After children.</p> <p>Recognition of the importance of contact between children and their families was embedded in social work practice throughout this period and reinforced through training, guidance and supervision.</p> <p>Contact with siblings was encouraged if they were not accommodated within the same placement.</p>
	<p>viii. Information sharing with the child's family</p>	<p>Although there was no policy in relation to this, from the case file sample, the following conclusion has been reached:</p> <p>In almost all cases where children had siblings either still at home or also in care, efforts were made to maintain contact between them either by visits supported by the social workers or by letter</p> <p>The foster care handbook detailed policy which stated that carers must keep accurate records of the care of the child in foster care. These accounts were shared with families and included by the social worker in reports to Looked After Reviews and Children's Hearings.</p>
	<p>ix. Fostering panels (including constitution, remit, frequency and record keeping)</p>	<p>There is no relevant information from the case sampling exercise.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p> <p>1975 -1996 The policy and procedures set out in the available documents appears to have been applied in respect of the constitution, remit, frequency and record keeping of Fostering Panels.</p> <p>1996 – December 2014 Minutes of Panel for the period 2001 to December 2014 are available and these demonstrate that the Panel business was conducted appropriately, and that the Panel operated in line with its remit and constitution.</p>

	<p>As part of the inspections of fostering services, the Care Commission/Care Inspectorate evaluated the performance of the Panel against National Care Standards and the legal requirements. There were performance monitoring arrangements in place in relation to the role of the Panel and the Independent Chair.</p> <p>In 2013 the Care Inspectorate noted:</p> <p><i>"The fostering panel provided an important quality assurance measure within the adoption service. The Chair made comments at the end of each item about the quality of assessments amongst other things and these would be fed back directly to the Agency Decision Maker. Regular meetings between the Chair and the Agency Decision Maker allowed for discussion about any emerging issues within the adoption service. Regular business meetings to which all panel members were invited allowed for discussion to ensure that panel members were discharging their duties effectively and identifying developments."</i></p>
<p>x. Recruitment and training of foster carers</p>	<p>There is no relevant information from the case sampling exercise.</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 No information</p> <p>1975 -1996 It is clear from the strategy document described above that a wide-ranging recruitment and training programme was planned. No information however is available as to the implementation or success of the plan.</p> <p>1996 – December 2014 Training undertaken by foster carers was monitored as part of their annual review. A training strategy has been in place throughout this period with the focus on supporting carers to achieve skills to support the children in their care</p> <p>In 2007 the inspection by the Care Commission noted: <i>"A range of good quality practical training was available. Foster carers confirmed that they were offered and accessed training to support them to care for children and young people. The children interviewed confirmed that carers were able to meet their needs and offer support when needed. One foster carer stated that the training and support offered to them by the service was 'excellent'."</i></p> <p>In 2009 the inspection noted: <i>"During a support group meeting, a foster carer described how the service had developed training for men in foster care as a direct result of this being raised as a suggestion. When asked, foster carers interviewed had graded the service as very good and excellent."</i></p>

		<p><i>Other professionals commented that they were impressed with how the service listened and consulted. They said: excellent at asking for views".</i></p>
	<p>xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority</p>	<p>There is no relevant information from the case sampling exercise.</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 No information</p> <p>1975 -1996 It is clear from the strategy document described above that a wide-ranging recruitment and training programme was planned. No information however is available as to the implementation or success of the plan.</p> <p>1996 – December 2014 This requirement was part of the assessment process in line with the BAAF Form F, and assessment reports contained information about the outcome of checks.</p> <p>The application process asked that references were taken for each applicant one of which must be an employer. The details of this reference were contained within the assessment report and presented to the Fostering and Permanence Panel.</p>
	<p>xii. Reviewing a child's continued residence in foster care or in a particular foster care placement</p>	<p>From the case file sample, the following conclusion has been reached:</p> <p>There is clear evidence in three quarters of the cases throughout the decades that regular Looked After reviews and Children's hearings took place in order to review the placements and ensure that these were still meeting the child's needs.</p> <p>Additional relevant information set out below has been located in archive and other local authority records:</p> <p>1930 – 1975 There is evidence of children's cases being reviewed by a Committee at various frequencies and within those reports there are references to their placement. There is some evidence of Committee members making recommendations to the Children's Officer. Because no policy was located, it is not clear what the purpose of the review by Committee was.</p> <p>1975 -1996</p>

[APG]

		<p>Whilst specific policies and procedures are not available, case files suggest that children’s placements were regularly reviewed both through the Children’s Hearing, Tayside’s review system and child Protection Case Conferences were appropriate.</p> <p>1996 – December 2014 Practice in Perth and Kinross Council ensured that children’s plans adhered to the Regulations and national guidance in force at the relevant time and that statutory timescales for the review of children who are looked after were met. Performance in relation to the statutory review of looked after children was regularly reported on.</p>
	<p>xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)</p>	<p>From the case file the following conclusion has been reached: There was evidence in all, but four cases sampled that regular visits took place by the social workers involved although the frequency was not always specified. These are documented in case notes, reports and minutes of meetings. The young people were seen on their own and any issues raised by the young person were dealt with.</p> <p>There is less evidence of visits to the carers but again these contacts would be recorded in the carer’s file and not necessarily in the child’s file.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 Compliance with Care Standard and statutory requirements in relation to visits was considered as part of the inspection process. The Council also completed an annual self-evaluation for the Care Inspectorate in relation to the National Care Standards. The practice of foster carers’ social workers and children’s social workers is supervised by their line managers which included reading of case notes.</p> <p>The Care Inspectorate in 2014 stated that:</p> <p><i>“Carers told us their supervising social worker visited regularly and that formal supervision was carried out regularly. All of the carers we spoke with told us that they valued the support they were receiving, and they had access to support and guidance whenever they needed it. Carers had access to out of hours support and told us it provides us real reassurance to know that we can access support 24 hours.”</i></p>
	<p>xiv. Transfer of a child from one foster</p>	<p>Although there was no policy in relation to this, from the case file sample, the following conclusion has been reached:</p>

<p>placement to another (including preparation and support)</p>	<p>It would appear from the records that, apart from the three siblings who had to move following the sudden death of their carer and to whom it came as a shock, those young people whose placements ended were supported in the main into their new placements and any issues followed up.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 – 1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 In 2007 the Care Commission noted:</p> <p><i>“Children and young people, and foster carers indicated that whenever possible in planned placements children and young people were given the opportunity to meet with foster carers prior to a placement beginning. In emergency placements information was shared about preferences and routines by the placing Social Worker within a short timescale, often verbally and/or by email. Some children spoke of receiving written information and pictures from foster carers which told them about the foster carer’s home, their new room, or about any family pets or possibly about the local area. Some ‘Carer Profiles’ as they were named by the service were examined and were seen to reflect very good practice. Birth family members were involved in the introductions of a new foster carer, if the care plan supported such arrangements and if it was in the best interests of the child or young person.”</i></p>
<p>xv. Transfer of a child between foster care and residential care (including preparation and support)</p>	<p>Although there was no policy in relation to this, from the case file sample, the following conclusion has been reached:</p> <p>It would appear from the records that those young people whose foster placements ended and who had to move into residential care were supported in the main into their new placements and any issues followed up.</p>
<p>xvi. Child protection</p>	<p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in each and every case, local procedures in place at the time, were followed by staff responding to the allegations / complaints being made against Foster Carers. This included following existing child protection procedures which resulted in children and young people</p>

being seen, interviewed (occasionally jointly with the Police) and the outcomes being followed up. In all cases this was recorded and reported to managers; and in a few cases resulted in reports to the Procurator Fiscal.

Additional relevant information set out below has been located in archive and other local authority records.

1930 – 1975

No information

1975 -1996

In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, The Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE" Report to Tayside Region Social Work Department. Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18).

The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.

1996 – December 2014

In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMIE and the Care Inspectorate, the most recent being: *A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)*. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.

Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to child protection identified that:

"The way in which services initially responded to child protection concerns was a particular strength. Children and young people were kept safe as a result of staff acting promptly and effectively together. When concerns were raised, multi-agency discussions were convened quickly and

		<p><i>strong professional relationships supported helpful discussion and effective multi-agency working. Within our review of case records, in almost all instances the initial response to child protection concerns was swift, timely and proportionate”.</i></p>
xvii.	Complaints handling	<p>1930 – 1975 No information</p> <p>1975 -1996 Limited information is available regarding the implementation of the 1991/92 Quality Assurance and Complaints procedure.</p> <p>1996 – December 2014 Compliance with the Complaints Handling Procedures was monitored.</p> <p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports.</p> <p>Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them.</p> <p>It has not been possible to carry out analysis of this information to provide a detailed answer to this the question.</p>
xviii.	Whistleblowing	<p>1930 – 1975 No information</p> <p>1975 -1996 There is no information available</p> <p>1996 – December 2014 From the time the first procedure was implemented in the Council in 2004, there were no cases of whistleblowing relating to foster care, foster carers or children in foster care.</p>

	<p>xix. Record retention</p>	<p>1930 to 1975</p> <p>No records have been located</p> <p>1975-1996</p> <p>In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, the Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE Report to Tayside Region Social Work Department". Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18). One of the concerns expressed in the report was the lack of information in case files and it was recommended that case-files contain full and up-to-date information.</p> <p>1996 – December 2014</p> <p>Perth and Kinross Council was given children's case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known.</p> <p>Perth and Kinross Council retains children's case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council's retention schedule.</p> <p>Until 2005, the case recording system was entirely paper based.</p> <p>The Council procured an electronic case management system "Swift" which was implemented in 2005, with information being transferred from an old system K2 to Swift. It is known that because of the complexity of this task, there were recording gaps. Thereafter, paper case files continued, but workers also updated Profile Notes (case notes) on Swift. Full suites of guidance, including in depth training on each of the areas on Swift which also meant that practice methods improved also due to the way that social work recording was being developed across the country. Since the commencement of "Swift", continuous developments have been made to constantly ensure that social work services move with the times and improve recording aspects particularly to meet needs of Scottish Government which is now an individual record uplift at 31 July each year Looked After Children and Throughcare After Care.</p>
<p>c)</p>	<p>How was adherence demonstrated?</p>	<p>1930 – 1975</p>

		<p>As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996</p> <p>In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014</p> <p>Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>
d)	<p>How can such adherence be demonstrated to the Inquiry?</p>	<p>1930 – 1975</p> <p>There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to. Records available are limited to Minute Books, Annual Reports by the Medical Officer of Health, statistical information and miscellaneous administrative files of the Children’s Officer and County Clerk.</p> <p>1975 – 1996</p> <p>There are very limited case records for foster carers. There are children’s case records, although not all records are available. The only other available records are Minute Books and limited Committee reports.</p> <p>1996 -December 2014</p> <p>Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer; Inspection reports; internal self-evaluations; performance reporting records.</p>
e)	<p>Were relevant records kept demonstrating adherence?</p>	<p>1930 – 1975</p> <p>There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996</p> <p>In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p>

		<p>1996 – December 2014</p> <p>Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>
f)	Have such records been retained?	<p>1930 to 1975</p> <p>No records have been located</p> <p>1975-1996</p> <p>No records have been located</p> <p>1996 – December 2014</p> <p>Perth and Kinross Council was given children’s case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known. No records are available.</p> <p>Perth and Kinross Council retains children’s case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council’s retention schedule.</p> <p>Inspection reports are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
g)	If policy/procedure was not adhered to in practice, why not?	<p>1930 to 1975</p> <p>No information is available</p> <p>1975-1996</p>

		<p>It is known that some records were not available to be passed on to Perth and Kinross Council at reorganisation but the reasons for this is not known.</p> <p>1996 – December 2014</p> <p>Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The evidence base for this is less robust than we had hoped as prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care and a further 42 children’s case files and 28 foster carer records were examined as part of an in-depth analysis due to the identification of an allegation of abuse.</p>
h)	<p>If policy/procedure was not adhered to in practice, what was the practice?</p>	<p>1930 – 1975</p> <p>No information is available</p> <p>1975 – 1996</p> <p>No information is available</p> <p>1996 – December 2014</p> <p>Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The evidence base for this is less robust than we had hoped as prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care and a further 42 children’s case files and 28 foster carer records were examined as part of an in-depth analysis due to the identification of an allegation of abuse.</p>
Present		
i)	<p>With reference to the present position, are the answers to any of the above questions different?</p>	<p>Yes.</p>

j)	If so, please give details.	National Guidance relevant to the provision of foster care for children continues to be developed, and Perth and Kinross take account of such developments in its policies, processes and procedures.
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4.3 Children	
(i) Policy	
Past	
<p>a) What policies and/or procedures did the local authority have in place in relation to the care of children in foster care?</p>	<p>1930 - 1975</p> <p>Very few records have been identified which relate to policies or procedures of the local authority specifically. There is reference in records to practice and from these references it does appear that it was likely that there were policies and procedures in place in relation to some of the headings set out below.</p> <p>From the records available it seems to be the case that policy and procedure was driven by national policy, practice, guidance and procedure. The national context is set out in section 4.1.</p> <p>1975-1996</p> <p>There is no available record of local authority policies in respect of children in Tayside prior to 1986. As with national policy, local practice appears to have been primarily driven by primary and secondary legislation with the addition of Scottish Office circulars. The latter however, tended to focus on practical matters rather than what we would recognise as policy. In addition, the Maria Caldwell Inquiry in 1974, as with other Inquiries, led to particular practice developments across the UK.</p> <p>Further to a request at Social Work Committee in August 1983 regarding a complete review of child care services, a report to Tayside Regional Council (149/84) was considered at the Social Work Committee in March 1984. It highlighted the need for a change in the philosophy of child care from residential to foster care and support within the community.</p> <p>Tayside Regional Council minutes show that in September 1986 Peter Bates having taken over as Director of Social Work for Tayside Regional Council, produced a report for the Social Work committee entitled "Children in Crisis: A Strategy for Children and their Families" (1107/86). The council minutes continue to show the implementation of this strategy including an update presented to the Social Work committee in October 1991 entitled, "Strategies For: Children and Families, Young People and Child Protection." The original report outlined key policies that should underpin work with children and their families in Tayside, this included policy guidance in relation to Foster Care.</p> <p>Policy decisions were also recorded in the minutes including "the accomplishment of the wider preventive and treatment strategies in the community" and "the increase of professional training opportunities for staff dealing with child abuse."</p> <p>Tayside Regional Council minutes and report 1221/88 detail their response to Scottish Office circular SW9/88 and note the requirement to change service guidelines to take account of increased incidence of sexual abuse and the need for improved practice.</p>

	<p>The result of that acknowledgement of the need to change service guidelines led to policy being laid out in reports 1267/88 and 1582/88 by the Director of Social Work.</p> <p>Article 1963 (Social Work Committee, 28 March 1988). Report No 798/92 by the Director of Social Work advising as to new departmental guidelines which had been produced to assist social workers who undertook assessment, preparation and selection of foster and adoptive parents, those involved in the process of approving carers, and managers in districts responsible for the placement of children and young people in families. The report further outlined the statutory criteria and the conditions laid down by the Social Work Department in relation to applicants who wished to foster or adopt.</p> <p>The Committee noted the development of the new guidelines and agreed to approve the criteria outlines under the departmental policy and practice as detailed in Appendix 1 to Report 789/92, which specified criteria to be adopted in addition to the statutory provisions, in relation to selection of foster and mainstay carers and adoptive parents.</p> <p>1996 - December 2014</p> <p>In May 1996 Perth and Kinross Council Social Work Committee considered report 96/237 regarding the United Nations Convention on the Rights of the Child and it was agreed that all work with children would be underpinned by this. In March 1997 the Committee approved report 96/483 by the Director of Social Work <i>"Implementing the Children (Scotland) Act 1995"</i> which set out local policy on the implementation of the Act.</p> <p>During this period, a range of local authority policy/guidance relevant to provision of foster care for children was set out in policy or guidance documents.</p> <p>Perth and Kinross Council Social Work Service operational instructions and manuals of administration were approved by the Social Work Committee in April 1996. (Report 96/110), although it should be noted that these are no longer available. Operational guidance has been regularly issued throughout this period, both to fieldwork teams who work with children, and to those staff who assess and support foster carers. It should also be noted that older versions of this guidance were not retained once updated.</p> <p>In 1997 a Foster Care Strategy was approved by Social Work Committee and in 2006, a policy in relation to fostering and adoption services was approved. This policy was consistent with the requirements of the National Care Standards, The Fostering of Children (Scotland) Regulations 1996 The Adoption Agencies (Scotland) Regulations 1996 and The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.</p> <p>In 2007, the Council approved a Strategy for Looked After Children which was described as the main vehicle for the Council in discharging its duties as corporate parents, stating that <i>"We recognise that every individual child who is looked after deserves to have the best opportunities to enjoy their childhood and develop into confident and successful adults. We have, as a Council, corporate parenting</i></p>
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		<p><i>responsibilities and with our partners we need to use the many resources which are available to us to help the children achieve these opportunities.”</i></p> <p>The Looked After Children (Scotland) Regulations 2009 set out expectation for the assessment and care planning for all Looked After Children. These Regulations also set out the arrangements for the regular review of children’s care and the minimum intervals for that review. Practice in Perth and Kinross Council ensured that children’s plans adhered to these Regulations and that statutory timescales for the review of looked after children were met. Performance in relation to the statutory review of looked after children was reported quarterly at service level and to the Council’s Lifelong Learning Committee every six months.</p> <p>A Foster Carer Handbook was made available to all foster carers which contained a full suite of policy and guidance for foster carers. This was reviewed on a regular basis and with the involvement of carers. Fostering agreements set out expectations in terms of care in foster care and reflected the policy and guidance in relation to looked after children in foster care which was set out in the fostering handbook.</p> <p>From 2006, GIRFEC also provided a clear policy and guidance framework in relation to children in foster care.</p>
b)	Was there a particular policy and/or procedural aim/intention?	<p>1930 – 1975 From the records available it seems to be the case that policy and procedure was driven by national policy, practice, guidance and procedure. The national context, and the evidence which exists to indicate that this national picture was what guided local development of aims and objectives, is set out in section 4.1.</p> <p>1975 – 1996 The report “<i>Children in Crisis: A Strategy for Children and their Families</i>” aimed report outlined key policies that should underpin all work with children and their families in Tayside. The report recognises that too many children cared for away from home were in residential care and that significant efforts were required to reduce the need children care for in such placements by increasing the available resources to enable children to be cared for either by their parents or extended family and where this was not possible by foster carers. It also recognised the importance of avoiding children ‘drifting’ in the care system and, as such, the need to ensure planning and reviews for children were focused.</p> <p>1996 - December 2014 In 2001 a best value review of looked after children services was undertaken, and it was stated in the accompanying Committee report that all decision making and services related to looked after children would be underpinned by the values set out in the Children (Scotland) Act 1995.</p> <p>In 2006, a policy on fostering and adoption services was approved by Committee. This set out clear aims and objective which underpinned the policy and which were also consistent with the Council’s Corporate Plan.</p>

	<p>In 2006, a policy for fostering and adoption was approved by the Council. The policy was developed in accordance with the requirements of the National Care Standards, The Fostering of Children (Scotland) Regulations 1996 The Adoption Agencies (Scotland) Regulations 1996 and The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.</p> <p>This policy set out a clear set of aims and objectives, linked to the Council’s Corporate Plan and the approved Statement on Intent within Education and Children’s Services which set out the values, purpose and objectives of all work undertaken by the Service. Through inclusion in the policy, the expectation was that fostering services and foster carers would carry out their work in line with those values, purpose and objectives.</p> <p>The values were openness, honesty and integrity; fairness and compassion; mutual trust and respect.</p> <p>In relation to fostering, the policy set out clear aims which were:</p> <ul style="list-style-type: none"> • a child centred approach which promotes the development, learning and achievement of each individual • quality, safe care in family settings • stability at times of crisis and throughout childhood • respect for individuals in relation to racial, cultural, religious and linguistic backgrounds • consideration for the gender, disability, sexuality of individuals when making placements - attention to positive mental and physical health • a diversity of foster carers to meet a range of needs • support for foster carers and children through teams and out-of-hours services across 7 days and 24 hours • an integrated, partnership approach • appropriately qualified and trained social work and social care staff • a commitment to ongoing carer training and development • effective links to throughcare and aftercare services <p>A range of guidance in relation to fostering and children in foster care has been provided in operational guidance and updated periodically but the aims set out in the 2006 policy remained unchanged.</p>
c)	<p>Where were such policies and/or procedures recorded?</p> <p>1930-1975 The only records which have been located are Minute Books of the County, Town and Burgh Councils; Annual reports of the Medical Officer of Health and miscellaneous working files which record some of the work conducted by the Children’s Officer and in later years, the Director of Social Work.</p> <p>1975- 1996 No information is available</p>

		<p>1996 – December 2014</p> <p>Policies were agreed by Committee of the Council and would thereafter be retained as part of operational guidance in place periodically. Fostering policies and procedures were recorded in a Foster Carer Handbook issued to all foster carers although it should be noted that older versions of the Handbook are not kept when they are updated.</p> <p>Throughout the period operational guidance was available for all staff, and from 2007 specific operational guidance was available for all staff involved in the fostering and child care social work service. The guidance related to the duties of the team as well as reflecting on national policy and guidance and was updated regularly.</p>
d)	What did the policies and/or procedures set out in terms of the following?	
	i. g Safeguardin	<p>1930 – 1975</p> <p>The term “safeguarding” does not feature in any of the identified records.</p> <p>From the early 1930s onwards there are many references in records to the practice of visiting children who are boarded out, to ensure that they are being cared for satisfactorily. From this it may be assumed that a policy or procedure existed, but there is no evidence of these from the available records.</p> <p>1975- 1996</p> <p>There is no express reference to safeguarding in the available records. At that time it is likely that operational guidance and procedures on a range of subjects such as visits to children, reviewing of children’s case and child protection would have been most relevant.</p> <p>1996 – December 2014</p> <p>Within the “Getting it Right for Every Child” (GIRFEC) practice model and the Children and Young People (Scotland) Act 2014 there are legal duties and standards of practice which aim to support, promote and safeguard the wellbeing of all children and young people, including those in foster care. These are embedded into practice and within operational guidance and child protection procedures / arrangements. Whilst there is no separate safeguarding policy this is interpreted as keeping all children and young people safe and protected from all forms of harm, abuse, neglect and exploitation and the policy and practice guidance noted above encompasses this.</p>

ii. Child Protection

1930 – 1975

The term “child protection” does not feature in any of the identified records.

From the early 1930s onwards, there are many references in records to the practice of visiting children who are boarded out, to ensure that they are being cared for satisfactorily. There are also a very small number of references in records to cases where the standard of care had been poor, leading to children being removed from carers and in one case, a complaint being investigated. From this it may be assumed that a policy or procedure existed (written or otherwise), and that the aim of this at least partly would be to ensure that children in foster care were not being abused but there is no evidence of these in available records.

1975- 1996

Reports TRC 1107/86 & 1267/88 to Tayside Social Work Committee, outline the development of services for abused children and their families within Tayside, however these are not policy documents but rather discuss the services offered. Outwith the documents already referred to, there are no specific policy/procedural documents available. However, it is clear from the above reports and the report ‘Child Protection: Policy Practice and Procedure’ that Tayside, as with other local authorities in Scotland, did have clear policies and procedures at that time. These built on the developing knowledge and understanding from Inquiries and Effective Intervention the first National Guidance for Scotland produced in 1989. This is further demonstrated by the resources available in the Region at the time such as Polepark (a specialist resource for victims and survivors of abuse.

1996 – December 2014

In March 1997 a report 96/483 *“Implementing the Children (Scotland) Act 1995”* by the Director of Social Work set out local policy on implementation of the Act which included the statutory provisions relating to emergency protection of children.

Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – *“Protecting Children and Young People: Child Protection Committees”* (Scottish Executive: 2005); *“National Guidance for Child Protection in Scotland 2010”* (Scottish Government: 2010) and *“National Guidance for Child Protection in Scotland 2014”* (Scottish Government: 2014).

In January 1999, Children’s Services produced its first operational guidance for social work staff *“Protecting Children from Abuse and Neglect”*.

Thereafter, *“Child Protection Guidelines and Procedures”* were produced in March 2001 for staff in education and schools.

In January 2004, the Chief Executive of Perth & Kinross Council requested that the Depute Director of Education & Children’s Services lead a review of child protection and processes in the Council. This review was carried out in the period from 1 March to 31 May 2004.

		<p>The Child Protection Guidance and Procedures were then developed in partnership and collated into a single comprehensive file of guidance by Perth and Kinross Council Education and Children’s Services and issued in 2008.</p> <p>These processes apply to looked after children including those in foster care in the same way as they apply to all other children. The 2006 policy on fostering and adoption services also makes reference to child protection, indicating that allegations against carers will be investigated thoroughly and at that time there was a separate procedure note (although this itself is no longer available it is referred to in the policy).</p> <p>The fully revised version of the Child Protection Guidance and Procedures published by Perth and Kinross Council Education and Children’s Services was published on the 1 May 2014 and remains under continual review. These guidelines include a section in relation to allegations against foster carers, in line with the National Child Protection Guidance.</p> <p>In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children’s services, published by external scrutiny and inspection bodies, including HMIE and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in foster care.</p>
iii.	Medical care	<p>1930 – 1975 Only one references has been located in records which relates to medical care of children in foster care at a policy/procedure level.</p> <p>The County Council Minute Book from April 1967 shows that the Children’s Committee considered a report on the arrangements for medical examination of children in care. It refers to a Child Care Circular Letter No. 10/1966 of 19th October (presumably from the Scottish Home Department) suggesting that all Local Authorities should review their arrangements for the medical examination of children in care. It appears from the Minute that there was a joint report of 6th March by the Children’s Officer and the County Medical Officer detailing the arrangements made for such examination of children in the Council’s care, and the Committee were satisfied that these arrangements were adequate. The report has not been located so it has not been possible to identify what the arrangements were.</p> <p>1975- 1996 No information</p> <p>1996 – December 2014</p>

	<p>To an extent, the provision of medical care for looked after children in foster care was directed by the legislation and national guidance in force throughout this period. This provided the framework for assessment of a child’s health.</p> <p>Throughout this period, the fostering agreements entered into with foster carers contained a number of references to medical care and provides evidence of how the legislation and national policy/guidance was adopted locally. The overall policy aim can be seen in the agreements as there was a clearly set out obligation on carers to promote good health and ensure that children received appropriate medical and dental treatment. There was also more detailed requirements in relation to registration with health services and the keeping of health records.</p> <p>Prior to 2006, there was no written policy in relation to health assessments, and this was governed instead by operational guidance in place periodically. This reflected close links with NHS community paediatric services, who provided assessments and advice in relation to looked after children, child protection and also acted as medical advisers to the Fostering and Permanence Panel.</p> <p>The 2006 policy described the role of the Looked After Nurse, a nurse with the NHS with a specialist role. The policy states that this role <i>“provides support to carers and children with the aim of enhancing the health of looked after and accommodated children.”</i></p>
iv. Children’s physical wellbeing	<p>1930 – 1975 From the early 1930s onwards there are many references in records to the practice of visiting children who are boarded out, to ensure that they are being cared for satisfactorily. From this it may be assumed that a policy or procedure existed which was aimed at ensuring the physical and emotional wellbeing, but there is no evidence of these from the available records.</p> <p>There are references in records of the wider, national policy context relating to the welfare of children in care, and these are referenced in section 4.1 above. There is evidence from miscellaneous County Council business files that these national policy changes were considered at a local level, although the exact terms of any local policy or procedure have not been located</p> <p>1975- 1996 No information</p> <p>1996 – December 2014 There was no specific policy in relation this. In March 1997 a report 96/483 <i>“Implementing the Children (Scotland) Act 1995”</i> by the Director of Social Work set out local policy on implementation of the Act which required that children’s welfare be paramount when making decisions.</p> <p>Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – <i>“Protecting Children and Young People: Child Protection Committees”</i> (Scottish Executive: 2005);</p>

"National Guidance for Child Protection in Scotland 2010" (Scottish Government: 2010) and *"National Guidance for Child Protection in Scotland 2014"* (Scottish Government: 2014).

In January 1999, Children's Services produced its first operational guidance for social work staff *"Protecting Children from Abuse and Neglect"*.

Thereafter, *"Child Protection Guidelines and Procedures"* were produced in March 2001 for staff in education and schools.

In January 2004, there was a review of child protection processes in the Council was. The Child Protection Guidance and Procedures were then developed in partnership and collated into a single comprehensive file of guidance by Perth and Kinross Council Education and Children's Services and issued in 2008.

The fully revised version of the Child Protection Guidance and Procedures published by Perth and Kinross Council Education and Children's Services was published on the 1 May 2014 and remains under continual review.

These processes apply to looked after children including those in foster care in the same way as they apply to all other children. The 2006 policy on fostering and adoption services also makes reference to child protection, indicating that allegations against carers will be investigated thoroughly and at that time there was a separate procedure note (although this itself is no longer available it is referred to in the policy).

From 2006, local policy, guidance and procedure in relation to child welfare was developed in line with GIRFEC.

Child welfare was at the heart of all social work practice throughout this period and policy in relation to this was embedded in operational guidance followed by all social work staff and updated periodically, although it should be noted that older versions of this guidance were not retained when they were updated.

The Statement of Intent for Education and Children's Services (2007) which set out the values, purpose and objectives of all work undertaken by the Service provided a policy framework for all children including those who were looked after in foster care. The Statement of Intent set out a number of objectives which included keeping individuals safe and protected and improving health and wellbeing.

In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMIE and the Care Inspectorate, the most recent being: *A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)*. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.

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<p>v. Children's emotional and mental wellbeing</p>	<p>1930 – 1975 From the early 1930s onwards there are many references in records to the practice of visiting children who are boarded out, to ensure that they are being cared for satisfactorily. From this it may be assumed that a policy or procedure existed which was aimed at ensuring the physical and emotional wellbeing, but there is no evidence of these from the available records.</p> <p>There are references in records of the wider, national policy context relating to the welfare of children in care, and these are referenced in section 4.1 above. There is evidence from miscellaneous County Council business files that these national policy changes were considered at a local level, although the exact terms of any local policy or procedure have not been located.</p> <p>1975- 1996 In September 1990 Report No 1362/90 was submitted by the Director of Social Work intimating that discussions had taken place with mainstay carer's or issues relating to respite, holiday, assessment, emergency care arrangements, unexpected expenditure, and the possibility of young people in the Mainstay Scheme being given a bus pass in order that they could continue their usual social contacts, even if their home circumstances changed.</p> <p>1996 – December 2014 In March 1997 a report 96/483 <i>"Implementing the Children (Scotland) Act 1995"</i> by the Director of Social Work set out local policy on implementation of the Act which required that children's welfare be paramount when making decisions.</p> <p>Since 2005, local practice, policies and procedures promoted by the Perth and Kinross CPC has been consistent with, and actively followed, the requirements of national guidance – <i>"Protecting Children and Young People: Child Protection Committees"</i> (Scottish Executive: 2005); <i>"National Guidance for Child Protection in Scotland 2010"</i> (Scottish Government: 2010) and <i>"National Guidance for Child Protection in Scotland 2014"</i> (Scottish Government: 2014).</p> <p>In January 1999, Children's Services produced its first operational guidance for social work staff <i>"Protecting Children from Abuse and Neglect"</i>.</p> <p>Thereafter, <i>"Child Protection Guidelines and Procedures"</i> were produced in March 2001 for staff in education and schools.</p> <p>In January 2004, there was a review of child protection processes in the Council was. The Child Protection Guidance and Procedures were then developed in partnership and collated into a single comprehensive file of guidance by Perth and Kinross Council Education and Children's Services and issued in 2008.</p> <p>The fully revised version of the Child Protection Guidance and Procedures published by Perth and Kinross Council Education and Children's Services was published on the 1 May 2014 and remains under continual review.</p>
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	<p>These processes apply to looked after children including those in foster care in the same way as they apply to all other children. The 2006 policy on fostering and adoption services also makes reference to child protection, indicating that allegations against carers will be investigated thoroughly and at that time there was a separate procedure note (although this itself is no longer available it is referred to in the policy).</p> <p>From 2006, local policy, guidance and procedure in relation to child welfare was developed in line with GIRFEC.</p> <p>Child welfare was at the heart of all social work practice throughout this period and policy in relation to this was embedded in operational guidance followed by all social work staff and updated periodically, although it should be noted that older versions of this guidance were not retained when they were updated.</p> <p>The Statement of Intent for Education and Children’s Services (2007) which set out the values, purpose and objectives of all work undertaken by the Service provided a policy framework for all children including those who were looked after in foster care. The Statement of Intent set out a number of objectives which included keeping individuals safe and protected and improving health and wellbeing.</p> <p>In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children’s services, published by external scrutiny and inspection bodies, including HMIE and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p>
<p>vi. Schooling/education</p>	<p>1930-1975 No records have been found which provide information or insight into this question.</p> <p>1975- 1996 No information is available</p> <p>1996 – December 2014 In 2001, the Council agreed a position statement in relation to the Learning with Care Report (a joint report by HM Inspectors of Education and Social Work published in March 2001 which was commissioned because of concerns about the attainment of children accommodated away from home). In the position statement the Council indicated a commitment to improve education provision and attainment of children and young people looked after away from home.</p>

		<p>Service Plans contained objectives relating to the education of looked after children. Learning with Care was reviewed in 2004, with recommendations to changes in practice.</p> <p>Throughout this period, the fostering agreements entered into between the Council and foster carers required carers to ensure a child's attendance at school or other provision; to liaise regularly with school staff and to support children with homework <i>"to provide an educationally rich environment"</i>.</p> <p>The 2006 policy on fostering and adoption refers to the role of designated looked after teacher. The policy states that <i>"looked after children have often had their learning disrupted and research has shown that they often do not achieve as much as their peers ... there is a designated looked after teacher in every school who can be a source of advice and a helpful point of contact in addition to class teachers."</i></p> <p>In 2006, the Council also approved a Raising Achievement Strategy which identified looked after children as a group which required targeted provision to allow them to achieve their best. The Strategy set out a range of strategic priorities to support both this and other targeted groups. From this document it can be seen that the policy intent was to ensure that personal achievement was supported within communities particularly for those who most need help.</p> <p>In 2007 the Council agreed a Looked After Strategy which, in the context of raising achievement, committed to promoting an understanding of all professionals and carers about the needs of looked after children to enable them to enjoy their learning and achievements. That Strategy continued to be reported on and reviewed throughout the period to December 2014.</p> <p>That Strategy was replaced in 2011 with the Children and Families Services Strategy which committed to supporting looked after children to maximise their opportunities to improve their attainment and achievement.</p> <p>In the case of all of the above Strategies, implementation was taken forward through operational guidance and practice rather than specific written policy.</p>
vii.	Discipline	<p>1930 – 1975 No records have been found which provide information or insight into this question.</p> <p>1975- 1996 No information is available</p> <p>1996 – December 2014 Throughout this period, it was set out in foster carer agreements and in training for carers that physical or corporal punishment and emotional cruelty were not permitted.</p>

	viii. Activities and holidays for children	<p>1930 to 1975 There are numerous references in records of Perth County Council and Perth Town Council to approval for payment of allowances or contributions towards holidays. This does seem to suggest that there was a policy of some kind, whether written or otherwise, of providing financial support for this when asked. There is a specific reference in the County Council Minute Books in November 1969 to approval of a holiday payment for some children in foster care.</p> <p>1975-1996 In September 1990 Report No 1362/90 was submitted by the Director of Social Work, intimating that discussions had taken place with mainstay carer's or issues relating to respite, holiday, assessment, emergency care arrangements, unexpected expenditure, and the possibility of young people in the Mainstay Scheme being given a bus pass in order that they could continue their usual social contacts, even if their home circumstances changed.</p> <p>1996 – December 2014 The policies in relation to payment of allowances have included a holiday allowance throughout the period. There was no other policy relating to this. Foster carers would use their own judgement in relation to activities and holiday having regard to guidance in the fostering handbook and consulting with the child's social worker to obtain appropriate consents and decide what was best for the child.</p> <p>Foster carer agreements required that carers care for the child as if a member of own family and promoting activities and holidays is an implied part of that requirement.</p>
	ix. Sharing a bedroom	<p>1930 to 1975 No records have been found which provide information or insight into this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 There was no specific policy or guideline in relation to this. This was considered as part of the process of assessing whether a foster placement was suitable for a child.</p>
	x. Contact with family members	<p>1930 – 1975 There are no records which provide evidence of local policies or procedures</p> <p>1975 -1996</p>

	<p>In 1975 there is evidence that family contact was recognised as being important and measures taken to facilitate this.</p> <p>By the mid-nineties the report template for case reviews required Social-Workers to include updates under various headings including details of: pen picture of the child, summary of work done, suitability of placement, school report, health, contact with natural parents, parental contributions and social worker's views regarding future actions.</p> <p>The report prepared by staff for network meetings and case reviews included comments under various heading including family, current placement, education, health, community involvement and any additional information felt to be relevant such as contact with parents.</p> <p>1996 – December 2014</p> <p>In May 1996 the Council agreed to respect the principles and standards contained in the UN Convention on the Rights of the Child in all aspects of its work and to seek to promote the fullest possible implementation of the Convention. The importance of children maintaining contact with their families is enshrined in the UNCRC.</p> <p>Between 1996 and 1997, the Council embarked upon a comprehensive programme of training in relation to the implementation of the Children (Scotland) Act 1995 and its associated guidance. Operational policies, practices and procedures were updated to reflect these changes and would have reflected the duty on local authorities within the legislation to promote contact between children and parents.</p> <p>Throughout this period guidance and templates for assessments and reports required consideration of contact with family members.</p> <p>In 2014 guidance for the Family Placement Team (the team with responsibility for fostering) it states that <i>"contact arrangements will be detailed in the day to day arrangements "Contact is usually an essential part of the Care Plan (except where other decisions have been made through legal actions in the child's best interests). Foster Carers have a key role, in both enabling the child to prepare positively for contact, and in helping the child sensitively after contact has taken place."</i></p>
xi. Contact with siblings	<p>1930 – 1975</p> <p>There are no records which provide evidence of local policies or procedures</p> <p>1975 - 1996</p> <p>No information is available in relation to policies and procedures relating to the placement of siblings</p> <p>1996 – December 2014</p>

		<p>In 2014 guidance for the Family Placement Team (the team with responsibility for fostering) it states that <i>"contact arrangements will be detailed in the day to day arrangements... Contact is usually an essential part of the Care Plan (except where other decisions have been made through legal actions in the child's best interests)</i></p> <p>Throughout this period guidance and templates for assessments and reports required consideration of contact with family members and this will have included siblings.</p>
	<p>xii. Celebration of birthdays and other special occasions</p>	<p>1930-1975 The first reference in records of the local authority to this specifically in relation to foster care is in 1957. There is evidence that a policy was introduced in 1956 in relation to all children in care. The Annual Report by the Medical Officer for Health for the County states <i>"there are two important dates in the calendar of a child's life, namely Birthday and Christmas, and all children look forward to receiving some small gift on such occasions. The Children Committee's decision to provide a Birthday and Christmas present to children in care is one which has brought a tremendous amount of joy and happiness to our children, and one which has been appreciated by foster-parents, who regard such a gesture as an encouragement to carry on their invaluable service in the interests of the welfare of deprived children, and to Child Care in general."</i></p> <p>There are earlier references to Christmas presents being purchased for children, although these appear to relate more to children in residential homes than in foster care.</p> <p>From 1957 onwards there is regular reference to allowances being paid for purchase of presents for birthdays and Christmas and the amount of such allowances was set down in approved schemes for payment of allowances. These are the only references found in records, other than the reference in 1956, which support there being a policy or procedure relating to this.</p> <p>1975 – 1996 No information is available</p> <p>1996 - December 2014 Foster carers were paid an allowance for birthdays and Christmas and in terms of the fostering agreement were expected to care for the child as if the child was a member of their family. Although there was no specific policy relating to celebration of birthdays and special occasions, this was considered to be an inherent part of caring for a child as if they were a member of the carer's family and was embedded in practice.</p>
	<p>xiii. Information sharing by the foster carer with family members</p>	<p>1930 – 1975 No records have been found which provide information or insight into this question.</p> <p>1975-1996</p>

		<p>No information is available</p> <p>1996 – December 2014 There was no specific policy relating to sharing of information by carers. In terms of the foster carers agreements it was a requirement throughout the period that the foster carer keep information received about a child, his or her family or any other person confidential. Carers were not permitted to disclose this information to anyone without the consent of the Council.</p>
e)	Who compiled the policies and/or procedures?	<p>1930 – 1975 The records located are those of the County Council and Perth Town Council/Burgh Council. It seems likely from the records found that policy and procedure was approved by Children’s Committee, on recommendations of the Children’s Officer.</p> <p>1975 – 1996 The report “<i>Children in Crisis: A Strategy for Children and their Families</i>” was written by Peter Bates in 1986. No information is available regarding the writing/compilation of other policies and procedures.</p> <p>1996 – December 2014 Policies were written by senior officers within either the social work service or education and children’s services.</p>
f)	When were the policies and/or procedures put in place?	<p>1930 – 1975 No information</p> <p>1975 - 1996 As indicated, no information is available regarding policies and procedures prior to 1996. Although no specific dates are available are available for the implementation of the strategy set out in “<i>Children in Crisis: A Strategy for Children and their Families</i>”, it is assumed that it would have been implemented following it approval by the Social Work Committee in 1986.</p> <p>1996 – December 2014 Where reference is made to local policies in the sections above, the dates have been included where known.</p>
g)	Were such policies and/or practices reviewed?	<p>1930 – 1975 As stated above, there are few records relating to the content of policies and procedures. What is evident from the records that do exist is that review seemed to take place at times when the legislative or policy framework changed nationally.</p> <p>1975 – 1996</p>

		<p>No information is available</p> <p>1996 – December 2014 Yes</p>
h)	If so, what was the reason for review?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 The policies and practices were reviewed to keep them up to date with legislation, national policy and guidance and practice changes and also to ensure compatibility with National Care Standards. For example, the 2006 policy on fostering and adoption was in part drafted to take account of the National Care Standards; care planning policy, guidance and procedures were reviewed when GIRFEC was launched.</p> <p>It is known that operational guidance and the foster carer handbook were also updated periodically to take account of changes to practice and procedure.</p>
i)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014 As the policies and practices were reviewed to keep them up to date with legislation, national policy and guidance, practice changes and also to ensure compatibility with National Care Standards, the most substantive changes would have been in response to these factors. The most substantive changes were precipitated by:</p> <ul style="list-style-type: none"> • National Care Standards • Changes to child protection guidance and policy • GIRFEC

j)	Why were changes made?	<p>1930 – 1975 As stated above, there are few records relating to the content of policies and procedures. It is therefore not possible to identify what changes were made and why. There are references to the changing legislative and national policy context in miscellaneous files from the County Council, and so it is likely that this was the driver behind many policy changes.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 As the policies and practices were reviewed to keep them up to date with legislation, national policy and guidance, practice changes and also to ensure compatibility with National Care Standards, the most substantive changes would have been in response to these factors. The most substantive changes were precipitated by:</p> <ul style="list-style-type: none"> • National Care Standards • Changes to child protection guidance and policy • GIRFEC
k)	Were changes documented?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996. It is assumed that changes were documented at the time, although records are not available to show this.</p> <p>1996 – December 2014 Changes were documented in the sense that new versions of policies and procedures were issued. In keeping with good practice, previous copies of procedures were destroyed when new ones were introduced to avoid confusion. Where policies were agreed by Committee of the Council these were retained with Committee records.</p>
l)	Was there an audit trail?	<p>1930 – 1975 No information</p> <p>1975 - 1996 There is no available information regarding the review of such policies/procedures prior to Local Government reorganisation in March 1996.</p> <p>1996 – December 2014</p>

		<p>Prior to 2014 there was no specific audit trail for operational guidance. Committee reports and decisions made by Committee were retained.</p> <p>From November 2014, the Council applied its Records Management Policy in relation to all records, which contains a policies on audit trail, which includes guidance on document version control and the lifecycle of documents.</p>
Present		
m)	With reference to the present position, are the answers to any of the above questions different?	
n)	If so, please give details.	<p><u>Discipline</u></p> <p>The Foster Carer Handbook 2019 contains a section on discipline with clear, unambiguous guidance about unacceptable forms of discipline. It states that it is not acceptable for any child placed in day, residential or foster care, whether in the care of the Education & Children’s Services or not, to be subject to corporal punishment or emotional abuse.</p> <p>The following are considered to constitute corporal punishment: -</p> <ul style="list-style-type: none"> • smacking • hitting • pushing or shaking a child • use of an implement with which to hit the child <p>The following actions are also unacceptable: -</p> <ul style="list-style-type: none"> • depriving a child of food or forcing a child to eat • being locked in or out • humiliating a child by belittling or ridiculing them or their family • using threats such as police, or having to leave the placement, which can cause severe stress to the child • depriving a child of any necessities of life which make them feel secure and safe
(ii) Practice		
Past		
a)	Did the local authority adhere in practice to its policy/procedures relating to the care	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 children’s case files had been examined, 38 of which were found to relate to children in foster care. These were made up as follows:</p>

<p>of children in foster care?</p>	<p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>In depth file reading was also undertaken in the Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014 for those cases where 42 children and young people alleged abuse against 28 individual Foster Carers.</p> <p>It had not been possible to carry out any sampling of case file for foster carers prior to the exercise being suspended. Foster carer records are held separately from those of the children they cared for. This means that the Council’s ability to provide answers to those questions which relate to foster carer practice is very limited.</p> <p>Under each of the subject headings below there is a section outlining the findings from that sample. The answers given are qualified by the fact that the sample size is small.</p> <p>In relation to other records held by the archive and the Council, additional information is included where relevant to the subject heading. In terms of those records, the position is as follows:</p> <p>1930-1975</p> <p>As indicated in the preceding sections, there is no available information relating to policy and procedures for the period 1930 - 1975. As such, the answers to the following questions are limited in scope and describes information which has been found about practice. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1975-1996</p> <p>As indicated in the preceding sections, there is no available information relating to policy and procedures within Tayside for the period from 1975 – 1986. Whilst the strategy document sets out the broad policy objectives from 1986 to 1996 the only procedural document available is the ‘Section 7’ document which sets out a framework for the recruitment of foster carers. As such, the answers to questions about adherence in practice to policy are very limited in scope and based on the position from 1986. The conclusions from the Kendrick do study show a lack of consistency in response to an allegations about abuse which suggests that policies and procedures relating to discipline and child protection were not consistently followed.</p> <p>No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1996 – December 2014</p>
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		Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The early inspections by the Care Commission identified some discrepancy in relation to the practice of issuing foster carer agreements and sought improvement in this area. New procedures ensured that this was carried out systematically within a short period.
b)	Did the local authority adhere in practice to its policy/procedures in terms of the following?	
i. g	Safeguardin	<p>From the case file sampling the following conclusion has been reached:</p> <p>During the 1960s there is some evidence that reviews took place as well as social work visits to the young people in placement.</p> <p>There is clear and detailed evidence that during the 1970s and 1980s children were visited regularly in their placements and that regular reviews of their care took place through Looked after reviews and Children’s Hearing reviews.</p> <p>There is reference during the 1990s that reviews were taking place on a six-monthly basis to review the placement. Children’s Hearings also took place annually.</p> <p>In almost every case that was sampled there was evidence of social work assessments for LAC meetings and Children’s Hearings as well as some medical reports and educational psychology assessments giving a picture of the child’s welfare and needs requiring to be met.</p> <p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in each and every case, local procedures in place at the time, were followed by staff responding to the allegations / complaints being made against Foster Carers. This included following existing child protection procedures which resulted in children and young people being seen, interviewed (occasionally jointly with the Police) and the outcomes being followed up. In all cases this was recorded and reported to managers; and in a few cases resulted in reports to the Procurator Fiscal.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1996 – December 2014</p> <p>Within the Getting it Right for Every Child practice model and the Children and Young Peoples (Scotland) Act 2014 there are legal duties and standards of practice which aim to support, promote and safeguard the wellbeing of all children and young people, including those in foster care. These were embedded into practice and within operational guidance and child protection procedures/arrangements and there were regular opportunities through Looked After Reviews and formal arrangements for supervision of social work staff and their practice to monitor adherence to policy and procedure.</p>

		<p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in each and every case, local procedures in place at the time, were followed by staff responding to the allegations / complaints being made against Foster Carers. This included following existing child protection procedures which resulted in children and young people being seen, interviewed (occasionally jointly with the Police) and the outcomes being followed up. In all cases this was recorded and reported to managers; and in a few cases resulted in reports to the Procurator Fiscal.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p> <p>1975 -1996 In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, The Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE" Report to Tayside Region Social Work Department. Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18).</p> <p>The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.</p> <p>It was recommended that clear criteria were laid down for the action to be taken in response to allegations of abuse, and that procedures of investigation and follow-up action were carried out in a consistent manner and that steps were taken to ensure that information relating to abuse in care was drawn together in some way (a specific section possibly in carers' case files) to ensure that information could be presented to foster carer reviews in a structured and coherent way.</p> <p>1996 – December 2014 Since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children's services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p>
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ii. Child Protection

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		<p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case file, including some children and young people in Foster Care and the findings were published in Inspection Reports. In answering this and the following key questions, the Inspection findings identified recurring strengths in terms of our practice and performance, and specifically in relation to child protection identified that:</p> <p><i>“The way in which services initially responded to child protection concerns was a particular strength. Children and young people were kept safe as a result of staff acting promptly and effectively together. When concerns were raised, multi-agency discussions were convened quickly and strong professional relationships supported helpful discussion and effective multi-agency working. Within our review of case records, in almost all instances the initial response to child protection concerns was swift, timely and proportionate”.</i></p>
	iii. Medical care	<p>From the case file sampling the following conclusion has been reached.</p> <p>In only 8 of the cases sampled over the decades was there no information regarding the child’s medical care. In all the other cases the child was described as healthy or if necessary was taken to the GP or hospital appointments as required and this information was noted in reports, minutes and case notes. In some of the cases there was evidence of medical reports for reviews.</p> <p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that the medical care and needs of children in foster care were being met both by the professionals and the Foster Carers. There is evidence of children being taken to routine medical and dental appointments and where allegations / complaints of abuse were made, they were investigated and medically examined where appropriate.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p>
	iv. Children’s physical wellbeing	<p>From the case file sampling the following conclusion has been reached:</p> <p>In almost every case that was sampled there was evidence of social work assessments for LAC meetings and Children’s Hearings as well as some medical reports and educational psychology assessments giving a picture of the child’s welfare and needs requiring to be met.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p> <p>1975 -1996</p>

	<p>Whilst specific policies and procedures are not available case files suggest that they were adhered to in respect of promoting the physical welfare of children.</p> <p>1996 – December 2014</p> <p>In addition, since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children’s services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators, and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case files, including some children and young people in foster care and the findings were published in Inspection Reports. The Inspection findings identified recurring strengths in terms of practice and performance in relation to wellbeing:</p> <p><i>“The impact of services on the wellbeing of children and young people was very good. Partnership working to ensure and promote the safety and protection of children and young people was a major strength. When children were at imminent risk, their safety was assured through the co-ordinated and timely actions of staff. The impact of services on families was very good. A wide range of high quality, universal, targeted and specialist supports was strengthening family wellbeing. The extent to which services provided help and support at an early stage was very good. The principles of Getting it Right for Every Child provided a strong foundation for child-centred planning and delivery of an extensive range of early help and support to improve wellbeing. A comprehensive approach to implementation meant the principles were well understood and firmly embedded in practice. Children were familiar with the wellbeing principles through engagement in activities and games such as the SHANARRI song. An understanding of wellbeing indicators and the shared language of GIRFEC helped a few young people to advocate for their own needs, improving their involvement in child’s planning processes”.</i></p>
<p>v. Children’s emotional and mental wellbeing</p>	<p>From the case file sampling the following conclusion has been reached:</p> <p>In almost every case that was sampled there was evidence of social work assessments for LAC meetings and Children’s Hearings as well as some medical reports and educational psychology assessments giving a picture of the child’s welfare and needs requiring to be met.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p>

		<p>1930 -1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 Since 2005, Perth and Kinross Council and partners agencies have embraced successful self-evaluation, quality assurance and quality indicator frameworks relating both to child protection and children’s services, published by external scrutiny and inspection bodies, including HMle and the Care Inspectorate, the most recent being: <i>A quality framework for children and young people in need of care and protection (Care Inspectorate: Revised August 2019)</i>. These have allowed the organisation an opportunity to self-evaluate and quality assure its services for children and young people against key performance indicators and provided a comprehensive framework against which to examine every aspect of service delivery and to measure impact and outcomes. The principles apply equally to all children and young people, including those in Foster Care.</p> <p>Recurring Inspections (2009, 2011 and 2018) included scrutiny of a representative statistical sample of case files, including some children and young people in foster care and the findings were published in Inspection Reports. The Inspection findings identified recurring strengths in terms of practice and performance in relation to meeting emotional and mental wellbeing needs:</p> <p><i>“A strong approach to nurture across services and an awareness amongst staff and carers of the impact of adverse childhood experiences helped children and young people to develop emotional resilience. Targeted interventions helped to address children’s physical and emotional needs.</i></p> <p><i>Engagement with caring and attentive staff and carers who were alert to their needs helped children develop emotional resilience. Careful assessment and review ensured kinship and foster carers received personalised support to best meet their individual practical, emotional and financial needs. This enabled them to offer the best possible support to the children and young people in their care”.</i></p>
	vi. Schooling/e ducation	<p>From the case file sampling the following conclusion has been reached.</p> <p>In one third of the cases sampled there was no evidence of any assessment of the child’s educational needs or of any support provided. However, in the other two thirds there was clear evidence of educational assessments, referral to educational psychology for support as well as help at school and foster carers helping with homework.</p> <p>It was also noted that school reports were provided for Looked After reviews and discussed in that forum as well as at Children’s Hearing reviews.</p>

		<p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 The Care Commission noted in its inspection report in 2007 that:</p> <p style="padding-left: 40px;"><i>“One child had received additional support at school and had expressed a sense of achievement in the progress being made. Both children felt they had enough help with learning and school while in foster care.”</i></p> <p>In 2013 they noted that:</p> <p style="padding-left: 40px;"><i>“We found that the service’s corporate parenting strategy was working well and that joint working and communication between the fostering service and the other services supporting the young people was regular and of a good quality.”</i></p>
	<p>vii. Discipline</p>	<p>From the case file sampling the following conclusion has been reached:</p> <p>In most of the cases sampled there was evidence of social workers being involved when issues arose in the placement. These were then raised in Children’s hearing reviews as well as at LAC review meetings and noted in the minutes of these meetings.</p> <p>There is evidence in one case of the social worker being involved to support carers when a placement ended due to the young person having stolen from his carers and having assaulted their neighbour. He was placed in residential care.</p> <p>The following additional information was located in Tayside Regional Council records:</p> <p>1930 -1975 No information</p> <p>1975 - 1996 In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, The Robert Gordon University entitled “PREDICTORS OF ABUSE IN FOSTER CARE” Report to Tayside Region Social Work Department. Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18).</p>

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		<p>The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.</p> <p>It was recommended that clear criteria were laid down for the action to be taken in response to allegations of abuse, and that procedures of investigation and follow-up action were carried out in a consistent manner and that steps were taken to ensure that information relating to abuse in care was drawn together in some way (a specific section possibly in carers' case files) to ensure that information could be presented to foster carer reviews in a structured and coherent way.</p> <p>1996 - December 2014 No information</p>
viii. Activities and holidays for children		<p>Although there was no policy in relation to this, from the case file sampling the following conclusion has been reached:</p> <p>In 3 cases sampled during the 1960s holidays were taken and although activities were referenced in the case notes these were not specified.</p> <p>In almost half of the cases sampled during the 1970s there was evidence in the case notes of young people being taken on holiday, in one case to America. Other activities noted were football, swimming lessons, ATC, chess and karate club and the Perth Silver Brass band.</p> <p>In the 1980s half of the young people went on holiday and participated in activities but in most cases, these were not specified other than to be referred to as normal family activities.</p> <p>During the 1990s- 2000s there were two references to holidays and mention of army cadets, cycling, swimming and computer games.</p> <p>In addition, in terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in almost all the cases, there was evidence of children's birthdays and other special occasions being celebrated with parties, friends and on some occasions being taken on special trips and outings. These were generally celebrated as whole family events. There was also evidence of Foster children being taken away on holidays. Additional relevant information set out below has been located in archive and other local authority records.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p>

		<p>1975 -1996 No information</p> <p>1996 – December 2014 The Care Commission noted in its inspection report in 2007 that:</p> <p><i>“Children and young people, foster carers and Social Workers stated that arrangements for healthcare, education, leisure and other decisions were all considered within the care planning forum and recorded in both care plan and day to day placement arrangements.”</i></p>
	<p>ix. Sharing a bedroom</p>	<p>Although there was no policy in relation to this, from the case file sampling the following conclusion has been reached.</p> <p>There is one reference in the 1960s to three siblings sharing a bedroom but nothing else.</p> <p>From the records sampled during the 1970s there was evidence in two cases of a young person sharing a bedroom with a same sex sibling and three records indicating that a young person had their own bedroom</p> <p>In the 1980s there was no evidence from any of the files sampled and in the 1990s- 2000s there was reference in two cases of young people sharing rooms, on one occasion with an unrelated older young person who was also in care.</p>
	<p>x. Contact with family members</p>	<p>From the case file sampling the following conclusion has been reached:</p> <p>There is clear evidence throughout all the decades that there was contact between the child and his or her family. At times it may have been sporadic and infrequent, but it did take place and the social workers were at pains to ensure that it did perhaps because of a contact clause in a supervision requirement although there is no direct evidence of this.</p> <p>In the 1980s there is evidence that for one family there was no contact because their mother and step father were convicted of offences against them and went to prison for five years and the whereabouts of the birth father was unknown.</p> <p>Another young person chose to end his contact as it was not positive for him.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p>

	<p>1975 -1996 No information</p> <p>1996 – December 2014 Within the Getting it Right for Every Child practice model and the Children and Young Peoples (Scotland) Act 2014 there are legal duties and standards of practice which aim to support, promote and safeguard the wellbeing of all children and young people, including those in foster care. These are embedded into practice and within operational guidance and child protection procedures/arrangements and there are regular opportunities through Looked After Reviews and formal arrangements for supervision of social work staff and their practice to monitor adherence to policy and good practice. All assessment reports and Looked After Reviews are required to include consideration of the question of contact.</p> <p>Contact with family members was set out in the care plan. If this was not adhered to then families were able to raise this at Reviews, which were chaired by an officer independent of the social worker. Parents were able to make a complaint about any aspect of the care plan.</p> <p>In 2009 the Care Commission commented in its inspection report that: <i>“Parents of children using the fostering service had opportunities to make comment about care and support issues through the child care review and also the foster carer review process.”</i></p>
xi. Contact with siblings	<p>From the case file sampling the following conclusion has been reached:</p> <p>In almost all cases where children had siblings either still at home or also in care, efforts were made to maintain contact between them either by visits supported by the social workers or by letter.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 Within the Getting it Right for Every Child practice model and the Children and Young Peoples (Scotland) Act 2014 there were legal duties and standards of practice which aim to support, promote and safeguard the wellbeing of all children and young people, including those in foster care. These were embedded into practice and within operational guidance and child protection procedures/arrangements and there were regular opportunities through Looked After Reviews and formal arrangements for supervision of social work staff and their practice to</p>

		monitor adherence to policy and good practice. All assessment reports and Looked After Reviews were required to include consideration of the question of contact.
	xii. Celebration of birthdays and other special occasions	<p>From the case file sampling the following conclusion has been reached:</p> <p>In just under a third of the cases sampled there was evidence that birthdays and other special occasions were celebrated. There was evidence of birthday gifts and cards being received and in one case record a young person is noted to have said that Easter and Christmas times were 'just the best.'</p> <p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in some cases, there was evidence of children undertaking some activities and being taken on special trips and outings. These were generally celebrated as whole family events. There was also evidence of Foster children being taken way on holidays.</p>
	xiii. Information sharing by the foster carer with family members	<p>From the case file sampling the following conclusion has been reached.</p> <p>There is evidence that in a third of cases sampled information was shared with the child's family at review meetings to which they and the foster carers were usually invited.</p> <p>In the main, however, the information sharing role was that of the social worker and not the foster carer.</p> <p>Additional relevant information set out below has been located in archive and other local authority records.</p> <p>1930 -1975 No information</p> <p>1975 -1996 No information</p> <p>1996 – December 2014 In 2009 the Care Commission commented in its inspection report that: <i>"Parents of children using the fostering service had opportunities to make comment about care and support issues through the child care review and also the foster carer review process."</i></p>
c)	How was adherence demonstrated?	1930 – 1975

		<p>As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>
d)	How can such adherence be demonstrated to the Inquiry?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to. Records available are limited to Minute Books, Annual Reports by the Medical Officer of Health, statistical information and miscellaneous administrative files of the Children’s Officer and County Clerk.</p> <p>1975 – 1996 There are very limited case records for foster carers. There are children’s case records, although not all records are available. The only other available records are Minute Books and limited Committee reports.</p> <p>1996 -December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer; Inspection reports; internal self-evaluations and audits; performance reporting records.</p>
e)	Were relevant records kept demonstrating adherence?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>

f)	Have such records been retained?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014 Perth and Kinross Council was given children’s case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known. No records are available.</p> <p>Perth and Kinross Council retains children’s case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council’s retention schedule.</p> <p>Inspection reports are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
g)	If policy/procedure was not adhered to in practice, why not?	It is difficult to answer this question as it relates to the actions or inactions of a large group of staff over a considerable and historical period. In order to do so confidently it would be necessary to not only examine documents and records but also to engage directly with staff performing professional tasks. It would be necessary to assess their level of knowledge and understanding, the arrangements for training and supervision as well as to gauge what might be getting in the way of adhering to policy and guidance.
h)	If policy/procedure was not adhered to in practice, what was the practice?	Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The early inspections by the Care Commission identified some discrepancy in relation to the practice of issuing foster carer agreements and sought improvement in this area. New procedures ensured that this was carried out systematically within a short period.
Present		
i)	With reference to the present position, are the answers to any of the above questions different?	No

j)	If so, please give details.	No applicable
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4.4 Foster Carers

(i) Policy

Past

a)	What policies and/or procedures did the local authority have in relation to foster carers?	<p>1930 to 1975 There are very limited records which provide information or insight into this question. There are records which refer to the visiting of children, allowances and clothing, but no information has been identified which gives insight into policy and procedures and how they operated in practice.</p> <p>1975 - 1996 The 'Children in Crisis' strategy document sets out the aim of the Tayside R.C. in respect of the use of foster care. This, together with the 'section 7' document are the only available sources to indicate policy and procedure from 1986.</p> <p>1996 – December 2014 In May 1996 Perth and Kinross Council Social Work Committee considered report 96/237 regarding the United Nations Convention on the Rights of the Child and it was agreed that all work with children would be underpinned by this. In March 1997 the Committee approved report 96/483 by the Director of Social Work "<i>Implementing the Children (Scotland) Act 1995</i>" which set out local policy on the implementation of the Act.</p> <p>During this period, a range of local authority policy/guidance relevant to provision of foster care for children was set out in policy or guidance documents. Perth and Kinross Council Social Work Service operational instructions and manuals of administration were approved by the Social Work Committee in April 1996. (Report 96/110), although it should be noted that these are no longer available. Operational guidance has been regularly issued throughout this period, both to fieldwork teams who work with children, and to those staff who assess and support foster carers. It should also be noted that older versions of this guidance were not retained once updated.</p> <p>In 1997 a Foster Care Strategy was approved by Social Work Committee and in 2006, a policy in relation to fostering and adoption services was approved. This policy was consistent with the requirements of the National Care Standards, The Fostering of Children (Scotland) Regulations 1996 The Adoption Agencies (Scotland) Regulations 1996 and The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.</p> <p>The Looked After Children (Scotland) Regulations 2009 set out expectation for the assessment and care planning for all Looked After Children. These Regulations also set out the arrangements for the regular review of children's care and the minimum intervals for that review. Practice in Perth and Kinross Council ensured that children's plans adhered to these Regulations and that statutory timescales for</p>
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		<p>the review of looked after children were met. Performance in relation to the statutory review of looked after children was reported quarterly at service level and to the Council's Lifelong Learning Committee every six months.</p> <p>A Foster Carer Handbook has been made available to all foster carers which contains a full suite of policy and guidance for foster carers originally this was a Tayside wide document but following disaggregation a handbook for Perth and Kinross was implemented. This is reviewed on a regular basis and involves carers.</p> <p>In 2007 the guidance which included polices such as finance, smoking and safe caring was converted to an electronic version.</p> <p>Although previous versions are not available much of what is in the current handbook has been in place for some time.</p> <p>When new legislation, policy or guidance comes into force then both the handbook and the operational guidance is updated.</p>
b)	<p>Was there a particular policy and/or procedural aim/intention?</p>	<p>1930 to 1975 There are very limited records which provide information or insight into this question other than occasional references to the aim of fostering being to give children in care the nearest proximation to family life.</p> <p>1975 - 1996 To recruit and maintain carers able to provide both temporary and long-term placement and to reduce the number of children placed in residential care</p> <p>1996 – December 2014 In 2001 a best value review of looked after children services was undertaken, and it was stated in the accompanying Committee report that all decision making and services related to looked after children would be underpinned by the values set out in the Children (Scotland) Act 1995.</p> <p>In 2006, a policy on fostering and adoption services was approved by Committee. This set out clear aims and objective which underpinned the policy and which were also consistent with the Council's Corporate Plan.</p> <p>The purpose of the policy was to promote safety and well-being; improve learning and achievement and help children to be active in their community. The Policy contained a number of objectives which included keeping individuals safe and protected and improving health and wellbeing.</p> <p>The policy also set out a number of aims for fostering and adoption services in Perth and Kinross:</p> <ul style="list-style-type: none"> • a child centred approach which promotes the development, learning and achievement of each individual

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		<ul style="list-style-type: none"> • quality, safe care in family settings • stability at times of crisis and throughout childhood • respect for individuals in relation to racial, cultural, religious and linguistic backgrounds • consideration for the gender, disability, sexuality of individuals when making placements - attention to positive mental and physical health • a diversity of foster carers to meet a range of needs • support for foster carers and children through teams and out-of-hours services across 7 days and 24 hours • an integrated, partnership approach • appropriately qualified and trained social work and social care staff • a commitment to ongoing carer training and development • effective links to throughcare and aftercare services <p>In 2007 the Council decided to develop a Strategy for Looked After Children, to take account of national research and developments. It was decided that revised fostering allowances should form part of that, along with the development of the concept of corporate parenting. The Strategy was approved in June 2007 with the overall aim being to ensure that looked after children receive the best possible care and support. In relation to fostering, it was noted that improving the number and quality of carers available locally was a priority and this was to be achieved through several measures such as improved rates of allowance.</p> <p>In 2011, the Strategy for Looked After Children was replaced by a Children and Families Services Strategy. One of the key improvement points in the Strategy was to increase opportunities for children who are looked after away from home to remain within their communities.</p>
c)	Where were such policies and/or procedures recorded?	<p>1930 – 1975 No information is available</p> <p>1975 – 1996 It is believed that the strategy document was widely circulated, both within Tayside and to organisations and residential establishments providing services to children and their families within Tayside such as Independent Residential Schools.</p> <p>As indicated above, with the exception of the document entitled 'Section 7' no records of procedures are available from this period. This is perhaps consistent with good practice of destroying previous copies of procedures when new ones are introduced to avoid confusion.</p> <p>1996 – December 2014 Policies were agreed by Committee of the Council and would thereafter be retained as part of operational guidance in place periodically. Fostering policies and procedures were recorded in a Foster Carer Handbook issued to all foster carers although it should be noted that older versions of the Handbook are not kept when they are updated.</p>

		Operational guidance was available for all staff throughout this period, and from 2007 there was specific guidance for staff involved in the fostering service. The guidance related to the duties of the team as well as reflecting on national policy and guidance and was updated regularly.
d)	What did the policies and/or procedures set out in terms of the following?	
	i. Recruitment	<p>1975-1996 It is clear from the 'Children in Crisis' strategy document described above that a wide-ranging recruitment and training programme was planned. No information however is available as to the implementation or success of the plan.</p> <p>1996 – December 2104 Recruitment was the focus of a great deal work throughout this period but this has been directed through changes to practice rather than policy although the 2006 policy on fostering and adoption services summarises the recruitment process. Recruitment campaigns have also involved professional media presentations and modern channels of advertising.</p>
	ii. Standard and size of accommodation	<p>1930 to 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 There was no policy in terms of standard or size of accommodation, but availability of space is assessed was part of the application process.</p>
	iii. Number, age and gender of children accommodated/in the household	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 There was no policy which relates to specific age, gender or number This was part of the assessment process and recommendations were based on experience, accommodation and carer's preference. A recommendation was made at the point of presentation to panel.</p>

	<p>iv. Pre-approval/registration checks</p>	<p>1930 to 1975 No information</p> <p>1975 - 1996 The 'section 7' document lists appendices relating to relevant checks though the actual appendices are not available:</p> <ul style="list-style-type: none"> • criminal checks, • checks with previous agencies, RSPCC, • Community Child Health (Tayside) and • Directors of other Local Authorities where applicant have lived • Medical checks on applicants <p>1996 – December 2014 Perth and Kinross Council complied with the list of checks which were nationally set out by BAAF as part of the Form F. These included criminal records, health and references.</p> <p>The 2006 policy on fostering and adoption stated that a range of checks would be undertaken, including Disclosure Scotland checks, verification of identity, health and references.</p>
	<p>v. References</p>	<p>1930 to 1975 No information</p> <p>1975 - 1996 2 References were required</p> <p>1996 – December 2014 Perth and Kinross Council complies with the list of checks which are nationally set out by BAAF as part of the Form F. These include checks with criminal records, health, education and references</p> <p>The 2006 policy on fostering and adoption stated that a range of checks would be undertaken, including Disclosure Scotland checks, verification of identity, health and references.</p>
	<p>vi. Foster care agreements</p>	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p>

		<p>1996 – December 2014 Fostering Agreements between the Council and the carer were in a standard form updated periodically by the Council, and in line with legislation. Placement agreements were also used, which set out the day to day placement arrangements for an individual child.</p> <p>In 2004, the form of agreement was updated, and approved by the Council as part of an internal review of fostering and family placement services.</p>
vii.	Induction	<p>1930 to 1975 No information</p> <p>1975 - 1996 Attendance at preparation groups, information on the needs of children received into foster care</p> <p>1996 – December 2014 Following approval there is an induction process. This was set out in in the foster carer handbook and operational guidance which was updated periodically. During this period, it was the responsibility of the Senior Social Care Officer within the team to carry out the induction process.</p>
viii.	Transfer of foster carers to or from other organisations or local authorities	<p>1930 to 1975 No information</p> <p>1975 - 1996 In accordance with regulations all foster carers who are registered with Perth and Kinross must be approved by the Fostering and Permanence Panel. If the foster carer was already registered with another agency, a further assessment would be completed which would take into account information from that agency about their history and practice. On occasions the agency's Form F was provided in full whilst other agencies would only provide a copy of this for a fee.</p> <p>Regardless of the level and nature of the information provided, a further assessment was completed and presented for approval to the fostering and permanence panel.</p> <p>1996 – December 2014 There was no policy in relation to this. This was considered on a case by case basis.</p>

		<p>In accordance with regulations all carers who are registered with Perth and Kinross must be approved by the fostering and permanence panel. If carer were already registered with another agency, a further assessment would be completed on them which included information from that agency about their current caring. Depending on the agency depended on how much information was given. On occasions the agency's Form F was given over whilst other agencies would only transfer this for a fee.</p> <p>Regardless of the above a further assessment was completed and presented for approval to the fostering and permanence panel.</p>
ix.	Review/supervision	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 The legislation and statutory guidance in place at the relevant time would have set out minimum requirements. National Care Standards came into force during this period and set out clear guidance around review and supervision.</p> <p>Timing and frequency were set out in the foster carer handbook. Review took place annually and also periodically by the Fostering and Permanence Panel, again in line with statutory requirements. were either presented to panel or undertaken by the Improvement Officer. A record of all reviews was kept in the foster carer records.</p> <p>Formal supervision took place on a monthly basis and was recorded separately, and copy given to carer and a copy kept in carer's file.</p>
x.	Training	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 As part of the Looked After Strategy in 2007 an expectation was introduced for foster carers to undertake training at a minimum of 5 days per year. A range of training materials and methods were used which included self-reading, online and face to face.</p> <p>Details of the training and a reflection of the carer's learning was attached to the carer's review.</p>

		From 2009, Perth and Kinross CPC provided a comprehensive Multi-Agency learning and development programme for all practitioners and managers across the public, private and third sectors within Perth and Kinross. This training was also accessible to foster carers and the CPC's public facing website not only contained a wealth of information, advice and guidance on a wide range of child care, welfare and protection, it also contained easily accessible online learning and development modules on child protection, GIRFEC and vulnerable adults.
	xi. Personal development	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 There is no policy or guidance on personal development unless this is in terms of their development of skills as a carer. This is usually seen as part of the review.</p>
	xii. Disciplinary actions	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 As foster carers are not employees of the Council it is not possible to take disciplinary actions in relation to foster carers.</p>
	xiii. Removal of approval/registration	<p>1930 to 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 De-registration came about in two ways, either with the foster carer choosing to give up providing foster care or the agency recommending that their registration was removed. In both circumstances, a de-registration report was completed and presented to the fostering and permanence panel. This report contained details of their caring history, any concerns or allegations, reason for de-registration and recommendations in terms of the future should carers wish to be re-registered.</p>

e)	Who compiled the policies and/or procedures?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Staff within Education and Children’s services with approval sought through management teams and depending on level of policy i.e. finance which requires committee approval.</p>
f)	When were the policies and/or procedures put in place?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Following dis-aggregation in 1996, Perth and Kinross Council initially adopted Tayside Regional Council operational guidance and then gradually devised a suite of policies. These have been regularly reviewed and updated following changes in legislation or national policy.</p>
g)	Were such policies and/or practices reviewed?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Yes, as above.</p>
h)	If so, what was the reason for review?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 As above, as well as changes from learning from practice. This can be evidenced by the policy of moving children from foster care to permanent placements. Research and experience informed that this policy needed updated.</p>

i)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 The introduction of policies in relation to the Adoption and Children (Scotland) Act 2007 formalised the planning for children requiring permanence. A permanence planning policy was introduced and approved at committee.</p>
j)	Why were changes made?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Changes in legislation and national policy and practice.</p>
k)	Were changes documented?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Changes were documented in the sense that new versions of policies and procedures were issued. In keeping with good practice, previous copies of procedures were destroyed when new ones were introduced to avoid confusion. Where policies were agreed by Committee of the Council these were retained with Committee records.</p>
l)	Was there an audit trail?	<p>1930 to 1975 No information</p> <p>1975 - 1996 No information is available</p> <p>1996 – December 2014 Prior to 2014 there was no specific audit trail for operational guidance. Committee reports and decisions made by Committee were retained.</p>

		From November 2014, the Council applied its Records Management Policy in relation to all records, which contains a policy on audit trail, which includes guidance on document version control and the lifecycle of documents.
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.	There have been new polices introduced as a result of further changes in legislation. All policies and guidance are now given version control numbers so policies can be time managed.
a)	Did the local authority adhere in practice to its policy/procedures in relation to foster care?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 children's case files had been examined, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>In depth file reading was also undertaken in the Children's Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014 for those cases where 42 children and young people alleged abuse against 28 individual Foster Carers.</p> <p>It had not been possible to carry out any sampling of case file for foster carers prior to the exercise being suspended. Foster carer records are held separately from those of the children they cared for. This means that the Council's ability to provide answers to those questions which relate to foster carer practice is very limited.</p> <p>Under each of the subject headings below there is a section outlining the findings from that sample. The answers given are qualified by the fact that the sample size is small.</p> <p>In relation to other records held by the archive and the Council, additional information is included where relevant to the subject heading. In terms of those records, the position is as follows:</p>

		<p>1930-1975 As indicated in the preceding sections, there is no available information relating to policy and procedures for the period 1930 - 1975. As such, the answers to the following questions are limited in scope and describes information which has been found about practice. The conclusions from the Kendrick do study show a lack of consistency in response to an allegations about abuse which suggests that policies and procedures relating to review of foster carers were not consistently followed. No other conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1975-1996 As indicated in the preceding sections, there is no available information relating to policy and procedures within Tayside for the period from 1975 – 1986. Whilst the strategy document sets out the broad policy objectives from 1986 to 1996 the only procedural document available is the ‘Section 7’ document which sets out a framework for the recruitment of foster carers. As such, the answers to questions about adherence in practice to police are very limited in scope and based on the position from 1986. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1996 – December 2014 Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The early inspections by the Care Commission identified some discrepancy in relation to the practice of issuing foster carer agreements and sought improvement in this area. New procedures ensured that this was carried out systematically within a short period.</p>
b)	Did the local authority adhere in practice to its policy/procedures in terms of the following?	
i.	Recruitment	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 It is clear from the strategy document described above that a wide-ranging recruitment and training programme was planned. No information however is available as to the implementation or success of the plan.</p>

		<p>1996 – December 2014 There was no policy in place</p>
	<p>ii. Standard and size of accommodation</p>	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information</p> <p>1996 – December 2014 There was no policy in place</p>
	<p>iii. Number, age and gender of children accommodated/in the household</p>	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 Foster carers files suggest that proper consideration was given to the number and ages of children accommodated. In the absence of specific policy and procedures it is not possible to be clear as to whether practice was consistent with policy and procedures</p> <p>1996 – December 2014 There was no policy in place</p>
	<p>iv. Pre-approval/registration checks</p>	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 Foster carers files suggest that pre approval/ registration checks were undertaken. In the absence of specific policy and procedures it is not possible to be clear as to whether practice was consistent with policy and procedures</p> <p>1996 – December 2014 In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers, an examination of the Foster Carer Records show that</p>

		<p>almost, without exception, since 1990 onwards, a range of checks were carried out in compliance with the previously mentioned policy and these included Medical Examinations / Health / GP checks; Police / SCRO checks; Local Authority checks; Personal References etc and in many cases there is evidence to demonstrate that there were repeated checks carried out periodically whilst an individual was an Approved Foster Carer and / or where circumstances changed within the family.</p>
v.	References	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information</p> <p>1996 – December 2014 In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers, an examination of the Foster Carer Records show that almost, without exception, since 1990 onwards, a range of checks were carried out in compliance with the previously mentioned policy and these included Medical Examinations / Health / GP checks; Police / SCRO checks; Local Authority checks; Personal References etc and in many cases there is evidence to demonstrate that there were repeated checks carried out periodically whilst an individual was an Approved Foster Carer and / or where circumstances changed within the family.</p>
vi.	Foster care agreements	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information</p> <p>1996 – December 2014 It was a requirement of the 2007 inspection of fostering services by the (as it was then) Care Commission that carer agreements be in place for all carers. The action plan following on from that inspection notes that this was achieved in March 2007.</p> <p>The 2009 inspection also referred to foster carer agreements. It was noted in the inspection findings that foster carer agreements were sent to foster carers after approval through the Fostering and Permanence Panel. It was noted that over 90% of carer agreements, at the time of the inspection, were in place. Foster carer agreements were not in evidence in Short Breaks Carers Scheme files. It was noted that</p>

	<p>the Short Breaks Scheme, which provided respite care for children with disabilities, was taken over from Barnardo's in 2007 and there had been a period of transition from 2007-2008 which had led to some delay in providing a consistent approach between mainstream fostering services and the Short Break Scheme. The management of this scheme was by that time within fostering services. It was noted in the 2009 Committee report setting out the inspection findings that carer agreements were by then up-to-date and the requirement was fully met.</p> <p>The 2010 inspection noted that the requirement that foster carer agreements are in place was met for all carers.</p> <p>The 2014 inspection noted that day to placement agreements were also in place which supported young people in being provided with consistent care.</p>
vii. Induction	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 In accordance with regulations all carers who were registered with Perth and Kinross Council had to be approved by the fostering and permanence panel. If carers were already registered with another agency, a further assessment was completed on them which included information from that agency about their current caring. On occasions the agency's Form F was passed over whilst other agencies would only transfer this for a fee.</p> <p>Regardless of the above a further assessment was completed and presented for approval to the fostering and permanence panel.</p>
viii. Transfer of foster carers to or from other organisations or local authorities	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 There was no policy in place</p>

	<p>ix. Review/supervision</p>	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, The Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE" Report to Tayside Region Social Work Department. Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18).</p> <p>The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.</p> <p>It was recommended that clear criteria were laid down for the action to be taken in response to allegations of abuse, and that procedures of investigation and follow-up action were carried out in a consistent manner and that steps were taken to ensure that information relating to abuse in care was drawn together in some way (a specific section possibly in carers' case files) to ensure that information could be presented to foster carer reviews in a structured and coherent way. However, it is not clear to what extent this report resulted in any change of culture.</p> <p>Concerns were also raised about the frequency and structure of foster carer reviews and that foster carer reviews are held on a regular basis to ensure that foster carers have the necessary support and training for their role and to identify and take action of issues of concern. It was also recommended that reviews take place when there are significant changes in the foster carer's circumstances.</p> <p>1996 – December 2014 Review and supervision records were retained on carer files but it has not been possible to complete the examination of case records required to be able to answer this question comprehensively.</p> <p>The care standards were introduced during this period and set clear guidance around review and supervision. These timescales were set out in the foster care handbook. The review took place annually and were either considered by Fostering and Permanence Panel or by the Improvement Officer. A record of all reviews was kept in the foster carer records.</p> <p>Formal supervision took place on a monthly basis and was recorded separately, and copy given to carer and a copy kept in carer's file</p> <p>In 2013 The Care Inspectorate noted in their inspection report that:</p>
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		<p><i>"Foster carers are regularly supervised and these are minuted and any areas for improvement identified. The annual review system provides the social workers and young people using the service the opportunity to evaluate the quality of service they are being offered."</i></p>
x.	Training	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 Training records are retained on carer files but it has not been possible to complete the examination of case records required to be able to answer this question comprehensively.</p> <p>From 2009, Perth and Kinross CPC provided a comprehensive Multi-Agency learning and development programme for all practitioners and managers across the public, private and third sectors within Perth and Kinross. This training was also accessible to foster carers and the CPC's public facing website not only contained a wealth of information, advice and guidance on a wide range of child care, welfare and protection, it also contained easily accessible online learning and development modules on child protection, GIRFEC and vulnerable adults.</p> <p>The care inspectorate noted in 2013 in its inspection report that:</p> <p><i>"Staff told us about a new training strategy which had been developed for carers, providing them with 21 hours training per year, per foster care household. This supported carers in gaining skills and knowledge relevant to their role as foster carers, and to support young people to remain safe, healthy, active, nurtured, achieving, respected, included and ensure their rights were protected. Carers told us that they had been involved in the new training strategy and that the training they were receiving was of a very high standard. They felt that they had a lot of opportunity to attend a variety of training and they advised that the opportunity to do joint training with social workers, kinship carers, adoptive parents, and other organisations was very helpful and gave them a variety of perspectives. Some of the training offered included child protection, first Aid, Positive behaviour, food for thought and access to speakers such as Suzanne Zeedyk."</i></p>
xi.	Personal development	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996</p>

		<p>No information available</p> <p>1996 – December 2014 There was no separate policy in place. This was encompassed within training guidance and practice set out in answer x. above.</p>
	xii. Disciplinary actions	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 There was no policy in place</p>
	xiii. Removal of approval/registration	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information available</p> <p>1996 – December 2014 There was no policy in place but Fostering and Permanence Panel Minutes recorded the consideration of termination of approval and reasons.</p>
c)	How was adherence demonstrated?	<p>1930 – 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and</p>

		oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.
d)	How can such adherence be demonstrated to the Inquiry?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to. Records available are limited to Minute Books, Annual Reports by the Medical Officer of Health, statistical information and miscellaneous administrative files of the Children’s Officer and County Clerk.</p> <p>1975 – 1996 There are very limited case records for foster carers. There are children’s case records, although not all records are available. The only other available records are Minute Books and limited Committee reports.</p> <p>1996 -December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer; Inspection reports; internal self-evaluations and audits; performance reporting records.</p>
e)	Were relevant records kept demonstrating adherence?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>
f)	Have such records been retained?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014</p>

		<p>Perth and Kinross Council was given children's case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known. No records are available.</p> <p>Perth and Kinross Council retains children's case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council's retention schedule.</p> <p>Inspection reports are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
g)	<p>If policy/procedure was not adhered to in practice, why not?</p>	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 In the absence of specific policy and procedures it is not possible to demonstrate adherence to policy and procedures and if policy and procedures weren't adhered to why not.</p> <p>1996 – December 2014 Our assessment is that overall practice did adhere to policy and procedure where that was in existence.</p>

Present		
h)	With reference to the present position, are the answers to any of the above questions different?	No
i)	If so, please give details.	No applicable

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?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 The only available information is contained in the 'Section 7' Document which lists the checks to be made</p> <p>1996 – December 2014 In accordance with regulation and best practice, during the application stage the potential carer's household members were all included in the assessment. Those applicants in a relationship would be considered as joint applicants and any adult children would require having certain checks completed.</p> <p>Any children of the applicants would have an individual interview with the assessor to ensure that they are happy with becoming part of a fostering household.</p>
b)	Was there a particular policy and/or procedural aim/intention?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 The aim of involving the whole family was in recognition that fostering has an impact on the whole family and requires that all family members are happy with the decision. It was also important to have an understanding how fostering will impact on the whole family.</p> <p>Recognition was also given that adult children within the household would have a caring role with children in placement and as such required to have a criminal records check.</p>

c)	Where were such policies and/or procedures recorded?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 These procedures were recorded within the foster carer handbook and operational guidance.</p>
d)	Who compiled the policies and/or procedures?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Children’s services staff and approved by either management teams or by committee.</p>
e)	When were the policies and/or procedures put in place?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996</p> <p>1996 -December 2014 Following dis-aggregation in 1996, Perth and Kinross Council initially adopted Tayside Regional Council operational guidance and then gradually devised a suite of policies. These have been regularly reviewed and updated following changes in legislation or national policy.</p>
f)	Were such policies and/or practices reviewed?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p>

		<p>1996 – December 2014 Yes</p>
e)	If so, what was the reason for review?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Changes in legislation and practice.</p>
h)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Practice over time further recognised the role of the extended family in relation to caring for a looked after child or young person and a support system was setup particularly for children under 16 of foster carers. The Sons and Daughters report produced by fostering network highlighted the need for support and practice developed whereby a dedicated worker was allocated to support this group.</p>
i)	Why were changes made?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 As a result of practice developments</p>
j)	Were changes documented?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p>

		<p>1975-1996 No information is available</p> <p>1996 – December 2014 Yes, within the foster carer handbook and operational guidance</p>
k)	Was there an audit trail?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Prior to 2014 there was no specific audit trail for operational guidance. Committee reports and decisions made by Committee were retained.</p> <p>From November 2014, the Council applied its Records Management Policy in relation to all records, which contains guidance on document version control and the lifecycle of documents.</p>
Present		
l)	With reference to the present position, are the answers to any of the above questions different?	No
m)	If so, please give details.	
(ii) Practice		
Past		
a)	Did the local authority adhere in practice to its policy/procedures in relation to other members of the foster carer's household?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 children's case files had been examined, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s</p>

		<p>18 from the 1970s 13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>In depth file reading was also undertaken in the Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014 for those cases where 42 children and young people alleged abuse against 28 individual Foster Carers.</p> <p>1930-1975 As indicated in the preceding sections, there is no available information relating to policy and procedures for the period 1930 - 1975. As such, the answers to the following questions are limited in scope and describes information which has been found about practice. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1975-1996 As indicated in the preceding sections, there is no available information relating to policy and procedures within Tayside for the period from 1975 – 1986. Whilst the strategy document sets out the broad policy objectives from 1986 to 1996 the only procedural document available is the ‘Section 7’ document which sets out a framework for the recruitment of foster carers. As such, the answers to questions about adherence in practice to policy are very limited in scope and based on the position from 1986. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1996 – December 2014 Our assessment is that overall practice did adhere to policy and procedure where that was in existence. The early inspections by the Care Commission identified some discrepancy in relation to the practice of issuing foster carer agreements and sought improvement in this area. New procedures ensured that this was carried out systematically within a short period. No recommendations or requirements were made in relation to any issues relating to external fostering placements.</p>
b)	How was adherence demonstrated?	<p>1930 – 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014</p>

		Case records contain records of supervision of staff, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process. Assessment of other members of the household including the outcome of checks is recorded in Form F assessments which are presented to Fostering and Permanence Panel who provide scrutiny in this respect.
c)	How can such adherence be demonstrated to the Inquiry?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to. Records available are limited to Minute Books, Annual Reports by the Medical Officer of Health, statistical information and miscellaneous administrative files of the Children’s Officer and County Clerk.</p> <p>1975 – 1996 There are very limited case records for foster carers for this period. There are children’s case records, although not all records are available. The only other available records are Minute Books and limited Committee reports.</p> <p>1996 -December 2014 Case records contain records of supervision of staff, Fostering and Permeance Panel minutes 2013 - date; Inspection reports; internal self-evaluations and audits; performance reporting records.</p>
d)	Were relevant records kept demonstrating adherence?	<p>1930 – 1975 There are very limited records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996 This would only be in case files.</p> <p>1996 – December 2014 Case records contain records of supervision of staff, records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. Internal self-evaluations and audits were carried out periodically with a focus on key areas of practice. Performance was monitored through the Service Plan/Business Management and Improvement Plan process. Assessment of other members of the household including the outcome of checks is recorded in Form F assessments which are presented to Fostering and Permanence Panel who provide scrutiny in this respect.</p>
e)	Have such records been retained?	<p>1930 to 1975 No records have been located</p> <p>1975-1996</p>

		<p>Perth and Kinross Council now holds some case files from this period.</p> <p>1996 – December 2014</p> <p>Perth and Kinross Council was given children’s case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known. No records are available.</p> <p>Perth and Kinross Council retains children’s case records and foster carer records in accordance with the relevant legislative requirements. Fostering and Permanence Panel minutes from 2013 onwards are held in one central file and on case files. Older minutes are retained on case files. Other records are retained in line with the Council’s retention schedule.</p> <p>Inspection reports are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
f)	If policy/procedure was not adhered to in practice, why not?	<p>1930 to 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975-1996 In the absence of specific policy and procedures it is not possible to demonstrate adherence to policy and procedures and if policy and procedures weren’t adhered to why not.</p> <p>1996 – December 2014 Our assessment is that overall practice did adhere to policy and procedure where that was in existence.</p>
Present		
g)	With reference to the present position, are the answers to any of the above questions different?	No
h)	If so, please give details.	

4.6 Placement of children by the local authority with foster carers approved/registered by other local authorities or organisations	
(i) Policy	
Past	
a)	<p>What policies and/or procedures did the local authority have in place in relation to placement of children with foster carers approved/registered by other local authorities or organisations?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 During this period there was an increased use of the foster carers registered with independent agencies. There is no particular policy but guidance and practice were to check with the care inspectorate that the agency was a registered fostering provider. Profiles were exchanged and matches put forward to the child's Social Worker to consider.</p>
b)	<p>Was there a particular policy and/or procedural aim/intention?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 The aim was to use alternative agencies when placements could not be found within internal resources. Over time external placements tended to be used for permanence which allowed for matching and didn't disrupt the child's life on a temporary basis.</p>
c)	<p>Where were such policies and/or procedures recorded?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 This was practice rather than policy</p>
d)	<p>Who compiled the policies and/or procedures?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996</p>

		<p>No Information available</p> <p>1996 – December 2014 This was practice rather than policy</p>
e)	When were the policies and/or procedures put in place?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 This was practice rather than policy</p>
f)	Were such policies and/or practices reviewed?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 This was practice rather than policy</p>
g)	If so, what was the reason for review?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 This was practice rather than policy</p>
h)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014</p>

		Changes in practice developed over time and with the introduction of the Scotland Excel (local authority shared procurement service) commissioning framework in 2011 the commissioning of external placements became formalised through an Individual Placement Agreement.
i)	Why were changes made?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 Changes in practice developed over time and with the introduction of the Scotland Excel framework in 2011 the commissioning of external placements became formalised through an Individual Placement Agreement.</p>
j)	Were changes documented?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 Changes in practice developed over time and with the introduction of the Scotland Excel framework in 2011 the commissioning of external placements became formalised through an Individual Placement Agreement.</p>
k)	Was there an audit trail?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 Scotland Excel may retain information relating to changes in the framework</p>
Present		
l)	With reference to the present position, are the answers to any of the above questions different?	No
m)	If so, please give details.	No applicable

(ii) Practice	
Past	
a)	<p>Did the local authority adhere in practice to its policy/procedures in relation to placement of children with foster carers approved/registered by other local authorities or organisations?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 There was no policy.</p>
b)	<p>How was adherence demonstrated?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 – December 2014 There was no policy although the use of external placements are monitored and the framework sets out performance management and monitoring arrangements with providers. The quality of individual placements and whether the placement was meeting a child's needs was monitored through the child's social worker and the standard practice in relation to visiting and review of children's care plans.</p>
c)	<p>How can such adherence be demonstrated to the Inquiry?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p> <p>1996 -December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer; Agency Inspection reports; monitoring information through Scotland Excel.</p>
d)	<p>Were relevant records kept demonstrating adherence?</p> <p>1930 to 1975 No records have been located</p> <p>1975-1996 No Information available</p>

		<p>1996 – December 2014 Case records contain records of supervision of staff, LAC review reports and minutes, records of visits to the child and carer; Agency Inspection reports; monitoring information through Scotland Excel.</p>
e)	Have such records been retained?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014 Perth and Kinross Council was given children’s case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known</p> <p>Perth and Kinross Council retains children’s case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council’s retention schedule.</p>
f)	If policy/procedure was not adhered to in practice, why not?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014 There was no policy in place.</p>
Present		
g)	With reference to the present position, are the answers to any of the above questions different?	No
h)	If so, please give details.	Not applicable

4.7	Complaints and Reporting
(i)	Policy
	Past

<p>a)</p>	<p>What policies and/or procedures did the local authority have in place in relation to complaints and reporting about foster care?</p> <p>1930 to 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975-1996 <i>The Quality Assurance Advisory Sub Committee of the Social Work Committee met on 29 November 1991 and discussed a leaflet: Your Right to Complain and a note of the authority's complaints procedures, together with Scottish Office circular SW5/1991 which provided advice to local authorities on the operation of a complaints procedure which was required to be established by 1 April 1991 in respect of all social work functions. The Committee also made arrangements for a seminar on complaints procedures in January 1992, to which representatives from all registered establishments and officers involved in the registration process were invited. Limited information is available regarding the implementation of the 1991/92 Quality Assurance and Complaints procedure.</i></p> <p>1996 – December 2014</p> <p>In March 1996, just before local government reorganisation, the Scottish Office issued a new circular on complaints, which set out the complaints procedure to be followed in relation to social work matters (Circular SWSG 5/1996). This was complemented by Directions in relation to the arrangements which Councils required to put in place for complaints, including Complaints Review Committees (Social Work (Representation Procedures) (Scotland) Directions 1996.</p> <p>In addition to procedure and policies relating to complaints, in July 2000, a report was submitted to Full Council (Report No 00/369) with recommendation that the Council adopt a local "Public Interest Disclosure Procedure". The "Procedure to Employees to Report Concerns" was subsequently reviewed in May 2004.</p> <p>The Council agreed a Complaints Procedure in September 2005, which related to corporate and social work complaints.</p> <p>In October 2008, an internal procedure/guidance was established In Education and Children's Services for managing MP/MSP and Councillor Enquiries, formal complaints and Minutes of Complaint by Children's Hearings. This provided internal guidance for staff in relation to handling of complaints and complemented the Council procedures.</p> <p>In 2012, the Scottish Public Services Ombudsman (SPSO) was given an input into local authority complaints handling and worked with all 32 Scottish local authorities to produce a Complaints Handling Procedure (CHP).</p> <p>As a result, the Council launched a new complaints process on 1 April 2013, consisting of a revised Complaints Handling Procedure (CHP) and new complaints leaflet for our customers, along with employee guidance.</p> <p>Education and Children's Services developed internal guidance on complaints handling for social work complaints in line with the corporate procedure in April 2014.</p>
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		<p>Perth & Kinross Council reviewed its Whistleblowing Policy in February 2015.</p> <p>In relation to fostering in particular, in 2006 the Council approved a policy on fostering and adoption which made reference to the policy in relation to complaints as it relates to foster carers. The Council is also required to have a child friendly complaints process as part of the requirements of registration.</p>
b)	<p>Was there a particular policy and/or procedural aim/intention?</p>	<p>1930 to 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975-1996 Quality assurance and compliance with legal obligations</p> <p>1996 – December 2014</p> <p>The aim of the 2005 procedures was to facilitate customers’ rights to complain and for the Council to respond to and learn from complaints. It also set standards for complaint handling.</p> <p>The 2008 procedure aimed to facilitate complaints, enable resolution quickly and close to the point of service delivery. It also aimed to use complaints to learn and take corrective action.</p> <p>The aim or intention of the 2013 Complaints Handling Procedure was as follows: <i>“The Council strives to deliver quality services to meet the needs of our customers. It is committed to providing a complaints system which is responsive to our customers, works timeously, and acknowledges when things go wrong and seeks to correct them.”</i></p> <p>The 2014 guidance complementing existing procedures did not have stated aims but directed staff to ensure that children and families were aware of their rights to complain and the process for doing so.</p>
c)	<p>Where were such policies and/or procedures recorded?</p>	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p>

		The 2005, 2008, 2013 and 2014 procedures and guidance was recorded on the online information system for employees – Employee Resource Information Centre (ERIC) - which is used to provide information on all organisational and employment policies and procedures. Leaflets were available for the public and in latter part of the period, information was published on the Council website.		
d)	What did the policies and/or procedures set out on the following:			
	i. Complaints by children	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 Children and young people would follow the Corporate Council complaints and social work complaints processes.</p> <p>From 2002, children and young people had the option to complain to the Care Commission/Inspectorate; raise issues with staff; or use the Council's Corporate/social work complaints processes.</p> <p>In 2014, specific guidance was produced for staff which promoted the rights of children and young people. The 2014 guidance informed staff of the need to ensure that all looked after and accommodated children were informed of the complaints process and had a copy of complaints process leaflet. It also informed staff to ensure that complaints from children were taken seriously and responded to promptly. It also directed that children and young people should be advised of their right to approach the Care Inspectorate, Who Cares? or the Children's Rights Officer. In addition, practices to ensure that children and young people's views were taken into account when important decisions were taken improved considerably over time. All children and young people who were looked after and accommodated by the Council were visited regularly (at least monthly) and seen individually and in private by their social worker. This was reflected in the foster carer agreements throughout this period which required carers to facilitate the child being seen alone by their social worker when he or she visited. They also had the opportunity to provide their views in confidence to staff who were independent of their care at Looked After Child Review meetings. They could also inform staff about their views via Having Your Say forms.</p>		
	ii. Complaints by foster carers	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p>		

	<p>1975 – 1996 No information is available</p> <p>1996 – December 2014 In 2006 the Council approved a policy on fostering and adoption which made reference to the policy in relation to complaints as it relates to foster carers. It stated <i>“where foster carers wish to make a complaint about the service they receive, they should firstly contact the supervising social worker and, if the complaint is in respect of the supervising social worker, they should contact the senior social worker. If unresolved, the Improvement Officer should be contacted. The Service Manager (Looked After Services) will adjudicate in any unresolved matters. Foster carers have the right to access the Council Complaints Procedure. The Care Commission can also be contacted if there are concerns about services provided.”</i></p> <p>The 2013 Foster Carer Handbook stated <i>“there may be occasions when Carers wish to make a complaint about the service or lack of service they receive from the Social Work Services. If carers wish to make a complaint their first point of contact is the Team Leader for Family Placement team or if unable to be resolved, the Improvement Officer Looked After Services. Independent advice can be sought from the care Inspectorate. Independent advice and support can also be provided by Fostering Network which Perth and Kinross pays a carer’s membership for. Carers may also feel it appropriate on occasions to register a formal complaint on behalf of a fostered child or young person. There is independent support from Who Cares?. The details of these services are available in the Welcome Pack.”</i></p>
iii. Complaints by family members of children	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 Family members could access the Council’s corporate or social work complaints procedures. Information was available to explain this process. Leaflets were given to children and their families as part of the initial accommodation process.</p>
iv. Complaints by third persons	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p>

		A third party was able to access the Council's corporate Complaints Procedures.
v.	Whistleblowing	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 In July 2000 a report on the Public Interest Disclosure Act 1998 was submitted to Council. The report recommended the adoption of a local Public Interest Disclosure Procedure to address the requirements of the legislation. This was approved and implemented with immediate effect. Evidence HR Doc 1 (Report 00/369).</p> <p>The local procedure was updated in May 2004 and became Procedure for Employees to Report Concerns. Evidence HR Doc 2.</p> <p>Perth & Kinross Council reviewed its Whistleblowing Policy in February 2015.</p> <p>In addition, following the 2008 Letter on Whistleblowing in Child Protection from Adam Ingram MSP, Scottish Government Minister for Children and Early Years, Perth and Kinross Child Protection Committee (CPC) included practice advice and guidance within its CPC Inter-Agency Child Protection Guidelines which were widely promoted and readily available 24/7 to all staff.</p>
vi.	Support, including external support, for those who made the complaint or those who were the subject of complaint	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 The 2005 procedures contained a section including encouraging complainers to seek support from friends or other representatives including Citizens' Advice and that Perth and Kinross Council would help with interpreter services.</p> <p>The 2008 procedures contained a section on support for staff including use of an identified supporting officer.</p> <p>The 2014 guidance identified that foster parents who are subject of the complaint should be directed to the Fostering Network and/or a Perth and Kinross worker independent of the fostering service who can provide advice and support throughout the process of investigation.</p> <p>In 2014, specific guidance was produced for staff which promoted the rights of children and young people. It directed that children and young people should be advised of their right to approach the Care Inspectorate, Who Cares? or the Children's Rights Officer.</p> <p>Foster carers who were the subject of a complaint would be supported by their supervising social worker.</p>

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		<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p> <p>The 2005 procedures set out a timescale and stated that the investigation outcome would be provided including any action undertaken, apology, reason or offer of redress.</p> <p>The 2008 procedures detailed a three-stage process:</p> <p>Stage 1 – Informal Complaints – every attempt made to mediate and resolve the complaint. Stage 2 – Formal Complaints – unresolved complaints would then be investigated by the Investigation Officer (a senior manager from Children & Families’ Services) to be concluded within 28 working days. Stage 3 – Complaints Review Committee (CRC) – where the complainant remained unsatisfied with the response, the complaint would then be referred to the CRC Committee which would be held within 56 days from the receipt of notification from the complainant. The role of the Committee would be to examine objectively and independently the facts regarding the complaint as presented both by Council Services and the complainant. The Committee would then make its recommendations known.</p> <p>The 2013 procedure detailed a two-stage process: Stage 1 – frontline resolution – within 5 working days unless there are exceptional circumstances Stage 2 – investigation – acknowledgement within 3 working days and response within 20 working days unless, and complainers will be advised if this will take longer.</p> <p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that the response was generally in line with the existing procedures, including child protection procedures.</p>
viii.	External reporting of complaints	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996</p>

		<p>No information is available</p> <p>1996 – December 2014</p> <p>The 2005 procedures set out that customers had a right to complain directly to a Councillor, MSP or MP and to the Scottish Public Services Ombudsman.</p> <p>The 2008 procedures also provided information to the complainant about their right to complaint to, for example, Commission for the Regulation of Care, Scottish public Services Ombudsman, Care Inspectorate etc.</p> <p>The 2014 guidance set out that complainers had a right to complain directly to the Scottish Public Services Ombudsman or the Mental Welfare Commission, the Children's Commissioner, the Scottish Social Services Council or the Information Commissioner.</p> <p>It was noted that complaints would be recorded and available for inspection by Care Inspectorate Inspection Officers.</p> <p>The 2008 procedures also provided information to the complainant about their right to complaint to, for example, Commission for the Regulation of Care, Scottish public Services Ombudsman, Care Inspectorate etc.</p> <p>The SPSO was provided with reports in relation to management of the complaints process in accordance with the frequency set by them.</p>
e)	Who compiled the policies and/or procedures?	<p>1930 – 1975 There is no information available in relation to any policy or procedure relating to complaints handling.</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p> <p>The 2005 procedures were compiled by Perth and Kinross Council Governance and Scrutiny Officer.</p> <p>The 2008 procedures were compiled by Perth and Kinross Council Children and Families Services</p> <p>The 2013 Complaints Handling Procedure was compiled by the Council's Information Compliance Manager</p> <p>The 2014 guidance was compiled by Perth and Kinross Council Education and Children's Services.</p>

f)	When were the policies and/or procedures put in place?	<p>1930 – 1975 No information</p> <p>1975 - 1996 Where reference is made to local policies in the sections above, the dates have been included where known.</p> <p>1996 – December 2014 Where reference is made to local policies in the sections above, the dates have been included where known.</p>
g)	Were such policies and/or practices reviewed?	<p>1930 – 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 Yes</p>
h)	If so, what was the reason for review?	<p>1930 – 1975 No information</p> <p>1975 - 1996 No information is available.</p> <p>1996 – December 2014 The policies and practices were reviewed to keep them up to date with legislation and national guidance. For Education and Children’s Services Complaints Procedures, changes were made to maintain consistency with Council procedures.</p>
i)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 – 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p>

		<p>The 2008 procedures introduced a complaints officer and associated supporting administration and monitoring.</p> <p>The 2013 Council Complaints Handling Procedure changed the process from a three-stage process to a two-stage process, in line with the SPSO Model.</p> <p>The 2014 guidance was focused on ensuring children knew their rights to complain.</p>
j)	Why were changes made?	<p>1930 – 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014</p> <p>The 2005 procedures set out which level of senior officer was to oversee different stages of the complaints process.</p> <p>The 2008 procedures replaced the senior officer oversight with independent oversight by a complaints officer and introduced supporting bureaucracy.</p> <p>The 2013 Council Complaints Handling Procedure changed to ensure compatibility with the SPSO Model Complaints Handling Procedure.</p> <p>The 2014 guidance was focused on ensuring children knew their rights to complain. It also streamlined the supporting processes.</p>
k)	Were changes documented?	<p>1930 – 1975 No information</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 Changes were documented in the sense that new versions of policies and procedures were issued. In keeping with good practice, previous copies of procedures were destroyed when new ones were introduced to avoid confusion. Where policies were agreed by Committee of the Council these were retained with Committee records.</p>

l)	Was there an audit trail?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No information is available.</p> <p>1996 – December 2014 Prior to 2014 there was no specific audit trail for guidance or performance reporting except that committee reports and decisions made by Committee were retained. Other records were retained in line with the retention schedule. In relation to complaints specifically there was an annual report to the Council's Scrutiny Committee.</p> <p>From November 2014, the Council applied its Records Management Policy in relation to all records, which contains policies on document version control and the lifecycle of documents.</p>
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.	<p><u>Complaints procedures</u></p> <p>From 1 April 2017, the national legislation and guidance in relation to social work complaints changed. The Complaints Review Committee was brought to an end and instead social work complaints are now dealt with through the same processes in the Council's Complaints Handling Procedure with the SPSO having an extended role in relation to the determination of social work complaints. The Council's Complaints Handling Procedure and Complaints leaflet have been amended to reflect this change. Separate Employee Guidance has been developed to support staff who deal with complaints.</p>
(ii) Practice		
Past		

a)	Did the local authority adhere in practice to its policy/procedures in relation to complaints and reporting about foster care?	<p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in relation to the child who made the complaint, additional help and support was put in place during and after the allegation / complaint had been made. This was invariably provided by the Social Work Service and often extended to support for the Foster Carer, particularly where the placement was allowed to continue. On some occasions, that support included extra training and supervision. The response to a complaint was generally in line with the existing procedures, including child protection procedures.</p> <p>Additional information from other records is as follows:</p> <p>1930 – 1975 No information is available</p> <p>1975 - 1996 In 1995 Tayside Regional Council report 1551/95 was submitted by the Director of Social Work advising the Social Work Committee of the operation of the formal complaints procedure. The report noted: <i>“the generally satisfactory operation of the scheme under the existing arrangements”.</i></p> <p>1996 – December 2014</p> <p>It has not been possible to carry out any detailed case reading in foster carer and children’s files or complaints files to inform the answer to this question.</p> <p>However, compliance with the Complaints Handling Procedures was monitored. Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them. There was an annual report on complaints considered by the Council’s Scrutiny Committee.</p>
b)	Did the local authority adhere in practice to its policy/procedures on the following:	
i.	Complaints by children	In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in relation to the child who made the complaint, additional help and support was put in place during and after the allegation /

		<p>complaint had been made. This was invariably provided by the Social Work Service and often extended to support for the Foster Carer, particularly where the placement was allowed to continue. On some occasions, that support included extra training and supervision. The response to a complaint was generally in line with the existing procedures, including child protection procedures</p> <p>Additional information from other records is as follows:</p> <p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 It has not been possible to carry out any detailed case reading in children’s files to inform the answer to this question.</p> <p>Compliance with the Complaints Handling Procedures was monitored.</p> <p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports.</p> <p>Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them. It has not been possible to carry out analysis of this information.</p>
	<p>ii. Complaints by staff</p>	<p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 It has not been possible to carry out any detailed case reading in children’s files to establish this.</p>
	<p>iii. Complaints by family</p>	<p>1930 – 1975 No information is available</p>

	members of children	<p>1975 - 1996 No information available</p> <p>1996 – December 2014 It has not been possible to carry out any detailed case reading in children’s files to inform the answer to this question.</p> <p>Compliance with the Complaints Handling Procedures was monitored.</p> <p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports.</p> <p>Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them. It has not been possible to carry out analysis of this information.</p>
	iv. Complaints by third persons	<p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 It has not been possible to carry out any detailed case reading in children’s files to inform the answer to this question.</p> <p>Compliance with the Complaints Handling Procedures was monitored.</p> <p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports. Corporate complaints were similarly reported on, for those whose complaints were not covered by the social work complaints procedure.</p> <p>Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them. It has not been possible to carry out analysis of this information.</p>

	v. Whistleblowing	<p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 From the time the first procedure was implemented in the Council in 2004, there were no cases of whistleblowing relating to foster care, foster carers or children in foster care.</p>
	vi. Support, including external support, for those who made the complaint or those who were the subject of complaint	<p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that in relation to the child who made the complaint, additional help and support was put in place during and after the allegation / complaint had been made. This was invariably provided by the Social Work Service and often extended to support for the Foster Carer, particularly where the placement was allowed to continue. On some occasions, that support included extra training and supervision.</p>
	vii. Response to complaints (including response by the local authority)	<p>In terms of our response to Part D of this Notice, in particular with reference to the 42 children and young who are known to have made 44 past complaints and / or allegations of abuse against 28 individual Foster Carers (between 1980 and 2014), an examination of the Records show that the response was generally in line with the existing procedures, including child protection procedures.</p> <p>Additional information from other records is as follows:</p> <p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p>

	<p>1996 – December 2014 It has not been possible to carry out any detailed case reading in children’s files to establish this</p> <p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports.</p> <p>Senior managers in Education and Children’s Services had oversight of complaints and compliance with timescales through regular reporting to them.</p> <p>Stage 2 complaints under the Complaints Procedures were investigated by senior officers unconnected to the case. Social work complaints were investigated by a senior officer.</p> <p>The response to Stage 2 complaints was overseen by the Corporate Complaints Team.</p>
viii. External reporting of complaints	<p>1930 – 1975 No information is available</p> <p>1975 - 1996 No information available</p> <p>1996 – December 2014 There was an annual report on complaints considered by the Council’s Scrutiny Committee. Information relating to complaints was given the SPSO periodically, at frequencies required by the SPSO.</p> <p>Information on complains forms part of the annual self-evaluation submitted to the Care Inspectorate.</p>
c) How was adherence demonstrated?	<p>1930 – 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014</p>

		<p>Circular SWSG5/1996 required local authorities to report annually on social work complaints activity. There was an annual report to Committee on both complaints handling and issues raised by complaints. In addition, complaints activity was reported in Chief Social Work Officer annual reports.</p> <p>Senior managers in Education and Children's Services had oversight of complaints and compliance with timescales through regular reporting to them.</p> <p>Stage 2 complaints under the Complaints Procedures were investigated by senior officers unconnected to the case. Social work complaints were investigated by a senior officer.</p> <p>The response to Stage 2 complaints was overseen by the Corporate Complaints Team.</p>
d)	How can such adherence be demonstrated to the Inquiry?	<p>1930 – 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Performance was monitored through the Council's Scrutiny Committee and Service performance reporting processes. Information about specific complaints by children, parents and foster carers was also held on individual case records.</p>
e)	Were relevant records kept demonstrating adherence?	<p>1930 – 1975 No information is available</p> <p>1975 – 1996 No information is available</p> <p>1996 – December 2014 Performance was monitored through the Council's Scrutiny Committee and Service performance reporting processes. Committee reports were retained. Service performance reporting information was retained in line with the retention schedule. Children's and foster carer records were kept.</p>
f)	Have such records been retained?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p>

		<p>1996 – December 2014</p> <p>Perth and Kinross Council retains children’s case records and foster carer records in accordance with the relevant legislative requirements and the Council’s retention schedule.</p> <p>Inspection reports are available. Reports to the Council’s Scrutiny and Strategic Policy and Resources Committees are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available. Other performance monitoring carried out within Education and Children’s Services was retained in line with the retention schedule.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
g)	If policy/procedure was not adhered to in practice, why not?	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014 Although it has not been possible to carry out any detailed reading of case files or complaint files, there is evidence that processes in place to monitor performance in relation to complaints were robust. This provides assurance that policies and procedures were generally adhered to in practice.</p>
Present		
h)	With reference to the present position, are the answers to any of the above questions different?	
i)	If so, please give details.	<p><u>How was adherence demonstrated?</u></p> <p>The current practice in relation to complaints monitoring is the Head of Service receives weekly updates in relation to all stage 2 complaints which are being investigated. The Depute Director/Chief Social Work Officer receives monthly reports.</p>

4.8 Internal Investigations	
(i) Policy	
Past	
a)	<p>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?</p> <p>Prior to 2017, Perth and Kinross Child Protection Committee (CPC) followed the Scottish Government's National Guidance for CPCs: Conducting a Significant Case Review (SCR) 2015.</p> <p>However, since 2017, Perth and Kinross CPC has had in place a Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs), which is compliant with current Scottish Government Guidance for CPCs conducting SCRs 2015.</p> <p>ICRs – These are cases of concern, brought to the attention of the CPC to consider whether or not they meet the specified criteria for Internal or External Review. They can include all cases brought from any source and would / could include cases relating to children in Foster Care. Outcomes of all such reviews are reported to the CPC, the Chief Officers and to the Care inspectorate in compliance with the national reporting requirements and guidance.</p> <p>Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
b)	<p>Was there a particular policy and/or procedural aim/intention?</p> <p>The intention is to provide a review framework for which to identify what worked well, what could have worked better, what lessons have been learned and to improve practices, processes and provide better outcomes.</p> <p>ICRs – These are cases of concern, brought to the attention of the CPC to consider whether they meet the specified criteria for Internal or External Review. They can include all cases brought from any source and would / could include cases relating to children in Foster Care. Outcomes of all such reviews are reported to the CPC, the Chief Officers and to the Care inspectorate in compliance with the national reporting requirements and guidance.</p> <p>Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
c)	<p>Where were such policies and/or procedures recorded?</p> <p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs), which is retained by the CPC and published on the CPCs public facing website.</p>

		Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
d)	What did the policies and/or procedures set out on the following:	
	i. Approach to/process of internal investigations	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	ii. Identifying lessons/changes following internal investigations	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	iii. Implementation of lessons/changes following internal investigations	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	iv. Compliance	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	v. Response (to child and abuser)	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	vi. Response to complaints (including response by local authority)	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000

	vii. External reporting following internal investigations	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
e)	Who compiled the policies and/or procedures?	Perth and Kinross CPC. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
f)	When were the policies and/or procedures put in place?	2017 - Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
g)	Were such policies and/or practices reviewed?	Not since 2017 - Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
h)	If so, what was the reason for review?	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
i)	What substantive changes, if any, were made to the policies and/or procedures over time?	None since 2017. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
j)	Why were changes made?	None since 2017.

		Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
k)	Were changes documented?	Yes. ICR Reports are SCR Reports are retained by the CPC and the Care Inspectorate Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
l)	Was there an audit trail?	There appears to have been no specific internal investigation policy or procedures prior to 1996. Yes within the archives of the Child Protection Committees procedures and guidance.
Present		
m)	With reference to the present position, are the answers to any of the above questions different?	No
n)	If so, please give details.	Not applicable
(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?	Yes. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
b)	Did the local authority adhere in practice to its policy/procedures on the following:	Yes. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
	i. Approach to/process of internal investigations	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000

ii. Identifying lessons/changes following internal investigations	<p>ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate.</p> <p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
iii. Implementation of lessons/changes following internal investigations	<p>ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate.</p> <p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
iv. Compliance	<p>ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate.</p> <p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
v. Response (to child and abuser)	<p>ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate.</p> <p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
vi. Response to complaints (including response by local authority)	<p>Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>
vii. External reporting following internal investigations	<p>ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate.</p>

		Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
c)	How was adherence demonstrated?	ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
d)	How can such adherence be demonstrated to the Inquiry?	ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
e)	Were relevant records kept demonstrating adherence?	ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
f)	Have such records been retained?	Yes. ICR Reports and SCR Reports are retained by the CPC and the Care Inspectorate. Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the approach and which can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000
g)	If policy/procedure was not adhered to in practice, why not?	Please refer to Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) which sets out the current approach and which can be found here at:

https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000

Present

h)	With reference to the present position, are the answers to any of the above questions different?	No
i)	If so, please give details.	Not Applicable

4.9 Record keeping	
(i) Policy	
Past	
<p>a) What policies and/or procedures did the local authority have on record keeping in relation to foster care?</p>	<p>1930 – 1970 There is no information in records relating to specific policies or procedures with regard to record keeping in relation to foster care.</p> <p>There is limited information in relation to the retention of social work records more generally. In May 1970 it is recorded in a file note by the Clerk that Perth Town Council was destroying child welfare and school medical service record cards when the child reached the age of 21. The Scottish Records Office had advised against their permanent retention. It is also noted that correspondence files were ‘weeded’ regularly.</p> <p>The Social Work Service came into being in November 1969 and it is noted in records that it had not yet formulated a records policy. The Social Work Division of the Scottish Education Department had recommended 10 year retention for non-current probation files. It is recorded that a similar period, or less, was considered reasonable for children’s and welfare files.</p> <p>In March 1974, the Scottish Home and Health Department produced circular 17/1974. This made reference to a recent ‘survey of local authority records carried out under the direction of the Keeper of the Records of Scotland’ and to a selective review to weed out material of ‘no further administrative use or historical value’. The Scottish Records Office was to provide guidance for this.</p> <p>1975 - 1996</p> <p>From March 1974 through to 1977, there is documentation related to the creation of the post of Council Archivist by Perth and Kinross District Council and the retention of historical records in Perth.</p> <p>In 1995, it is documented that Tayside Regional Council’s historical records would be retained in Dundee.</p> <p>In January 1996, it was noted that Perth and Kinross Council required a records management policy.</p> <p>1996 – December 2014</p> <p>At some point after February 1997, a records management policy was adopted and set out that comprehensive retention schedules were to be established. It was reviewed and updated in 2003 and 2006 and replaced with the current policy in 2014.</p>

		<p>A retention schedule for social work files exists from August 1999. This document sets out that adoption and carer files should be retained for 75 years and files for children in care / looked after / accommodated should be retained until the child was 75 years old or for 25 years if the child died before they were 18 years old.</p> <p>For children, this was consistent with the requirements for retention of records relating to foster carers and children which were set out in the Arrangements to Look After Children (Scotland) Regulations 1996. For foster carers, this went beyond the requirements of the Fostering of Children (Scotland) Regulations 1996 which required that records be retained for 10 years following termination of approval.</p> <p>From 2003, guidance/policy on the retention of other records was provided in a retention schedule produced by the Scottish Council on Archives Records (SCARRS). The Council used this to determine retention schedules. This retention schedule and the subsequent version were compatible with the relevant legal framework in place at the time.</p> <p>From 2014, policy and practice on records management was governed by the Public Records (Scotland) Act 2011, along with the SCARRS retention schedule.</p> <p>Until 2005, the case recording system was entirely paper based. It is known that there was operational guidance to support record keeping in those files; although it should be noted that older versions of operational guidance were destroyed once updated.</p> <p>The Council procured an electronic case management system "Swift" which was implemented in 2005, with information being transferred from an old system K2 to Swift. It is known that because of the complexity of this task, there were recording gaps. Thereafter, paper case files continued, but workers also updated Profile Notes (case notes) on Swift. Full suites of guidance, including in depth training on each of the areas on Swift which also meant that practice methods improved also due to the way that social work recording was being developed across the country. Since the birth of "Swift", continuous developments have been made to constantly ensure that social work services move with the times and improve recording aspects particularly to meet needs of Scottish Government which is now an individual record uplift at 31 July each year Looked After Children and Throughcare After Care.</p> <p>In early 2016, paper files were uploaded to ESCR – Electronic Social Care Record – in Swift which meant that all case files were electronically held.</p>
b)	What policies and/or procedures did the local authority have on	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975 -1996</p>

	<p>record keeping by foster carers?</p>	<p>There are no records of any policy or procedure although the foster carer agreement in place during the 1980s and 1990s makes reference to there being policies in the foster carer handbook in place during that period. The agreement also stated that carers were to return all information relating to the child to the social worker at the end of the placement; that carers were provided with lockable storage facilities for information to be retained securely and that a diary was provided to carers to enable them to record all significant events as outlined in the foster carer handbook.</p> <p>1996 - December 2014 On 3 April 1996 Perth and Kinross Council's social work committee resolved to adopt the former Tayside Regional Council's operational guidance and manuals pending review. The report is not available in archives but it is assumed that pre-existing guidance in the foster carer handbook continued in force as a result of this, until it was reviewed and updated.</p> <p>Throughout this period, the foster carer agreement continued to require that carers were to return all information relating to the child to the social worker at the end of the placement; that carers were provided with lockable storage facilities for information to be retained securely; that a diary was provided to carers to enable them to record all significant events as outlined in the foster carer handbook and that health records should be kept. By 2009, that had been added to, with the foster carer agreement stating that foster carers would also be expected to write reports.</p> <p>The Council's 2006 policy on fostering and adoption notes that recording is an area which was covered in training for carers.</p>		
c)	<p>In relation to (a) and (b) above, was there a particular policy and/or procedural aim/intention? Where were such policies and/or procedures recorded?</p>	<p>1930 – 1975 No information is available</p> <p>1975 – 1996 The primary purpose of the policy appears to have been to ensure safe storage of information and recording of significant events. Procedures and policies were recorded in the foster carer handbook although copies of this are no longer available. The foster carer agreement summarises the overall purpose/intention of the policy/procedure in very general terms.</p> <p>1996 – December 2014 The primary purpose of the policy/guidance/procedure was to ensure safe storage of information; recording of significant events and maintenance of a record relating to the child's health and welfare.</p>		
d)	<p>What did the policies and/or procedures set out in relation to record keeping on the following:</p>			

	<p>i. Children in foster care</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014</p> <p>A retention schedule for social work files exists from August 1999. This document sets out that files for children in care / looked after / accommodated should be retained until the child was 75 years old or for 25 years if the child died before they were 18 years old.</p> <p>This was consistent with the requirements for retention of records relating to children which were set out in the Arrangements to Look After Children (Scotland) Regulations 1996.</p> <p>From 2003, guidance/policy on the retention of other records was provided in a retention schedule produced by the Scottish Council on Archives Records (SCARRS). The Council used this to determine retention schedules. This retention schedule and the subsequent version were compatible with the relevant legal framework in place at the time.</p> <p>From 2014, policy and practice on records management was governed by the Public Records (Scotland) Act 2011, along with the SCARRS retention schedule. This required that records for looked after children be retained for 100 years from date of birth or 25 years from date of death if the child died before 18.</p> <p>There were full suites of guidance on recording information in Swift, including in depth training on each of the areas on Swift.</p>
	<p>ii. Foster carers</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014</p> <p>A retention schedule for social work files exists from August 1999. This document sets out that adoption and carer files should be retained for 75 years. This went beyond the requirements of the Fostering of Children (Scotland) Regulations 1996 which required that records be retained for 10 years following termination of approval.</p>

		<p>From 2003, guidance/policy on the retention of other records was provided in a retention schedule produced by the Scottish Council on Archives Records (SCARRS). The Council used this to determine retention schedules. This retention schedule and the subsequent version were compatible with the relevant legal framework in place at the time.</p> <p>From 2014, policy and practice on records management was governed by the Public Records (Scotland) Act 2011, along with the SCARRS retention schedule.</p> <p>It is known from the foster carer agreements that there was guidance in place in the foster carer handbook in relation to recording of information. Older versions of the foster carer handbook were not retained once updated. However, the 2013 version is still available and notes that <i>“carers have an important role to play in the planning process from their close knowledge and understanding of the child. By regularly sharing information about the child with the social worker, Carers assist by providing a fuller picture of the child and his or her needs. This is one of the reasons why Carers are asked to keep a careful note of various aspects of the child's life. Carers should always remember that sharing information is on a need to know basis”</i>. There was also detailed guidance in relation to how to keep the diary.</p>
	<p>iii. Visits to children and foster carers</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 It is likely that information was contained in versions of operational guidance which existed in the earlier part of this period, but these are not available as older versions of guidance were not retained once updated. There is a policy on supervision of foster carers which dates from 2009 and which states that visits will take place once per month and will be recorded, signed by the social worker and foster carer and retained in the carer's file. This policy continued to be in place throughout the remainder of the period.</p> <p>Children were visited by their own social worker and the guidance on recording was the same as for all interactions by a social worker with clients.</p>
	<p>iv. Complaints</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p>

	<p>1975-1996 No specific policies or procedures are available</p> <p>1996 – 2014</p> <p>Complaints policies in place periodically will have provided guidance on recording of information relating to a complaint.</p> <p>Current retention policy regarding complaints is that case files relating to complaints should be retained for five years from the last action on the complaint before being destroyed. The complaint register should be retained for 10 years. However, complaints made by children or carers were also retained on their own files so subject to the retention periods for those types of files.</p>
v. Investigations (both internal and external)	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014</p> <p>There was no specific policy relating to internal investigations, other than personnel/human resource investigations. Investigations relating to foster carers were carried out in line with child protection procedures (2014 and previous versions). The local child protection procedures linked to the national guidance on managing allegations against foster carers and provided guidance on record keeping.</p> <p>Records were retained in line with the relevant statutory retention period for looked after children.</p> <p>Since 2017, Perth and Kinross CPC also has in place a Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs), which is compliant with current Scottish Government Guidance for CPCs conducting SCRs. These are cases of concern, brought to the attention of the CPC to consider whether they meet the specified criteria for Internal or External Review. They can include all cases brought by any source and would / could include cases relating to children in Foster Care. Outcomes of all such reviews are reported to the CPC, the Chief Officers and to the Care inspectorate in compliance with the national reporting requirements and guidance.</p> <p>Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>

vi. Discipline	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 There was no specific policy relating to record keeping in relation to discipline. Complaints made by children or carers were also retained on their own files so subject to the retention periods for those types of files. Records were made in line with guidance for social work staff on record keeping in operational guidance and retained in line with the relevant statutory retention period for looked after children.</p>
vii. Responding to requests from former children in foster care for information/records	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 There was no specific policy relating to record keeping in relation to requests for access to records for children in foster care. Records were retained in line with guidance for social work staff on record keeping in operational guidance. Subject access request documentation was retained in line with legislative requirements, rather than local policy.</p>
viii. Other issues relevant to foster care	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 Records were made in line with guidance for social work staff on record keeping in operational guidance and retained in line with the relevant statutory retention period for looked after children.</p>

		<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 The 1997 Records Management Policy was compiled by a group of officers, including the Council Archivist.</p> <p>The subsequent policies in 2003 and 2006 were compiled by the Information Compliance Manager (acting as the Council’s Records Manager) and the 2014 policy was compiled by the Council’s Records Manager.</p> <p>Corporate Council policies were approved by the Council or the Strategic Policy and Resources Committee.</p> <p>The retention schedule adopted in 2003 was developed by the Archivists in Scottish Local Authorities Working Group (ASLAWG) / Society of Local Authority Lawyers and Administrators (SOLAR).</p> <p>The retention schedule developed in 2004 was developed by the Council’s Information Compliance Section.</p> <p>The retention schedule adopted in 2011 was developed by the Scottish Council on Archives.</p> <p>Operational guidance was developed by officers within Education and Children’s Services.</p>
e)	Who compiled the policies and/or procedures?	
f)	When were the policies and/or procedures put in place?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 Where reference is made to local policies in the sections above, the dates have been included where known.</p>
g)	Do such policies and/or procedures remain in place?	<p>1930 – 1975 No</p> <p>1975-1996</p>

		<p>No</p> <p>1996 – December 2014</p> <p>Yes</p>
h)	Were such policies and/or practices reviewed?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 Review dates have been included in the sections above where known.</p>
i)	If so, what was the reason for review?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 Changes to the Records Management Policies in 2003 and 2006 were routine reviews. The 2014 policy was to comply with the requirements of the Records Management Plan developed for the Public Records (Scotland) Act 2011.</p> <p>Policies and practices contained in operational guidance were reviewed to keep them up to date with legislation and standards of care.</p>
j)	What substantive changes, if any, were made to the policies and/or procedures over time?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014</p>

		<p>In 2003 the policy indicated that each Service was responsible for its own retention schedule, but indicated that a schedule developed by the Archivists in Scottish Local Authorities Working Group (ASLAWG) / Society of Local Authority Lawyers and Administrators (SOLAR) in 2001 should be used as an interim measure.</p> <p>In 2011 the Council adopted the Scottish Council on Archives Records Retention Schedules.</p>
k)	Why were changes made?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 Changes to the Records Management Policies in 2003 and 2006 were routine reviews. The 2014 policy was to comply with the requirements of the Records Management Plan developed for the Public Records (Scotland) Act 2011.</p> <p>Policies and practices contained in operational guidance were reviewed to keep them up to date with legislation and standards of care.</p>
l)	Were changes documented?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014 The changes were documented in the new versions of the policies and records retention schedules. New changes to operational guidance were documented in the guidance but older version were not retained once updated.</p>
m)	Was there an audit trail?	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question</p> <p>1975-1996 No specific policies or procedures are available</p> <p>1996 – December 2014</p>

		<p>Prior to 2014 there was no specific audit trail for operational guidance. Committee reports and decisions made by Committee were retained.</p> <p>From November 2014, the Council applied its Records Management Policy in relation to all records, which contains policies on document version control and the lifecycle of documents.</p>
Present		
n)	With reference to the present position, are the answers to any of the above questions different?	No
o)	If so, please give details.	<p><u>Policy/procedure on record keeping by foster carers</u> In relation to the keeping of diary, the current fostering agreement now also states that <i>“you should record the child’s placement with you in a diary. Specific guidance is available in the handbook and you should follow this. This diary should go with the child. The diary will be used as a reference for the child of the time in your care as well as evidence in any legal proceedings. The diary should be returned to the child’s social worker at the end of the placement.”</i></p> <p>There are policies/procedures in relation to record keeping across a range of subjects including administration of medication and incidents/accidents. The current foster carer handbook contains detailed guidance on recording and sharing information.</p> <p><u>Responding to requests from former children in foster care for information/records</u></p> <p>A new process in relation to requests for access to records has been developed with the Council’s Data Protection Officer and this process includes access to forms of support.</p>
(ii) Practice		
Past		
a)	Did the local authority adhere in practice to its policy/procedures in relation to record keeping?	<p>Note: Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 children’s case files had been examined, 38 of which were found to relate to children in foster care. These were made up as follows:</p> <p>4 from the 1960s 18 from the 1970s</p>

		<p>13 from the 1980s 2 from the 1990s 1 from the 2000s</p> <p>In depth file reading was also undertaken in the Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014 for those cases where 42 children and young people alleged abuse against 28 individual Foster Carers.</p> <p>It had not been possible to carry out any sampling of case files for foster carers prior to the exercise being suspended. Foster carer records are held separately from those of the children they cared for. This means that the Council’s ability to provide answers to those questions which relate to the content of records is limited.</p> <p>In relation to other records held by the archive and the Council, additional information is included where relevant to the subject heading. In terms of those records, the position is as follows:</p> <p>1930-1975 As indicated in the preceding sections, there is no available information relating to policy and procedures for the period 1930 - 1975. As such, the answers to the following questions are limited in scope and describes information which has been found about practice. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures.</p> <p>1975-1996 As indicated in the preceding sections, there is no available information relating to policy and procedures within Tayside for the period from 1975 – 1986. Whilst the strategy document sets out the broad policy objectives from 1986 to 1996 the only procedural document available is the ‘Section 7’ document which sets out a framework for the recruitment of foster carers. As such, the answers to questions about adherence in practice to policy are very limited in scope and based on the position from 1986. No conclusion can be reached about whether what happened in practice was consistent with policy/procedures. The conclusions from the Kendrick do show a lack of consistency in recording practices.</p> <p>1996 – December 2014 The Council does have foster carer records and child care records in its possession for within the set retention period which indicates that the Council has complied with its practices in relation to record keeping. Records relating to guidance, policy and procedure have been destroyed in line with retention schedules although some are still available as Committee reports have been retained.</p>
b)	Did the local authority check adherence in practice to its policies	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p>

	and/or procedures in relation to record keeping by foster carers?	<p>1975-1996 No information is available</p> <p>1996 – December 2014 The role of supervising social worker included giving support and guidance to foster carers and checking compliance with the requirements placed on carers.</p>
c)	Did the local authority adhere in practice/check adherence in practice to its policy/procedures in relation to record keeping on the following:	
	i. Children in foster care	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Social workers were supervised in line with operational and HR guidance in place periodically, by their line manager which included examination of case notes. For the earlier years of this period, guidance is no longer available as older versions were destroyed once updated.</p>
	ii. Foster carers	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014</p>

		<p>The role of supervising social worker included giving support and guidance to foster carers and checking compliance with the requirements placed on carers. Supervising social workers were supervised in line with operational and HR guidance in place periodically, by their line manager which included examination of case notes.</p> <p>The care standards were introduced during this period and set clear guidance around review and supervision. These timescales were set out in the foster care handbook. The reviews took place annually and were either presented to panel or undertaken by the Improvement Officer. A record of all reviews is kept in the foster carer records.</p> <p>Formal supervision was undertaken on a monthly basis and recorded separately; with a copy given to the carer and a copy kept in carer's file</p> <p>In 2013 The Care Inspectorate noted:</p> <p><i>"Foster carers are regularly supervised and these are minuted and any areas for improvement identified. The annual review system provides the social workers and young people using the service the opportunity to evaluate the quality of service they are being offered."</i></p>
	<p>iii. Visits to children and foster carers</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014</p> <p>Social workers were supervised in line with operational and HR guidance in place periodically, by their line manager which included examination of case notes. For the earlier years of this period, guidance is no longer available as older versions were destroyed once updated. It would be usual practice for managers, as part of their supervisory role, to audit children's records to ensure that these are of a sufficient quality, up to date and that there is compliance with statutory duties.</p>
	<p>iv. Complaints</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p>

	<p>1996 – December 2014 Complaints procedures specified the authorisation process which required to be followed by those dealing with complaints which provided an element of scrutiny/checking that complaints were handled correctly.</p>
v. Investigations (both internal and external)	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014</p> <p>There was no specific policy relating to internal investigations, other than personnel/human resource investigations. Investigations relating to foster carers were carried out in line with child protection procedures (2014 and previous versions). The local child protection procedures linked to the national guidance on managing allegations against foster carers and provided guidance on record keeping. The guidance required a level of oversight of investigations by senior managers.</p> <p>Records were retained in line with the relevant statutory retention period for looked after children.</p> <p>Prior to 2017, Perth and Kinross CPC followed the Scottish Government’s National Guidance for CPCs: Conducting a Significant Case Review (SCR) 2015.</p> <p>However, since 2017, Perth and Kinross CPC has had in place a Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs), which is compliant with current Scottish Government Guidance for CPCs conducting SCRs 2015.</p> <p>ICRs – These are cases of concern, brought to the attention of the CPC to consider whether or not they meet the specified criteria for Internal or External Review. They can include all cases brought from any source and would / could include cases relating to children in Foster Care. Outcomes of all such reviews are reported to the CPC, the Chief Officers and to the Care inspectorate in compliance with the national reporting requirements and guidance.</p> <p>Perth and Kinross CPC Joint Protocol for Conducting Initial Case Reviews (ICRs) and Significant Case Reviews (SCRs) can be found here at: https://www.pkc.gov.uk/media/40312/Perth-and-Kinross-CPC-Joint-Protocol-for-ICRs-and-SCRs/pdf/Joint_CPC_Protocol_ICRs_and_SCRs_17.08.30.pdf?m=636445431538030000</p>

		<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, the Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE Report to Tayside Region Social Work Department". Most of the 24 cases considered involved children being smacked, hit or physically mis-handled (18). One of the concerns expressed in the report was the lack of information in case files and it was recommended that case-files contain full and up-to-date information.</p> <p>1996 – December 2014</p> <p>Social workers were supervised in line with operational and HR guidance in place periodically, by their line manager and this process includes examination of case notes. For the earlier years of this period, guidance on supervision is no longer available as older versions were destroyed once updated.</p> <p>The role of supervising social worker included giving support and guidance to foster carers and checking compliance with the requirements placed on carers. This would include discussing and recording any issues of concerns identified in placements. It has not been possible to undertake examination of foster carer files to establish if there were records relating to this. A number of the instances where allegations of abuse were made related to how children were disciplined, and it can therefore be seen that those instances were recorded.</p>
	<p>vii. Responding to requests from former children in foster care for information/records</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 For the period up to 1998, there are no records available to indicate whether requests from former children in foster care were recorded in line with data protection requirements. Recording and reporting of subject access requests was carried out under the 1998 Act.</p>
	<p>viii. Other issues relevant to foster care</p>	<p>1930 – 1975 There are no records available which provide any insight or information in relation to this question.</p>

		<p>1975-1996 No information is available</p> <p>1996 – December 2014 Social workers were supervised in line with operational and HR guidance in place periodically, by their line manager which would include discussion of issues and challenges in cases and examination of case notes. For the earlier years of this period, guidance is no longer available as older versions were destroyed once updated.</p>
d)	How was adherence demonstrated?	<p>1930 – 1975 As there is very limited information available in records for this time period about policy and procedure, it is not possible to make any assessment of the extent to which these were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 Case records contain records of supervision of staff records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care services. It would be usual practice for managers, as part of their supervisory role, to audit children’s records to ensure that these are of a sufficient quality, up to date and that there is compliance with statutory duties. Performance was monitored through the Service Plan/Business Management and Improvement Plan process.</p>
e)	Were relevant records kept demonstrating adherence?	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996 <i>In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</i></p> <p>1996 – December 2014 Case records contain records of supervision of staff records of visits to the child and carer and case notes which record all contacts in relation to a case. Inspection reports of fostering and child protection services provided external scrutiny and oversight of registered care</p>

		<p>services. Performance was monitored through the Service Plan/Business Management and Improvement Plan process. It would be usual practice for managers, as part of their supervisory role, to audit children's records to ensure that these are of a sufficient quality, up to date and that there is compliance with statutory duties.</p>
f)	<p>Have such records been retained?</p>	<p>1930 to 1975 No records have been located</p> <p>1975-1996 No records have been located</p> <p>1996 – December 2014 Perth and Kinross Council was given children's case records by Tayside Regional Council following local government reorganisation in 1996. It is known that there are gaps in those records and the reason for this is not known.</p> <p>Perth and Kinross Council retains children's case records and foster carer records in accordance with the relevant legislative requirements. Other records are retained in line with the Council's retention schedule.</p> <p>Inspection reports are available. Service Plans/Business Management and Improvement Plans and performance monitoring were reported to Committee and reports are available.</p> <p>Older versions of operational guidance and the foster carer handbook are no longer available as these are destroyed once new versions are issued.</p>
g)	<p>If policy/procedure was not adhered to in practice, why not?</p>	<p>1930 – 1975 There are very limited information records for this time period and even fewer which relate to policy and procedure and how those were adhered to.</p> <p>1975 – 1996 In the absence of knowledge of specific policies and procedures it is not possible to determine how adherence was demonstrated.</p> <p>1996 – December 2014 N/A</p>

<p>h)</p>	<p>Did the local authority undertake any review or analysis of its records to establish what abuse or alleged abuse of children cared for in foster care may have taken place?</p> <p>1930 - 1975 There is no information available.</p> <p>1975-1996 In October 1995 a study was undertaken by Andrew Kendrick, Department of Social Work, University of Dundee and Stewart Brodie, Department of Social Work, the Robert Gordon University entitled "PREDICTORS OF ABUSE IN FOSTER CARE Report to Tayside Region Social Work Department".</p> <p>Tayside Social Work Department considered that it was important to collate information on the scale of abuse within the Region and to study instances of abuse in foster care to identify whether any patterns or common features were present. The authors were commissioned to carry out a study of case files for all instances of substantiated abuse in foster care since 1st January 1990. This would therefore include incidents which were both substantiated and unsubstantiated. 34 incidents involving 29 children were identified to be included in the case file study which involved inspection of both the child's case file and the foster carers' case file for each incident of abuse. Note: all substantiated incidents involving physical or sexual maltreatment, or the neglect of children were included whether these were abusive.</p> <p>Most of the 24 cases involved children being smacked, hit or physically mis-handled (18). In ten of these cases, single, specific incidents were identified. In the remaining eight cases, a number of incidents were acknowledged to have taken place at some period during the placement and these eight cases involved three sibling groups. Six cases involved sexual abuse. These cases ranged from inappropriate sexual requests of a young person to penetrative sexual abuse over an unknown period. The six cases involved four male foster carers.</p> <p>It should be noted that the study was not an audit of practice and did not consider whether policy and procedures were followed or the quality of such procedures. Questions were raised however, regarding the frequency of reviews of foster carers and the importance of drawing together information which might indicate a pattern of concerns and how information from different incidents was brought together and considered and by whom.</p> <p>One of the allegations of inappropriate sexual touching concerns abuse in a multi-cultural context and discriminatory practice. The study did not have full details of the investigation of the allegation but the conclusion reached was that while the acts were substantiated, they were misinterpreted by the child because she had been raised as a Muslim. This appears to involve assumptions based upon dubious cultural stereotypes.</p> <p>The conclusions from the study showed a lack of consistency in response to an allegation i.e. practice varied dependant of the individuals involved. In one case, a single incident of smacking a child led to the removal of the child involved and other children, the carer being charged by the police (although no further action was taken by the procurator fiscal) and no further children were placed with the carers. In another case, where there had been smacking and hitting children with belt and slipper on a number of occasions the police were not informed and after reminding carers of departmental policy, no further action was taken.</p>
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		<p>It was recommended that clear criteria were laid down for the action to be taken in response to allegations of abuse, and that procedures of investigation and follow-up action were carried out in a consistent manner and that steps are taken to ensure that information relating to abuse in care were drawn together in some way (a specific section possibly in carers' case files) to ensure that information can be presented to foster carer reviews in a structured and coherent way.</p> <p>A further concern was the lack of information in case files and it was recommended that case-files contain full and up-to-date information.</p> <p>Concerns were also raised about the frequency and structure of foster carer reviews and that foster carer reviews are held on a regular basis to ensure that foster carers have the necessary support and training for their role and to identify and take action of issues of concern. It was also recommended that reviews take place when there are significant changes in the foster carer's circumstances.</p> <p>A number of further recommendations are contained in the report in relation to Assessment and Review, training and the investigation of allegations of child abuse.</p> <p>1996 – December 2014</p> <p>Yes in connection with this Notice</p>
i)	<p>If so, when did the reviews take place, what documentation is available, and what were the findings?</p>	<p>1930 – 1975 No information is available</p> <p>1975-1996 The review took place in October 1995. The findings of the report are set out above and in the attached document.</p> <p>1996 – December 2014 2019 and 2020 and the findings are set out in this response.</p>
j)	<p>How have the outcomes of investigations been</p>	<p>1930 – 1975 No information is available</p>

	used to improve systems, learn lessons?	<p>1975-1996 Whilst there is a reference to Tayside Regional Council Social Work Committee of 28 October 1995, report 1267/95 to the council reviewing practice in this area and a further report was requested by the committee, there is no record that the findings of the review were incorporated into practice during the period from publication in October 1995 to local government reorganisation in April 1996. It is worth remembering that not only does this period coincide with local government reorganisation but also with the passing of the Children (Scotland) Act 1995. The new legislation, regulations and guidance resulted in the successor local authorities of Perth and Kinross, Dundee and Angus introducing new policies and procedures for all areas of children and families practice.</p> <p>1996 – December 2014 N/A</p>
k)	What changes have been made?	<p>1930 – 1975 No information is available</p> <p>1975-1996 This is not known</p> <p>1996 – December 2014 N/A</p>
l)	How are these monitored?	N/A
m)	Did the local authority afford former children in care access to records relating to their time in foster care?	<p>1930 – 1975 No information is available</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 Yes</p>
n)	If so, how was that facilitated?	<p>1930 – 1975 No information is available</p>

		<p>1975-1996 No information is available</p> <p>1996 – December 2014 These requests would be treated as a Subject Access Request under the relevant information. As practice has developed in line with our GIRFEC approach it would be good practice to ensure that children and young people of sufficient age and understanding are provided with copies of documents relating to them and can participate fully in key processes involving them. They would also have a right to challenge the wording and accuracy of written material.</p>
o)	If not, why not?	<p>1930 – 1975 No information is available</p> <p>1975-1996 No information is available</p> <p>1996 – December 2014 N/A</p>
Present		
p)	With reference to the present position, are the answers to any of the above questions different?	Yes
q)	If so, please give details.	A new process in relation to requests for access to records has been developed with the Council's Data Protection Officer and this includes access to forms of support.
r)	Please provide details of the types of any records currently held relating to the children in foster care in respect of the following:	All of the below are retained in line with retention schedule
	i. Children in foster care	Case records; policy documents and operational guidance

ii. Staff with responsibilities for foster care	Current staffing records
iii. Foster carers	Case records; policy documents and operational guidance
iv. Complaints	Complaints investigation, responses and procedures
v. Investigations (both internal and external)	Not applicable
vi. Responding to requests from former children in foster care for information/records	Procedures and guidance; information about requests made

Part D		Abuse and Response
	Questions	Proposed Response
5	Abuse	
5.1	Nature	
a)	What was the nature of abuse and /or alleged abuse of children in foster care, for example, sexual abuse, physical abuse, emotional abuse?	From our search of past children's electronic case records 1930-2014 and Foster Carer electronic records 1980-2014, we have established that where there has been abuse or allegations of abuse of children in foster care. The majority related to Physical Abuse (Punching, Grabbing and Hitting); in some instances, they were associated with Emotional Abuse (Shouting and Swearing); and, in a small number of occurrences resulted from allegations of Sexual Abuse (Lewd, Indecent and Libidinous Practices and/or Unlawful Sexual Intercourse).
5.2	Extent	Extent
a)	What is the local authority's assessment of the scale and extent of abuse of children in foster care?	<p>From our search of past children's electronic case records 1930-2014 and Foster Carer electronic records 1981 -2014, we found evidence of 42 individual children and young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014.</p> <p>This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in foster care. For the 2671 children's records screened this represents 1:64 children reported or were reported to have experienced some form of abuse.</p> <p>We acknowledge that for these individual children, being in foster care did not provide the loving and nurturing experience that they should have expected.</p>
b)	What is the basis of that assessment?	<p>This assessment is based on examination of available historical documents relating to policy, procedures, and practices in relation to children in foster care via the organisation throughout the period of the inquiry. A schedule of documents is provided separately. It is also informed by accounts volunteered by existing and former staff employed in care services from 1976 to the current date.</p> <p>The Council has searched 2671 case records relating to children in foster care and 916 foster carer records covering the period 1981 – December 2014. From this, 28 sets of foster carers were identified where children in their care had made allegations of physical or sexual abuse. Those case records were examined in depth by a team of suitably qualified social work staff. Case</p>

		<p>records relating to children who made allegations were also examined, and in some cases, case records of other children who had been in the care of these foster carers.</p> <p>Prior to the country being placed in lockdown due to coronavirus, the Council had commenced an extensive case sampling exercise to assist in providing an answer to this question. This was suspended in early March 2020, as advised to the Inquiry on 6 April 2020. By this time, 100 case files had been sampled, 38 of which were found to relate to children in foster care.</p>
c)	<p>How many complaints have been made in relation to alleged abuse of children in foster care?</p>	<p>From our search of past Foster Care Records (All children’s electronic case records 1930-2014 and Foster Carer electronic records 1981-2014) we have established that 42 children and young people are known to have made 44 complaints alleging abuse against 28 individual Foster Carers (one child made three separate complaints). In some instances, more than one complaint or allegation of abuse has been made against the same Foster Carer.</p> <p>In addition, 1 child in a Foster Care placement made a complaint against a Foster Carer’s adopted son and against another child in that Foster Carer’s home. That complaint has been included in this response (see Part D Individual Profiles of Alleged Abuse No 31).</p> <p>These complaints of alleged abuse were made either whilst in the Foster Care placement, or in some instances, retrospectively after the Foster Care placement had ended.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p>
d)	<p>Against how many foster carers have the complaints referred to at (c) above been made?</p>	<p>From our search of past Foster Care Records (All children’s electronic case records 1930-2014 and Foster Carer electronic records 1980-2014) we have established that 42 children and young people are known to have made 44 complaints of alleged abuse against 28 individual Foster Carers (one child made three separate complaints). In some instances, more than one complaint of alleged abuse has been made against the same Foster Carer.</p> <p>In addition, 1 child in a Foster Care placement made a complaint against a Foster Carer’s adopted son and against another child in that Foster Carer’s home. That complaint has been included in this response (see Part D Individual Profiles of Alleged Abuse No 31).</p> <p>These complaints of alleged abuse were made either whilst in the Foster Care placement, or in some instances, retrospectively after the Foster Care placement had ended.</p>

		<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p>
e)	<p>How many foster carers have been convicted of, or admitted to, abuse of children?</p>	<p>From our search of past children’s electronic case records 1930-2014 and Foster Carer electronic records 1980-2014 we have established that 42 children and young people (one child made three separate complaints of alleged abuse) are known to have made 44 complaints of alleged abuse against 28 individual Foster Carers. In some instances, more than one complaint of alleged abuse has been made against the same Foster Carer.</p> <p>Three Foster Carers were convicted of abuse in Court.</p> <p>In the majority of these complaints of alleged abuse, the Foster Carer (s) did not admit to the alleged abuse. The vast majority are recorded as denying the abuse with the allegations described as unsubstantiated or unfounded. In some instances, while there is evidence of no further action being taken, ongoing or increased support and supervision of the Foster Carers was implemented.</p> <p>It should also be noted that our search found that a number of complaints of alleged abuse resulted in an investigation by the Social Work service and/or the Police. Some were charged and reported to the Procurator Fiscal with No Further Proceedings as an outcome. For others there was no outcome recorded in our records.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p>
f)	<p>How many foster carers have been found by the local authority to have abused children?</p>	<p>In the majority of these complaints of alleged abuse, the Foster Carer (s) did not admit to the alleged abuse. The vast majority are recorded as denying the abuse with the allegations described as unsubstantiated or unfounded. In some instances, while there is evidence of no further action being taken, ongoing or increased support and supervision of the Foster Carers was implemented.</p> <p>It should also be noted that our search found that a number of complaints of alleged abuse resulted in an investigation by the Social Work service and / or the Police. Some were charged and reported to the Procurator Fiscal with No Further Proceedings as an outcome. For others there was no outcome recorded in our records.</p>

		As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.
g)	Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?	Two. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer.
h)	How many family members of foster carers have been convicted of, or admitted to abuse of children?	Two. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer. In relation to both individuals, they were interviewed by Social Work and Police. A referral was made to the Procurator Fiscal, but the outcome was unclear, it would appear that the Procurator Fiscal took No Further Proceedings.
i)	How many family members of foster carers have been found by the local authority to have abused children?	None. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer. In relation to both individuals, they were interviewed by Social Work and Police. A referral was made to the Procurator Fiscal, but the outcome was unclear, it would appear that the Procurator Fiscal took No Further Proceedings.
j)	Against how many other children placed in foster care in the same placement have complaints been made in relation to the alleged abuse of children?	Two. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer.
k)	How many other children placed in foster care in the same placement have been convicted of, or admitted to abuse of children?	None. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer.

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		In relation to both individuals, they were interviewed by Social Work and Police. A referral was made to the Procurator Fiscal, but the outcome was unclear, it would appear that the Procurator Fiscal took No Further Proceedings.
I)	How many other children placed in foster care in the same placement have been found by the local authority to have abused children?	<p>None. With one exception, all the complaints and / or allegations of abuse were made against Foster Carers. In this one instance (see Part D Individual Profiles of Alleged Abuse No 31) the complaints were made by the child, whilst in a Foster Care placement and the alleged abusers were the adopted son of the Foster Carer and another child also fostered with the same Foster Carer.</p> <p>In relation to both individuals, they were interviewed by Social Work and Police. A referral was made to the Procurator Fiscal, but the outcome was unclear, it would appear that the Procurator Fiscal took No Further Proceedings.</p>
5.3 Timing of Disclosure/Complaint		
a)	When were disclosures and complaints of abuse and/or alleged abuse of children in foster care made to the local authority?	<p>From our limited search of past Foster Care Records (Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014) we have established that 42 children and young people (one child made three separate complaints of alleged abuse) are known to have made 44 complaints of alleged abuse against 28 individual Foster Carers. In some instances, more than one complaint of alleged abuse has been made against the same Foster Carer.</p> <p>In addition, 1 child in a Foster Care placement made a complaint against a Foster Carer’s adopted son and another child fostered in that placement and that complaint has been included in this response (see Part D Individual Profiles of Alleged Abuse No 31).</p> <p>These complaints of alleged abuse were made either whilst in the Foster Care placement, or in some instances, retrospectively after the Foster Care placement had ended.</p> <p>Our assessment is based on our limited search of past Foster Care Records (Children’s Electronic Case Files and Foster Carer Electronic Records), within the scope of the Inquiry, specifically:</p> <ul style="list-style-type: none"> • 2,671 individual Children in Foster Care Electronic Case Files 1930 – 17 December 2014 • 916 individual Foster Carer Electronic Records from 1981 – 17 December 2014 <p>All disclosures and complaints were made at different times and dates, during the scope of this timeframe; by far the majority were made between 1990 and 2010, with 3 between 1970 and 1990 and 5 between 2010 and 2014.</p>

		As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.
b)	To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?	The majority of the complaints and disclosures were made timeously, whilst in the Foster Care placement and shortly after the alleged abuse had occurred; albeit in a small number of instances, the complaints and disclosures were made retrospectively, after a placement had been terminated.
c)	To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?	The majority of the complaints and disclosures were made timeously, whilst in the Foster Care placement and shortly after the alleged abuse had occurred; albeit in a small number of instances, the complaints and disclosures were made retrospectively, after a placement had been terminated.
d)	Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?	The majority of the complaints and disclosures were made timeously, whilst in the Foster Care placement and shortly after the alleged abuse had occurred; albeit in a small number of instances, the complaints and disclosures were made retrospectively, after a placement had been terminated. On some, but not all occasions, the child was moved to an alternative placement as a result.
5.4 External Inspections		
a)	What external inspections have been conducted relating to children in foster care which considered issues relating to abuse and/or alleged abuse of children?	We found no evidence of any external inspections having been conducted which had a specific focus on issues relating to abuse and/or alleged abuse of children in foster care. However, there have been a number of inspections by external scrutiny bodies which will have had within their scope a focus on children's experiences of care and how safe they are and how well their needs are met. These include: <ol style="list-style-type: none"> 1. Care Commission (latterly the Care Inspectorate) conducted an annual/bi-annual programme of inspections of the fostering service. While the focus of these inspections is on the effectiveness of the fostering service or agency, part of the methodology had been to "track" a small number of children in foster care by reviewing records of both children in foster care and foster carers, and where appropriate, going on to interview the subjects. These inspections will have considered the extent to which foster carers and staff were following local child protection procedures and compliance with regulations, including the duty to notify the inspectorate of child protection incidents including alleged abuse of children in foster care. The dates and findings of these inspections are referred to in Parts A and C. 2. Her Majesty's Inspectorate of Education led a programme of joint inspections of services to protect children between 2005 and 2011 (the programme was completed by the Care Inspectorate in 2012). These inspections took a broad approach to ensuring that all children were protected and their needs met and included large samples of children including children in foster care who had been the subject of child protection processes. For example, this might include a child who had been

		<p>accommodated as a result of abuse at home and were now in the care of a foster carer, or it could include a child who had made an allegation against a foster carer. Children in foster care and foster carers will have been interviewed as part of the methodology for these inspections. The dates and findings of these inspections are referred to in Parts A and C.</p> <p>3. The Care Inspectorate led a programme of joint inspections of services for children and young people between 2012 and 2018. These inspections had a focus on the outcomes being achieved by and for children in need of protection and children who are looked after. The methodology covered a case sample of approx. 100 children in Perth and Kinross and will have included children who were at the time in foster care or had recently been in foster care. The date and findings of the inspection which reported in April 2018 are referred to in Parts A and C.</p>
b)	Who conducted the inspection?	The Care Commission, the Care Inspectorate and Her Majesty's Inspectorate of Education.
c)	Why was the inspection conducted?	<ol style="list-style-type: none"> 1. Care Commission (latterly the Care Inspectorate) conducted an annual/bi-annual programme of inspections of the fostering service. While the focus of these inspections is on the effectiveness of the fostering service or agency and in order to regulate the care service. 2. HMIE conducted joint inspections of services to protect children at the request of Scottish Ministers. 3. The Care Inspectorate conducted joint inspections of services for children and young people at the request of Scottish Ministers.
d)	When was the inspection conducted?	<ol style="list-style-type: none"> 1. 2008-date 2. 2011 3. 2018
e)	What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children in foster care?	No evidence was found.
f)	What was the local authority's response to the inspection and its outcome?	Not applicable
g)		

	Were recommendations made following the inspection?	Yes, but none were specific to foster care.
h)	If so, what were the recommendations and were they implemented?	Not applicable
i)	If recommendations were not implemented, why not?	Not applicable
5.5 External Investigations		
a)	What external investigations have been conducted relating to children in foster care which have considered issues relating to abuse and/or alleged abuse of children?	<p>Within the Perth and Kinross Archives we found the following National Inquiry Report:</p> <p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Source – <i>Report of the Committee of Inquiry into the consideration given and steps taken towards securing the welfare of Richard Clark by Perth Town Council and other bodies or persons concerned</i> (Scottish Education Department Social Work Services Group: HMSO Edinburgh 1975).</p>
For each such external investigation please answer the following:		
b)	Who conducted the investigation?	<p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Designated Committee appointed by the then Right Honourable Secretary of State for Scotland (Appointed 16 August 1974)</p>
c)	Why was the investigation conducted?	<p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Subject Child had been admitted to Dundee Royal Infirmary on 02/05/1974 after sustaining a Massive Cerebral Haemorrhage from which he would not recover. The child was described as being in a “vegetable” state and his life expectancy considerably reduced. Eventually the child was transferred to Strathmartine Hospital to receive long term care on 19 February 1975.</p> <p>Much public concern – Perth Town Council decided to hold an Inquiry into this case but decided not to proceed when the then Right Honourable Secretary of State for Scotland announced the setting up of an Inquiry (Independent).</p>

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		<p>Reason – As a result of unsatisfactory and chaotic home conditions and following a report from Mr Harding, RSSPCC Inspector in May 1972, subject child and a sibling child were taken into the care of Perth Town Council. They remained in care from 8 May 1972 until 18 July 1972 and then returned to their mother’s care. They came to attention again in January 1973, with further Perth Social Work Department interventions and support.</p> <p>In ██████████ 1973, the subject child and sibling child went to stay with another family ██████████ with the approval of Social Work, notwithstanding some apprehensions. Social work intervention and support continued. Eventually, the ██████████s were (recorded as) “unofficially recognise the ██████████ as Foster Parents for the boys (although even here it is felt that the Department is putting itself in a precarious position) but cannot officially accept them because of their past record”. Past Convictions included an Imprisonment (Father) / Probation (Mother) for Chronic Neglect of their own children.</p>
d)	When was the investigation conducted?	<p>Inquiry Report 1975 (Richard Clark born ██████████ 1970) Between 16 August 1974 and early 1975 (TBC) – Inquiry sat at Perth City Chambers between 02/09/1974 and 07/10/1974 (11 days) taking oral evidence; written representations; document examination. No Statutory Powers.</p> <p>Inquiry Report published circa February 1975.</p>
e)	What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children in foster care?	<p>Inquiry Report 1975 (Richard Clark born ██████████ 1970) Inquiry Report published circa February 1975 – Found that by virtue of the period of residence with the ██████████, the subject child and sibling child became “foster children” within the meaning of Section 2 (1) and 3 (f) of the 1958 Act, which imposed duties on the local authority to secure their welfare, whilst by the ██████████ previous convictions, they were prohibited from maintaining the boys without the consent of the local authority.</p> <p>Conclusions included: An acknowledgement that this was a complex case; errors of judgment and assessment by the Social Worker; clear conflicts of interest; Line Manager major responsibility for the flawed decision making; Director of Social Work ultimately responsible; Perth Town Council as employers of the SWD also responsible; parental and ██████████ responsibility; criticisms around the medical examination by the GP prior to admission to hospital. Findings and conclusions were recorded but the Inquiry made but no recommendations.</p> <p>Scottish Education Department - Social Work Services Group Memo Dated 11 February 1975 – Local Authorities asked to comment on changes to The Children Act 1958; Circular on Non-Accidental Injury to children and consider the implications for their own social work and other departments.</p>

		<p>Also, a Parliamentary Question Written Answer by the Secretary of State for Scotland. It would appear that there was a significant impact and an immediate response as a result of this Inquiry Report being published.</p> <p>Scottish Home and Health Department and the Social Work Services Group eventually published NHS Circular No 1975 (Gen) 5 SW1/75 Circular on Non-Accidental Injury to Children which was to be widely circulated and embraced by a number of services and agencies.</p>
f)	What was the local authority's response to the investigation and its outcome?	<p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Inquiry Report published circa February 1975. Immediate response by Perth Town Council. Clearly Minuted at the Social Work Committee 20 February 1975. Reported to Full Council 21 February 1975.</p> <p>Evidence that the Director of Social Work and the Town Clerk were particularly active in ensuring the findings and conclusions were addressed by Perth Town Council.</p>
g)	Were recommendations made following the investigation?	<p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Inquiry Report contained findings and conclusions but no recommendations.</p> <p>Report by the Director of Social Work to the Special Meeting of Perth Town Council Social Work Committee 20 February 1975:</p> <p>Outcome – Report and Minute contained Immediate Recommendations made by the Social Work Committee (if not already operative) to improve allocation of cases in social work; establish a multi-agency committee to support complex cases and to provide advice on treatment and management; improve peer support in complex cases; improve supervision and support up to Director level; seek the views of children; improvement the arrangements and requirements for medical examinations; improve the private fostering arrangements and approval; develop a confidential register for vulnerable families and a system to collate multi-agency information – to be established by Social Work.</p> <p>Also, a recommendation to ask the Secretary of State to amend Section 6 of The Children's Act 1958 – Permission to act as a private foster carer to be the responsibility of the Children's Panel.</p>
h)	If so, what were the recommendations and were they implemented?	<p>Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Inquiry Report contained Findings and Conclusions but no Recommendations</p> <p>Special Meeting of Social Work Committee 20 February 1975:</p>

		<p>Outcome – Report / Minute contained Immediate Recommendations made by the Social Work Committee (if not already operative) to improve allocation of cases in social work; establish a multi-agency committee to support complex cases and to provide advice on treatment and management; improve peer support in complex cases; improve supervision and support up to Director level; seek the views of children; improvement the arrangements and requirements for medical examinations; improve the private fostering arrangements and approval; develop a confidential register for vulnerable families and a system to collate multi-agency information – to be established by Social Work.</p> <p>Also, a recommendation to ask the Secretary of State to amend Section 6 of The Children’s Act 1958 – Permission to act as a private foster carer to be the responsibility of the Children’s Panel.</p> <p>There is very strong evidence that the findings and conclusions were taken very seriously, and steps taken to improve local practice around the key issues. This work was taken forward by the then Director of Social Work, J D Burrows. Evidence of specific recommendations to improve social work practice locally.</p>
i)	If recommendations were not implemented, why not?	<p>Inquiry Report 1975 (Richard Clark born ██████ 1970) Not Applicable – The Findings and Conclusions were supported by local Recommendations.</p>
5.6 Response to External Inspections/Investigations		
a)	What was the local authority’s procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse of children in foster care?	<p>In terms of the Inquiry Report 1975 (Richard Clark born ██████ 1970) In 1975 Perth Town Council, in the case of Richard Clark evidence found that the National Inquiry Report was picked up quickly, presented to the Social Work Committee and to Full Council, with very clear Recommendations. Without doubt taken very seriously and generated a significant level of internal activity. Perth Town Council expressed <i>“a deep sense of regret”</i>.</p> <p>More generally, from organisational knowledge, the local authority’s procedure / process for dealing with such external inspections and / or investigations relating to abuse, and/or alleged abuse of children in foster care would be to refer such reports to key local Committees with supplementary reports and recommendations.</p> <p>These would be supported by Action / Improvement Plans with Designated Leads and all improvement work progressed and reported upon. This continues to be the position today.</p>
b)		

	<p>What was the local authority's procedure/process for responding to the outcomes of such external inspections and/or investigations?</p>	<p>In terms of the Inquiry Report 1975 (Richard Clark born ██████1970) In this particular case, presentation of the Full Inquiry Report and Committee Reports to Perth Town Council and the Social Work Committee with clear recommendations for local improvement.</p> <p>More generally, from organisational knowledge, the local authority's procedure / process for dealing with such external inspections and / or investigations relating to abuse, and / or alleged abuse of children in foster care would be to refer such reports to key local Committees with supplementary reports and recommendations.</p> <p>These would be supported by Action / Improvement Plans with Designated Leads and all improvement work progressed and reported upon. This continues to be the position today</p>
<p>c)</p>	<p>What was the local authority's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?</p>	<p>In terms of the Inquiry Report 1975 (Richard Clark born ██████1970) In this particular case, presentation of the Full Inquiry Report and Committee Reports to Perth Town Council and the Social Work Committee with clear recommendations for local improvement.</p> <p>More generally, from organisational knowledge, the local authority's procedure / process for dealing with such external inspections and / or investigations relating to abuse, and/or alleged abuse of children in foster care would be to refer such reports to key local Committees with supplementary reports and recommendations.</p> <p>These would be supported by Action / Improvement Plans with Designated Leads and all improvement work progressed and reported upon. This continues to be the position today.</p>
<p>5.7 Impact</p>		
<p>a)</p>	<p>What is known about the impact of abuse on those children in foster care who were abused, or alleged to have been abused?</p>	<p>In terms of the Inquiry Report 1975 (Richard Clark born ██████1970) Subject Child had been admitted to Dundee Royal Infirmary on 02/05/1974 – Massive Cerebral Haemorrhage from which he would not recover. Described as being in a “vegetable” state. Life expectancy considerably reduced. Eventually Subject Child was transferred to Strathmartine Hospital for long term care on 19 February 1975. Significant impact on quality of life and life expectancy.</p> <p>From our search of past Foster Care Records (Children's Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014), we found evidence of 42 individual children / young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014. This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in</p>

		<p>foster care and for the 2671 children's records screened this represents 1:64 children reported or were reported to have experienced some form of abuse.</p> <p>In addition, 1 child in a Foster Care placement made a complaint against a Foster Carer's Adopted Son and another Child in that Foster Care placement and that complaint has been included in this response (see Part D Individual Profiles of Alleged Abuse No 31).</p> <p>These complaints of alleged abuse were made either whilst in the Foster Care placement, or in some instances, retrospectively once the Foster Care placement had ended.</p> <p>An analysis of these 44 identified instances confirms that in many of these instances, there was clearly an impact on the child's physical and emotional needs proportionate to the nature of the allegations made. The majority of the children were emotionally upset and there was evidence of trauma. Throughout the subsequent investigation stages, additional help and support was provided to these children, primarily by Social Work Services.</p> <p>We acknowledge that for these individual children, being in Foster Care did not provide the loving and nurturing experience that they should have expected.</p> <p>Whilst some placements were terminated abruptly many others continued ongoing or increased support and supervision of the Foster Carers implemented.</p>
b)	Where does the local authority's knowledge/assessment of that impact come from?	From the Inquiry Report 1975 (Richard Clark born ██████1970) and from our analysis of the 44 instances 44 complaints and / or allegations of abuse against 28 individual Foster Carers.
c)	What is known about the impact of abuse on the families of those children in foster care who were abused, or alleged to have been abused?	<p>From the Inquiry Report 1975 (Richard Clark born ██████1970) the impact of the abuse on the family was clearly significant upon the family.</p> <p>An analysis of these 44 identified instances confirms that in many of the instances there was an emotional impact on the families of those children in foster care who were abused or alleged to have been abused.</p>

		In a number of instances, a family member reported the abuse; a number were also interviewed as part of the subsequent investigations. There is also at least one example where the parent removed the child from the Foster Care placement. In most instances, they were provided with additional help and support by Social Work Services.
d)	Where does the local authority's knowledge/assessment of that impact come from?	From the Inquiry Report 1975 (Richard Clark born ██████ 1970) and from our analysis of the 44 complaints of alleged abuse against 28 individual Foster Carers.
5.8 Known Abusers and Alleged Abusers		
a)	Does the local authority know of specific abusers, or alleged abusers, of children in foster care?	Yes As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice
b)	If so, what are the names of the abusers, and/or alleged abusers?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
c)	For each of these persons, please provide as much as possible of the following information:	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.

<ul style="list-style-type: none"> the period (dates) during which they are known or alleged to have abused children in foster care 	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
<ul style="list-style-type: none"> if they were foster carers, or if not, their relationship with the foster carers or what other role they had during the period of abuse and/or alleged abuse 	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
<ul style="list-style-type: none"> the knowledge sought or received about them by the local authority at the point of approval/registration of foster carers and thereafter 	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
<ul style="list-style-type: none"> any information (including regarding abuse or alleged abuse) sought by, or provided to, third parties or future employers at any point after the allegation of abuse was made 	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice</p>
<ul style="list-style-type: none"> any information (including regarding abuse or alleged abuse) sought by, or provided to, third parties or future employers at any 	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim.</p>

	point after the allegation of abuse was made	Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
d)	Were known abusers, or alleged abusers, of children permitted to continue as foster carers?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
e)	If so, why was this considered to be appropriate?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abusers (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
f)	If so, what process of monitoring/supervision followed?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
5.9 Specific Complaints		
a)	How many specific complaints of abuse of children in foster care have been made to the local authority?	From our search of past Foster Care Records (Children's Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014), we found evidence of 42 individual children / young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014. This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in foster care and for the 2671 children's records screened this represents 1:64 children reported or were reported to have experienced some form of abuse. In addition, 1 child in a Foster Care placement made a complaint against a Foster Carer's adopted son and against another child in that Foster Care placement. That complaint has been included in this response (see Part D Individual Profiles of Alleged Abuse No 31).

		<p>These complaints of alleged abuse were made either whilst in the Foster Care placement, or in some instances, retrospectively after the Foster Care placement had ended.</p> <p>Our assessment is based on our examination of past Foster Care Records (Children’s Electronic Case Files and Foster Carer Electronic Records), within the scope of the Inquiry, specifically:</p> <ul style="list-style-type: none"> • 2,671 individual Children in Foster Care Electronic Case Files 1930 – 17 December 2014 • 916 individual Foster Carer Electronic Records from 1981 – 17 December 2014 <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
For each specific complaint, please answer the following:		
b)	Who made the complaint?	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
c)	When was the complaint made?	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
d)	Against whom was the complaint made?	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p>

		Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
e)	What was the nature of the complaint?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
f)	When/over what period was the abuse alleged to have taken place?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
g)	What was the local authority's process and approach in dealing with the complaint?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
h)	What was the local authority's process and approach for investigating the complaint?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
i)	What was the outcome of the complaint following that investigation?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.

		Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
j)	Did the local authority provide a specific response to the complaint?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
k)	If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
l)	If there was no response, why not?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
m)	Was the information/content of the complaint passed to police?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
n)	If not, why not?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.

5.10 Civil Actions	
a)	<p>How many civil actions have been brought against local authority relating to abuse, or alleged abuse, of children in foster care?</p>
	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970)</p> <p>Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs [REDACTED] and Mr [REDACTED]). Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
For each such civil action, please answer the following:	
b)	<p>Who brought the action?</p>
	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970)</p> <p>Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs [REDACTED] and Mr [REDACTED]). Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
c)	<p>When was the action brought?</p>
	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970)</p> <p>Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs [REDACTED] and Mr [REDACTED]). Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p>

		Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
d)	Against whom was the action brought?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs [REDACTED] and Mr [REDACTED]). Against Perth Town Council. Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
e)	What was the nature of the abuse, or alleged abuse, to which the action related?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Effectively whilst the Subject Child was in a foster placement: Subject Child had been admitted to Dundee Royal Infirmary on 02/05/1974 – Massive Cerebral Haemorrhage from which he would not recover. Described as being in a “vegetable” state. Life expectancy considerably reduced. Eventually Subject Child was transferred to Strathmartine Hospital for long term care on 19 February 1975.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
f)	What were the names of the persons said to have, or alleged to have, committed abuse?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) Case of Richard Clark Inquiry Report – Against ^{ECY-ECZ} [REDACTED]</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p>

		Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
g)	When/over what period was the abuse said, or alleged, to have taken place?	<p>From the Inquiry Report 1975 (Richard Clark born ██████1970) Case of Richard Clark Inquiry Report – Between February and May 1974</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
h)	How did the action progress?	<p>From the Inquiry Report 1975 (Richard Clark born ██████1970) Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs ██████ and Mr ██████). Against Perth Town Council. Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
i)	What was the outcome?	<p>From the Inquiry Report 1975 (Richard Clark born ██████1970) the outcome is not recorded / unknown.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
j)	Was the action settled on a conditional basis of confidentiality?	From the Inquiry Report 1975 (Richard Clark born ██████1970) the outcome is not recorded / unknown.

		<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
k)	Who was/were the local authority's legal representative(s) in relation to the civil action?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970) the outcome is not recorded / unknown.</p> <p>Mr D J D MacFadyen, Advocate, Faculty of Advocates, appears to have represented Perth Town Council during the Inquiry Stage</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
l)	Did the local authority carry insurance for meeting civil claims at the time the action was live?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970)</p> <p>Yes - Case of Richard Clark Inquiry Report – Public Liability Claim dated 25 February 1975, via Messrs Sneddon, Campbell and Munro on behalf of Richard Clark, parents (Mrs [REDACTED] and Mr [REDACTED]). Against Perth Town Council. Sent to Perth Town Council Insurers - Sun Alliance and London Insurance.</p> <p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
m)	How/where can copies of the court papers relating to the civil action be made available to the Inquiry?	<p>From the Inquiry Report 1975 (Richard Clark born [REDACTED] 1970), potentially from the previously mentioned Solicitors and Insurance Company</p>

		<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
5.11	Criminal Injuries Compensation Awards	
a)	Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for in foster care?	<p>Yes – From our search of past Foster Care Records (Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014), we found evidence of 42 individual children / young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014. This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in foster care and for the 2671 children’s records screened this represents 1:64 children reported or were reported to have experienced some form of abuse. Only 1 criminal injuries compensation award has been awarded in respect of abuse, or alleged abuse, of children cared for in foster care.</p>
b)	If so, please provide details if known.	<p>From our search of past Foster Care Records (Children’s Electronic Case Files and Foster Carer Electronic Records in the period 1981-2014), we found evidence of 42 individual children / young people making 44 separate complaints against 28 individual Foster Carers between 1980 and 2014. This would indicate that the scale and extent of reported abuse of children in foster care, whilst in the care of Perth and Kinross Council and its predecessor bodies was less than 0.02% of the total number of children in foster care and for the 2671 children’s records screened this represents 1:64 children reported or were reported to have experienced some form of abuse.</p> <p>Only 1 criminal injuries compensation award has been awarded in respect of abuse, or alleged abuse, of children cared for in foster care. In this one instance (see Part D Individual Profiles of Alleged Abuse No 10) the Child was the victim of Sexual Abuse – Contravention of Section 5 of The Sexual Offences (Scotland) Act 1976. The alleged abuser was a male Foster Carer. He was charged and reported by the Police to the Procurator Fiscal. He pled Guilty and was given a Two Years Custodial Sentence.</p> <p>The child was supported to make an application for Criminal Injuries Compensation, circa 1994. She was supported by Jamieson and McKay Solicitors and was awarded £4,000.00 which was held in trust on her behalf until she was 18 years of age.</p>
5.12	Police	
a)		

	How many complaints of abuse of children in foster care have been made to the police?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
b)	Who was the alleged abuser or abuser?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
c)	Did the police conduct an investigation in relation to the complaint?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
d)	If so, who conducted the investigation and when?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
e)	What was the outcome of the police investigation?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
f)		

	What was the organisation/establishment's response?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice
5.13	Crown	
a)	To what extent has the Crown raised proceedings in respect of allegations of abuse of children in foster care?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
In relation to each time the Crown has raised proceedings, please answer the following questions:		
b)	What is the name of the person(s) against whom the proceedings were raised?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
c)	What was the nature of the charges?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.
d)	What was the outcome of the proceedings, including disposal/sentence if there was a conviction?	As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim. Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.

e)	What was the local authority's response to the proceedings and outcome?	<p>As required by this Section 21 Notice, we have provided Part D Individual Profiles of the alleged abuse for the 44 identified instances. Each profile describes the circumstances, process, findings and any known outcomes of these investigations and identifies both the alleged abuser (s) and the alleged victim.</p> <p>Each profile also provides the answers to Questions 5.8 to 5.10 and 5.12 to 5.13 of this Notice.</p>
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