

Our Ref: SB/CB
Contact: Sandra Black
Telephone: [REDACTED]
E-mail: [REDACTED]
Date: 16 March 2020



Rt Hon. Lady Smith
Chair
Scottish Child Abuse Inquiry
PO Box 24085
Edinburgh
EH7 9EA

By email to: [REDACTED]

Dear Lady Smith,

**SECTION 21 NOTICE RE: FOSTER CARE CASE STUDY
CLAIM IN TERMS OF SECTION 21(4) OF THE INQUIRIES ACT 2005**

I refer to the above notice dated 27 August 2019 and your letter of 3 January 2020 which indicated your agreement to varying the submission date to 16 March 2020.

I attach as an appendix to this letter the completed report on behalf of Renfrewshire Council.

In the first instance if the Inquiry has any questions in relation to the submission that the officer best placed to answer is John Trainer, Head of Child Care and Criminal Justice. Mr. Trainer can be contacted on [REDACTED] or by email at [REDACTED]

Yours sincerely

[REDACTED]

Sandra Black
Chief Executive

Encs:

Chief Executive: Sandra Black
Renfrewshire House, Cotton Street, Paisley, PA1 1WB
www.renfrewshire.gov.uk



Renfrewshire Council response to the Scottish Child Abuse Inquiry, section 21 notice, foster care study

Part A – Background

1. Characteristics

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.

Renfrewshire Council was established under the Local Government etc (Scotland) Act 1994. The council operated as a shadow authority from April 1995 and as a statutory body from April 1996.

In relation to social work functions, Renfrewshire Council's direct predecessor was Strathclyde Regional Council, which operated between 1975 and 1996, in terms of the Local Government (Scotland) Act 1973.

From 1930 to 1975, social work (or the equivalent) was the responsibility of the county of Renfrew and burgh of Paisley, in terms of the Local Government (Scotland) Act 1929. Of the area covered by the county of Renfrew, only the burghs of Johnstone and Renfrew and 2nd, 3rd and 4th districts are direct predecessors of the current Renfrewshire Council, the remaining burghs and districts now forming part of East Renfrewshire and Inverclyde Councils.

All subsequent references to “local authority” mean the local authority and its statutory predecessors.

All references to “foster care” include boarding out with private families.

- b) When and how did the local authority become involved in the provision of foster care for children in Scotland?

Renfrewshire Council became involved in the provision of foster care from the point it became operational in 1996. Strathclyde Regional Council became involved in the provision of foster care in 1974. These two local authorities used foster care in the pursuit of statutory function and duties in respect of children. The statutory functions and duties were transferred from the predecessor local authorities.

From 1930 the county of Renfrew and burgh of Paisley used foster carers, in pursuit of statutory functions and duties transferred to them from their predecessor(s), in respect of caring for children

- c) How has the involvement of the local authority in the provision of foster care changed/developed over time?

The local authority has continued to use foster care to fulfil statutory duties towards children. Further detail in relation to the development of policy etc. is contained below.

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?

From 1995 foster care provided by Renfrewshire Council was funded by the authority via the Social Work Department and latterly the Children's Services budgets.

It is known that foster care during the period Strathclyde Regional Council was responsible for the provision of foster care that the funding was provided via the Social Work Department Budget.

It is believed that statutory predecessors of Strathclyde Regional Council would similarly have funded their foster care services from their budget.

- b) To what extent, if any, did the local authority provide funding to other organisations for the purposes of provision of foster care?

See answer to c), below.

- c) 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?

It is possible that Strathclyde Regional Council purchased foster placements from some charitable organisations such as Barnardo's. There is no knowledge of the earlier local authorities making use of foster care from other organisations.

From 2001 Renfrewshire Council, purchased foster placements for a number of children from Renfrewshire, from the following independent fostering agencies:

Independent Fostering Agencies
Barnardo's
Core Assets (formerly Foster Care Associates)
Action for Children
Care Visions
National Fostering Agency
Tact
Swiis Foster Care
Carolina Housing trust
Fosterplus Ltd
Quarriers
Kibble Intensive Fostering Service
Jane Moore
Sycamore School
Foster Care Scotland Ltd

Renfrewshire Council has not provided direct funding to any independent agency.

- d) 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)?

Foster carers were approved to act as such for the local authority to which they provided a service, and this status had a particular effect on means-tested benefits. In the main, fostering allowances, when a child was placed with a foster carer, were disregarded when calculating welfare benefits.

Foster carers may have been able to claim working tax credit because fostering was regarded as 'work' by HMRC when they had a child in placement.

Where the child met the necessary criteria, application could be made for:

- Disability living allowance;
- Exemption from road tax;
- Blue badge for parking
- Disabled person's rail card
- Invalid care allowance

Information on entitlement was provided to carers in the Foster Carers' Handbook and in the Partnership Agreement which they sign at approval stage (this is the contract between Renfrewshire Council and the foster carers).

Foster carers were expected to apply for any benefit to which they were entitled directly.

- e) To what extent was financial support from the local authority available to foster carers?

As far as Renfrewshire Council is aware, a maintenance allowance to cover the cost of the child's upkeep has always been paid to foster carers.

As well as providing allowances, Renfrewshire Council began paying fees to foster carers to reimburse carers for their time and/or skill from financial year 2014/15.

Material support in the form of adaptations to homes, purchase of suitable vehicles and other requirements has also been provided by local authorities for as long as this Council is aware, on the basis that these are required for the care of fostered children.

- f) 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?

The amount of money paid as an allowance by Renfrewshire Council to a carer has always depended on the child's age and needs.

Since their introduction in 2014/15, fees to carers have been paid at a single rate. The maintenance allowance for all children in foster care is paid at the same rate irrespective of the age of the child.

- g) How were foster carers made aware of any financial support available from the local authority? How was that financial support accessed by foster carers?

Towards the end of the period referred to as 'the past', information on financial arrangements became available on the Council's website. Previously it was provided in the Foster Carers' Handbook given to all carers.

Fostering allowances and fees were detailed in the Partnership Agreement between Renfrewshire Council and carers.

Relevant fees and allowances were paid directly to carers.

- h) What other sources of funding were available to foster carers in relation to the provision of care for children?

The Council is not aware of any other sources of funding.

- i) Was the funding adequate to properly care for the children?

Fostering maintenance allowance was specifically designed to cover the cost of caring for a fostered child. The maintenance allowance was provided to cover food, clothes, toiletries and all other expenses incurred in looking after a fostered child.

While the Council cannot comment on the adequacy of payments made by predecessors, payments made to foster carers by Renfrewshire Council were sufficient to properly and adequately care for the children in placement.

j) If not, why not?

N/A.

Present

k) With reference to the present position, are the answers to any of the above questions different?

No.

l) If so, please give details.

N/A.

1.3 Legal Status

(i) Local authority

Past

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?

Social Work (Scotland) Act 1968.

Children (Scotland) Act 1995.

Adoption and Children (Scotland) Act 2007.

Children's Hearings (Scotland) Act 2011.

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.

In addition to the requirements of the legislation identified at (i)a) above, Renfrewshire Council was required to meet the requirements of (dates where provisions were in force in brackets):

Access (Notice of Termination and of Refusal) (Forms) (Scotland) Order 1983, (30 January 1984 to 31 March 1997)

Boarding-out and Fostering of Children (Scotland) Regulations 1985 (1 April 1986 to 31 March 1997),

Social Work (Representations Procedure) (Scotland) Order 1990 (1 April 1991 to present),

Arrangements to Look After Children (Scotland) Regulations 1996 (1 April 1997 to 27 September 2009),

Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland)) (Scotland) Regulations 1996 (1 April 1997 to present)

Emergency Child Protection Measures (Scotland) Regulations 1996 (1 April 1997 to 23 June 2013),

Fostering of Children (Scotland) Regulations 1996 (1 April 1997 to 27 September 2009),

Refuges for Children (Scotland) Regulations 1996 (1 April 1997 to present),

Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003 (1 April 2004 to present).

Adoption Agencies (Scotland) Regulations 2009 (28 September 2009 to present),

Looked After Children (Scotland) Regulations 2009 (28 September 2008 to present),

Children's Hearings (Scotland) Act 2011 (Child Protection Emergency Measures) Regulations 2012 (24 June 2013 to present),

Children's Hearings (Scotland) Act 2011 (Compulsory Supervision Orders etc.: Further Provision) Regulations 2013 (24 June 2013 to present),

Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013 (24 June 2013 to present),

Children's Hearings (Scotland) Act 2011 (Transfer of Children to Scotland - Effect of Orders made in England and Wales or Northern Ireland) Regulations 2013 (24 June 2013 to present).

c) Did the local authority have a legal duty of care to each child in its care?

Yes.

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.

N/A.

(ii) Foster carers

Past

a) Did foster carers have a special legal, statutory or other status?

In a local authority context, since 28 September 2008, a 'foster carer' has been a person approved as a foster carer in accordance with a decision made under regulation 22(3), 23 or 26(8) of the Looked After Children (Scotland) Regulations 2009. The Regulations in place prior to that date contained a similar provision.

b) If not, how did the local authority classify a foster carer?

N/A.

c) What was the legal basis which authorised, or enabled, a foster carer to become responsible for caring for children?

Authorisation to care for children is intrinsic to the status of foster carer: see above at a).

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.

The 2009 Regulations referred to above have required foster carers to enter into 'foster placement agreements' which must contain certain obligations specified in the Regulations and which may contain such other obligations as are deemed appropriate by the local authority.

e) Did the foster carer have a legal duty of care to each child in his or her care?

Yes.

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.

N/A.

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?

Local authorities have been required to comply with the provisions listed at 1.3(i)a) and b) at the times noted.

- c) Did any other person or organisation have any legal responsibility for the children while they were in the local authority's care?

In a small number of situations, the local authority had full parental rights and responsibilities for a child. In all other circumstances the parent(s) retained parental rights thus continuing to have legal responsibilities for their child.

- d) If so, what was the nature and extent of that responsibility?

If a child was being accommodated by the local authority under voluntary measures, parents retained full parental responsibilities and rights.

If a child was accommodated subject to a supervision order or a child protection order in terms of the Children (Scotland) Act 1995, parents retained their responsibilities and rights, but could not exercise their rights, except within the terms of the relevant order. Supervision orders were replaced by compulsory supervision orders in terms of the Children's Hearings (Scotland) Act 2011 on 24 June 2013, but have a similar effect. (Child protection orders have been governed by the 2011 Act from the same date.)

Where a child was accommodated in terms of a parental rights resolution (in terms of the Social Work (Scotland) Act 1968) or parental rights order (which replaced resolutions in terms of the Children (Scotland) Act 1995), all parental responsibilities and rights would be removed from the parents and transferred to the local authority. Parental rights orders were replaced by permanence orders from 24

June 2013. These transfer the responsibility and right of the parent to have the child living with them to the local authority. The remaining parental responsibilities and rights may be removed from the parents and given to the local authority and/or another individual (often a foster carer), or remain with some or all of the parents, in accordance with the decision of the Court.

- e) If the local authority had no legal responsibility for children in its care, where or with whom did legal responsibility lie?

N/A.

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.

N/A.

(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?

Yes.

- b) If so, what was the nature of that responsibility?

See answer to 1.3(ii)d).

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.

N/A.

1.5 Ethos

Past

- a) What did the local authority see as its function, ethos and/or objective in terms of the foster care service it provided for children?

The function of foster care has always been to provide care for children that is as close as possible to that provided in a healthy family environment.

The ethos of the local authority has been to seek to use foster care in accordance with the prevailing law and good practice as understood at the time, and to learn from the local and national context how best to care for children.

The ethos of foster care included working with other adults in the child's life to improve outcomes for the child in their care and to meet their emotional and care needs.

- b) 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?

Renfrewshire Council foster carers looked after many children and young people who had complex needs. The aim was to provide the highest standard of care to children. In addition, the foster carer worked with other adults in the child's life to improve outcomes for the child in their care and to meet their emotional and care needs.

- c) 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?

Yes.

- d) If so, what were the changes and when and why did they come into effect?

From at least the coming into force of the Children Act 1948, the preference in placing children was to opt for foster care, where possible (this was made a statutory requirement by the 1948 Act).

From the 1960s until the early 2000s, that preference gave way to a more age specific approach. Children under 5 years were to be placed with foster carers, except where not possible due to being part of a family group. Children under 8 years were to be placed with foster carers where possible. Children above that age were to be placed in residential care.

From that time to date, the approach has moved back to seeing foster care as the first option for all children.

- e) Were there changes over time in terms of what the local authority saw 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?

No, the functions of the foster carers remained the case i.e. to provide the highest quality care and support for children.

- f) If so, what were the changes and when and why did they come into effect?

N/A.

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.

N/A.

1.6 Numbers

- (i) Local authority

Past

- a) How many children did the local authority accommodate at a time in foster care and in how many placements?

The table below outlines the number of children in boarded out arrangements as noted in Renfrew County Council Children Committee minutes 1952-1963.

We have not been able to source equivalent figures for Paisley Burgh.

September 1952	108
January 1953	121
January 1954	133
January 1955	131
January 1956	157
January 1957	172
January 1958	164
January 1959	168
January 1960	161
January 1961	183
January 1962	180

January 1963	183
--------------	-----

Information from Strathclyde Regional Council (1975-1996) was not available.

The table below shows the number of children placed in foster care by Renfrewshire Council from 1996 to 2019 (as at 1st April):

Year as at 1st April	Local Authority foster carers	Independent foster carers	Total
1996	4	0	4
1997	10	0	10
1998	20	0	20
1999	27	1	28
2000	35	1	36
2001	32	2	34
2002	42	2	44
2003	55	20	75
2004	61	47	108
2005	49	70	119
2006	58	77	135
2007	65	101	166
2008	81	105	186
2009	103	116	219
2010	110	105	215
2011	122	106	228
2012	137	114	251
2013	149	106	255
2014	132	105	237
2015	129	91	220
2016	142	86	228
2017	130	85	215
2018	129	68	197
2019	126	63	189

The data held for the period 1996 to 2002 is contained in individual files of children. It wasn't possible to review all previous social work files for that period to identify if a child was in foster care. A full review of foster carer records was undertaken to identify children in placement. This information was used with other sources to generate the information in the table above. The current information system (Swift) recorded data from 2002/2003. Some data from the previous paper-based system were not migrated onto electronic systems retrospectively and therefore earlier figures may not be accurate.

- b) 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?

The table below outlines the total number of foster carers registered by Renfrewshire Council and the number of independent carers who have provided care to children and the number of placements of children from 1996 to 2019.

From 1996 - 2019	No. of Foster carers	No. of placements
Local Authority Foster carers	202	1507
Independent Foster carers	351	592
Totals	553	2099

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

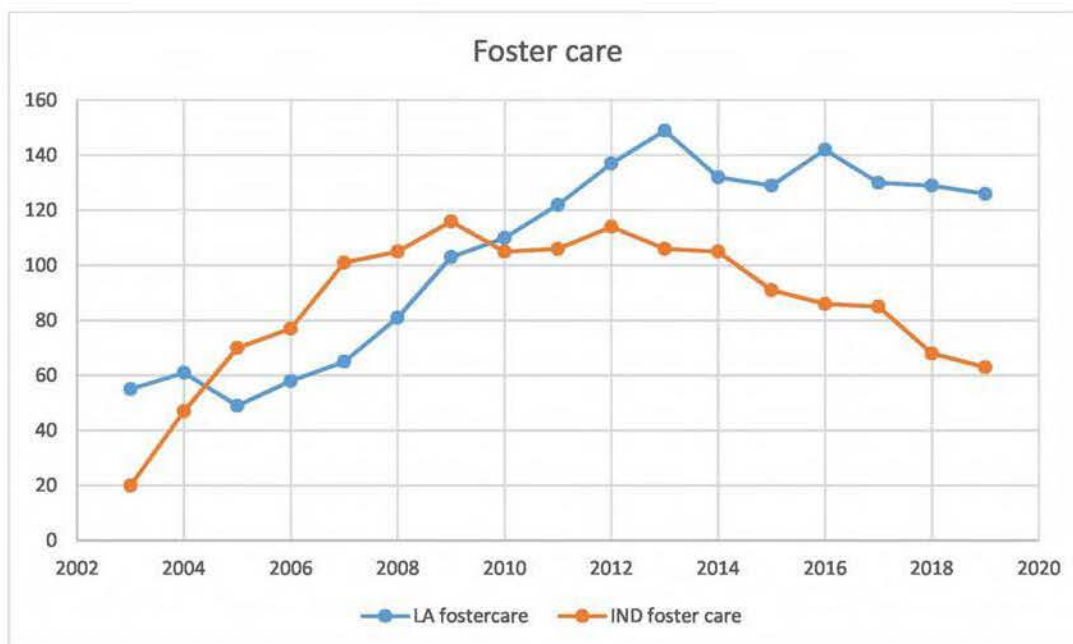
Foster carers were approved/ registered for specific types of care, for example short term, long term, age ranges, specific children.

The information below is provided for current registered carers. It is not possible to provide this detail retrospectively over time.

As at 14th October 2019	No.
Number of current Local Authority registered foster carers	81
Approved for long term placements	26
Approved for respite placements	11
Approved for pre adoptive placements	2
Approved for short term placement	73

- d) Please provide details of any material changes in numbers of children, placements or foster carers, and the reasons for those changes?

The graph below outlines the numbers of Renfrewshire and independent carers from 2002.



From the early 2000's Renfrewshire Council ensured that, where children were accommodated, they were able to have a family experience rather than be placed in residential care, where this was possible. This led to policy and practice developments which increased the use of fostering services.

In 2005 the Renfrewshire Council Foster Care Best Value Review commissioned a consultation from an independent organisation, the British Association of Adoption and Fostering (BAAF).

The outcome of the review was a focus on the recruitment and retention of foster carers and to further 'professionalise' the service with carers taking up the role as a profession. Financial reward and support were strengthened for Renfrewshire carers.

In 2005 the demand for foster carers exceeded the Council's available resources. Renfrewshire Council worked closely with independent fostering providers to source placements which were in the children's best interests. The review noted that the difficulties Renfrewshire faced with recruiting sufficient carers was shared by other councils.

At this time there was increased recognition of the harm caused to children living in substance misusing households following the publication of Scottish Government reports (Hidden Harm, Scottish Executive Response to the report on the Inquiry by the Advisory Council on the Misuse of Drugs, Scottish Executive, 2004; Hidden Harm, 2003, Getting Our Priorities Right: Good Practice Guidance for Working with Children and Families Affected by Substance Misuse, Scottish Executive, 2003). Following this in 2006 local protocols were

implemented which supported increased identification of children who were at risk of harm.

In 2009 the Renfrewshire Foster Care Best Value report stated there was an increase in the number of children being accommodated across Scotland and in Renfrewshire this increase was higher than the national average. The demand for children to be accommodated in Renfrewshire was linked to the higher rates of social deprivation and the relatively high rates of substance abuse and domestic violence. The report stated that there was an increased number of children accommodated who had complex needs arising from significant emotional and behavioural issues.

From 2010, Renfrewshire Council strengthened its foster carer recruitment activity in order to meet the growing demand for foster placements. Recruitment campaigns along with enhanced foster carer support services led to a significant increase in local placements and enabled the gradual reduction in the use of independent providers.

- e) How many children in total were accommodated by the local authority (whether in foster care or otherwise)?

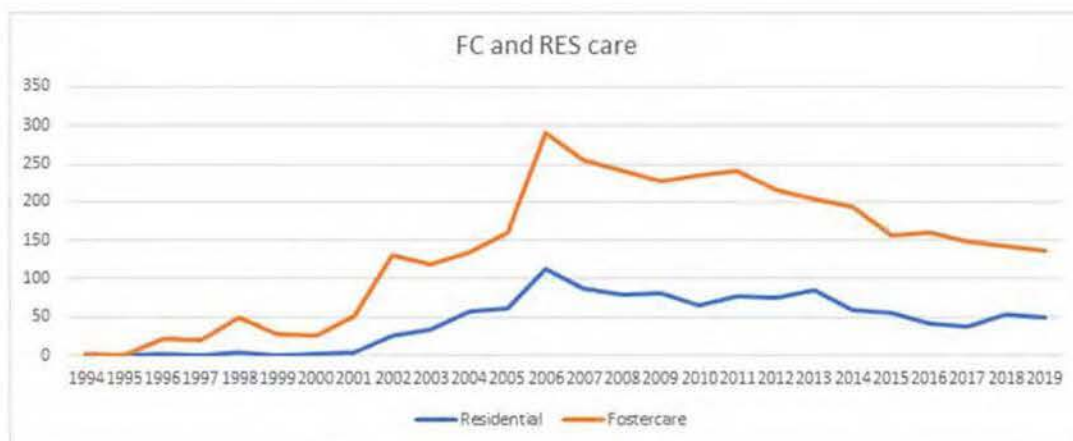
Total number of children accommodated by Renfrewshire Council from 1995 to October 2019.	1386
--	-------------

(This does not include children looked after at home or placed with friends or relatives or kinship care.)

- 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?

The main service provided by Renfrewshire Council was foster care.

The table below outlines the number of children in foster care (Independent and Renfrewshire Council carers) and the number of children accommodated in residential care (1994-2019).



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.

N/A.

1.7 Children's Background/Experience

Past

- a) Did the children placed in foster care generally have a shared background and/or shared experiences?

Most children accommodated in foster care would have experienced severe neglect, abuse or trauma, or were at significant risk of exposure to these issues. Some would have learning difficulties or social, emotional or behavioural difficulties.

Children were accommodated for their care and protection.

- b) Were children admitted into the care of the local authority, or were they admitted into the care of particular foster carers?

Children were admitted to the care of the local authority. The local authority placed children with particular foster carers.

- c) Who placed children with the local authority?

Children were looked after and accommodated with the local authority via different legal routes (as outlined in previous sections).

For example, some children would have been accommodated by agreement with parents or following a decision at a children's hearing.

In rare cases, children were accommodated without previous social work involvement, as a result of a disposal of the children's hearing where the child had become known to services through offending behaviour.

- d) 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?

Most children have been accommodated by Renfrewshire Council on a voluntary basis (s25 Children (Scotland) Act 1995) at the first point of admission into the care of the local authority.

- 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?

This varied depending on the individual assessment of the needs of and risks to the child. Some children could be in the care of the local authority for a few weeks or months while others may have been cared for on a permanent basis if the Council was granted parental rights and responsibilities in respect of the child to safeguard their future.

Generally, this would have been determined within the child's care plan.

- g) 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?

A decision about whether to place a child in foster care depended on the legal status for admitting that child into the care of the local authority.

Generally, a decision would be made as to the suitability of a placement type based on a social work assessment of the child's circumstances and needs.

Where a children's hearing made a decision to admit children into the care of the local authority, they may grant a condition order to determine a placement.

- h) If the decision was made by the local authority, what criteria were applied?

This was based on the assessment of the needs and risks to the child including their age, stage of development and individual and family circumstances.

- i) Were children moved between different foster care placements?

Yes.

- j) If so, in what circumstances?

There could be a number of reasons that could result in a move to a different placement. These would be specific to the circumstances of individual children and carers.

Alternative placements could have been sought where a placement was breaking down. This could occur for a number of reasons such as a change of circumstances for the carers or issues impacting on relationships within a family.

In some cases children who were accommodated on an emergency basis may have moved to a longer term placement once the child's needs and future plan were assessed.

- k) Generally did children typically stay in one, or more than one, foster care placement?

While every effort was made for children to remain in one placement this was not always possible. Some children could stay in more than one placement.

The aim would have been to minimise changes of placement as far as possible.

- l) 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) in foster care and/or (b) in that particular placement?

From 1996 children's continued residence was reviewed initially after 3 months of placement and thereafter every 6 months via the Looked

After Child (LAC) Review process and at least annually at a Children's Hearing, if relevant.

m) When children left foster care, what was the process for discharge?

Decisions for a child to leave would have been made at the LAC review or a Children's Hearing if the young person was subject to an order. These decisions were generally made as part of a planned process for children and based on the assessment of the child's needs.

n) What support was offered to children when they left foster care?

Young people would have access to support from the through care and supported accommodation team after they left care. This was in line with the relevant statutory duties pertaining at the time.

Children could also return home to the care of their parent(s) and continue to receive support from the social work department on a voluntary or statutory basis (e.g. order of the Children's Hearing).

The child's care plan would have determined the support offered to individual children and families.

o) What information was sought by the local authority about what children leaving foster care planned to go on to do?

Children's plans for leaving care would have been discussed at their LAC review meetings and relevant supports offered (for example for employment and accommodation). All young people reaching their 18th birthday would have a pathways plan and a throughcare worker allocated at this stage of their plan. This was in line with the relevant statutory duties pertaining at the time

p) Was such information retained and updated?

Children's records including plans and review meeting minutes were retained in files in line with statutory requirements.

q) What was provided in terms of after-care for children/young people once they left foster care?

See answer to n) above.

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.

Continuing Care, as established in Part 11 of the Children and Young People (Scotland) Act 2014, provides a legal basis for eligible young people ceasing to be looked after to remain in the same accommodation and receive the same assistance from the local authority as they did immediately prior to ceasing to be looked after, up to the age of 21. Renfrewshire Council complies with this requirement.

1.8 Local authority staff and foster carers

(i) Local authority

Past

a) How many people were employed by the local authority at any one time who had some responsibility for foster care services for children?

Since 1996, Renfrewshire Council has had a dedicated fostering team. Numbers of staff employed specifically for this purpose since 2011 are:

	2019/20 (At P8)	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12
Social Workers Employed within Fostering Team (Number of employees)	18	18	18	17	14	11	12	11	11
Social Workers Employed within Fostering Team (FTE)	17	17	17	16	13	10	11	10.82	10.82

In addition, senior managers have a responsibility for overseeing the fostering service.

Other social work managers chair foster care reviews meetings for all foster carers.

b) What roles and responsibilities did such staff have? Please specify in which roles staff met with children and foster carers.

Each carer had a supervising social worker appointed at the time of assessment and continuing after approval as a foster carer. Contact with the supervising social worker or an alternative worker from the

fostering team would be at least once each month while a child was placed with the foster carer.

An individual development programme would be agreed between the carer and their supervising social worker. The worker provided support for carers and follow up on any issues or concerns raised.

The social worker was responsible for ensuring all relevant background checks were undertaken and updated and that foster care review reports were written and presented at meetings, ensuring assessments were updated to reflect changes.

Each child had a named social work area team worker who ensured statutory requirements for the child's care and protection were met and whose role was to promote the child's welfare and development.

- c) In relation to each role, what experience/qualifications did such staff have?

Social Workers would have had relevant experience and qualifications, such as Diploma in Social Work, CQSW or equivalent.

- d) When were fostering panels set up? What was their purpose and remit?

The Boarding-out and Fostering of Children (Scotland) Regulations 1985 established the requirement on care authorities to have a fostering panel, whose functions were to 'consider every person referred to it by the care authority as a prospective foster parent' and to make recommendations to the care authority as to the suitability of such a person to act as a foster parent either for any child, any category of child or any particular child.

These were in force until 1st April 1997, when they were revoked and replaced by the Fostering of Children (Scotland) Regulations 1996. Any existing approval of persons as foster parents remained effective. The function of the fostering panel remained as it had been under the 1985 Regulations, that is to consider every person referred to it as a potential foster carer and to make recommendations as to the suitability of such a person to act as a foster carer either for any child, any category of child or any particular child.

The Looked After Children (Scotland) Regulations 2009 replaced the 1996 regulations and required local authorities to establish fostering panels. The functions of the fostering panel are set out in Regulation 20.

- e) How were fostering panels constituted? What skills and experience were the members required to have?

Guidance for Looked After Children (Scotland) Regulations 2009 and the Adoption and Children (Scotland) Acts 2007 Regulation 17 required each fostering panel to consist of at least six members, while Regulation 18 set the quorum for individual meetings of the panel at three.

The local authority monitored the functioning of the panels to ensure it included people with experience and a range of backgrounds to provide robust and independent scrutiny of the business presented.

The local authority considered the following in the establishment and maintenance of the fostering panels:

- professional support to the panel;
- monitoring the quality of reports and presentations to the panel;
- independence and objectivity of the panel;
- procedures underpinning the functioning of the panel, including administrative support;
- recruitment, appointment, induction and training for panel members;
- decision making processes following panel recommendations;
- dealing with complaints and appeals.

There is a duty on local authorities in regulation 17(5) to satisfy themselves about the numbers, qualifications and experience of individual panel members. This meant that the local authority ensured that panel members had an understanding of:

- the fostering task;
- the range of different experience that would provide an informed, objective and independent group and reflect the diversity of the community within which the service is delivered;
- the different consumers of the service; and
- the aims and aspirations of the fostering service.

The panel had a gender balance and individual panel members were aware of equality and diversity issues; issues of gender, ethnicity, religion, sexual orientation, family structure and disability, which are issues that may have emerged in relation to both those who wish to foster and to the children and families using the fostering service.

Panel members were drawn from staff within the social work service with relevant experience of foster care and children who be fostered, other parts of the local authority such as education and housing, existing experienced carers, adults who have experienced the care system, especially through foster care, other outside organisations relevant to the task, councillors or other community representatives, and independent individuals with relevant professional or specialist experience or knowledge.

The Renfrewshire Fostering Panel consisted of a chair, a medical adviser, legal adviser, social work adviser and an independent member.

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.

N/A.

(ii) Foster carers

Past

- a) How were foster carers identified and approved/registered?

The local authority undertook recruitment campaigns to encourage interested parties to apply. Carers could express an interest to the local authority to become foster carers. They then undertook a robust application process and assessments.

Prospective carers attended preparation courses and events and were allocated a social worker to undertake a robust assessment including background checks.

Approval for foster carers took place at a fostering panel after all relevant information was presented and discussed.

- b) What experience and/or qualifications, if any, did a foster carer require to have?

Carers were not required to have specific experience or qualifications however their motivation to foster, along with their experience and knowledge of children was assessed through the application process.

- c) What checks were carried out in relation to a prospective foster carer, including criminal record checks, references and interviews?

Checks included criminal records (Disclosure Scotland and latterly, PVG), personal and employer references, health board checks, household health and safety checks in addition to a robust assessment of the applicant's background and family circumstances.

- d) What checks were carried out in relation to other persons residing with the prospective foster carer, including criminal record checks, references and interview

Same as c) above

- e) 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?

Same as c) above

- 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?

The annual foster care review meeting required a schedule of update checks including of criminal records. The review could instruct additional checks as appropriate.

- g) 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?

The supervising social worker undertook at least monthly visits to the carers' home. There is also a requirement for two unannounced home visits each year.

- h) Was the gender of the foster carer of any relevance to approval as a foster carer or in relation to the placement of a child with a particular carer? If so, why?

Yes, all relationships within the family were relevant in the assessment and approval process. This ensured that the impact of a placement was assessed from the perspective of all family members and the child. In some circumstances gender would be relevant depending on the needs and background of the child being placed.

- i) 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?

Same as above h)

- j) Were foster carers required to provide any services for children in their care beyond accommodating them? If so, what were they?

The role and responsibilities for foster carers was outlined in the Foster Carers' Handbook and Partnership Agreement (2011; 2014; 2019).

The foster carer's role and responsibilities were to:

- Sensitively and warmly welcome the child into the home, bearing in mind the difficulties and uncertainties a child will experience in a strange new environment
- Care for the child as if he/she were a member of their own family in a safe and caring manner
- Provide the child with food, clothing and warmth, a bed and separate room (where appropriate). If it was not possible for the child to have their own room, then accommodation arrangements must reflect the child's assessed need for privacy and space
- Promote the child's welfare, in accordance with the child's plan
- Be aware of the child's emotional, social, educational, religious, cultural and physical needs. Adapt the family lifestyle where necessary to the needs of the child
- Ensure that under no circumstances physical chastisement is used against the child
- Ensure that any strategies used to deal with negative behaviour will avoid humiliation of the child
- Encourage the child's self-esteem and positive self-image and identity and encourage the child in activities and hobbies and special interests that develop their individual interests
- Encourage and promote contact between the child and his/her family, where this is in the interests of the child and is part of the child's plan
- Work with the child's family, where this is in the child's plan. The local authority expected a carer to provide transport for children going to and from nursery, school, contact with birth parent, and to other appointments and meetings
- In the case of interim foster carers, carers would help prepare the child to return to his/her parents or be placed with alternative carers, this would ensure any move of a child from the foster home, whether planned or not, was done in a supportive and sensitive manner
- Recognise, understand and encourage a child's cultural and religious heritage and behave in way which did not discriminate and work in a way that respected issues of diversity, including sexuality and lifestyle issues
- In discussion with the child's social worker, arrange for routine and emergency medical, dental and optical care to promote a healthy lifestyle

- Provide an educationally rich environment and educational support to the child
 - Attend training organised by social work to keep abreast with practice issues and new developments. A wide range of basic training was provided for all foster carers including, child protection, safer caring, first aid, life story work, managing behaviour, attachment, fire safety etc. There were opportunities to participate in other training provided by Renfrewshire Council, and by other agencies according to training and development needs. All new carers were required to attend training as agreed in their partnership agreement
 - Work in partnership with social work and any other agencies to progress the child's care plan. This included sharing information with social work. It also included attending planning and assessment meetings, looked after reviews, case conferences, children's hearings and other meetings in relation to the child, contributing verbally, and, where appropriate, in writing
 - Ensure that the information received about the child was confidential and kept safely stored
 - Update social work of any change of address, any change in the composition of the household, any other event affecting either of the carers capacity to care for any child placed. Notify the service of any criminal convictions or referrals to the children's hearing involving household members, support carers or babysitters arising between approval and subsequent reviews, the outcome of any request or application made by the carer or any other member of the household to foster or adopt children or for registration under Section 71 of the Children (Scotland) Act 1995 or any previous amendment to that Section
 - Allow Renfrewshire Council to remove the child from the home where the placement was terminated and cooperate with any other arrangements made by the council
 - Provide an annual holiday for the child in the same way as provided for their own children
 - Keep photographs and other mementoes of the child's stay in a memory box along with any records of the child's progress and achievements assisted children in achieving this to ensure that every child developed a secure sense of identity
 - Keep records of the time the child has spent in their care.
- k) 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?
- No, Renfrewshire Council did not have children working manually.
- l) Were fostering agreements entered into? If so, were these in a prescribed form or created on an ad hoc basis?

Renfrewshire Council had fostering agreements which were in a standard form.

The 1985,1996 and 2009 Regulations required the local authority to enter into a written agreement with the foster carers.

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

N/A.

2. Organisational Structure and Oversight

2.1 Culture

Past

- a) What was the nature of the culture within the local authority in relation to the provision of foster care?

Please see response to 1.5a) to e) above.

- b) Was that culture reflected in the local authority's policies, procedures and/or practice in relation the provision of foster care?

Yes.

- c) How can that be demonstrated?

This is demonstrated in the local authority policies and practice relating to foster care.

- d) Did the provision of care by foster carers reflect the local authority's culture, policies and procedures?

Yes, Renfrewshire Council aimed to ensure that the provision of foster care reflected the local authority culture, policies and procedures.

Where it became apparent that standards of care did not reflect this, local authority procedures for complaints, allegations and deregistration were followed.

- e) 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?

N/A.

- f) When and why did any changes in the culture of the local authority in relation to the provision of foster care come about?

In 1996 Renfrewshire Council took over responsibility for fostering service from Strathclyde Regional Council and inherited its policies and procedures. At this time the policy for foster care stated that the aim was to place all children under 5 years in foster care (except a small number of cases where a family group should be kept together in the short-term basis) and to place most children under 8 years old in foster care.

From 2000-2005 Renfrewshire Council had an increased number of children looked after and accommodated and a consequent increase in the use of independent foster carers, most of which lived outwith the council geographic area. Renfrewshire historically had a high number of looked after children, a trend which was, at least partly, attributable to the area's levels of deprivation and substance misuse.

In 2005, Renfrewshire Council undertook a redesign of the fostering service following a best value review. Primarily this redesign was with a view to recruiting increased numbers of carers with the introduction of increased allowances paid to carers enabling fostering to be seen as a career option. This enhanced the choice of carers available. The redesign included increased levels of staffing in the fostering team and the introduction of a new partnership agreement between the council and registered carers stipulating the level of support they would receive and also the obligations and responsibilities of registered carers. This included the minimum annual levels of training and development carers were expected to undertake.

The main aim of the review was to put in place funding and operational processes which increased the number of council approved foster carers, thereby reducing reliance on external fostering agencies. This maximised opportunities for children to live with families when they were accommodated and to ensure the fostering service met the needs of children with more intensive care needs and older children thereby reducing the level of care in residential units. This enhanced model for support in foster care and increased resource ensured that children were more likely to be placed with local foster carers.

The fostering services also required to become registered with the Care Commission (later the Care inspectorate) and therefore be subject to external scrutiny.

The National Care Standards provided clear guidance regarding the standards expected with regard to the assessment and approval of potential carers and the ongoing support and monitoring of registered foster carers. These factors contributed to a shift in emphasis from foster carers being seen as 'volunteers' to professional carers who consequently were subject to increased levels of accountability and scrutiny.

- 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?

See f) above.

- h) Were there any changes in culture that were driven by abuse, or alleged abuse, of children in foster care?

Yes.

- i) If so, when did they occur and how did they manifest themselves?

Changes in culture were driven by learning from inquiries and research into the abuse or alleged abuse of children in care.

Strathclyde Regional Council established groups to look at inquiry reports across the country such as the Orkney and Fife inquiries.

Similarly, Renfrewshire Council reviewed learning from inquiries and reviews (see m below).

Where recommendations were relevant, policies, procedures and practice would be changed to reflect this.

- j) Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?

See f) above

Present

- k) With reference to the present position, are the answers to any of the above questions different?

No.

- l) If so, please give details.

N/A.

- 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?

Following abuse or alleged abuse of children in care, where inquiry reports were published, Renfrewshire Council reviewed its policies and procedures and incorporate relevant learning.

For example, a published report into the death of a child in foster care in England in 1999, led to a review of the assessment process for carers and consequently a revision was made to include more robust background checks.

Following the conviction in 2013 of a foster carer in Renfrewshire for the abuse of children in her care, local practice was reviewed. The abuse was historic in nature and policy and practice had changed in the intervening 20 years since the carer was registered.

The following practice changes were implemented as a result of the review:

- Unannounced visits by fostering team social workers to carers homes were increased
- A carer chronology was included in all carers' files that included key events and any complaints or allegations against carers
- Supervisory responsibility for carers was reallocated to another worker for the duration of any child protection investigation
- Fostering team social workers to routinely check the child's bedroom and view clothing, toys etc
- Joint visits are made to carers within 4 weeks of placement with the child's social worker and regular joint visits are made thereafter.

2.2 Structure, leadership and accountability

Past

- a) What was the structure of responsibility within the local authority in relation to foster care?

From 1975 to 1996 Strathclyde Regional Council established various committees for the discharge of its functions, including the social work committee. The Regional Council retained the right to make decisions at full Council level, but arrangements were established for duties to be allocated to committees and sub-committees. For the most part, decisions were taken for fostering at the social work committee.

From 1996 Renfrewshire Council was governed by councillors directly elected by the residents of the Council area. The full Council was the governing body of the local authority.

Many oversight functions were delegated to boards. From 1996 to 2013 the community and family policy board had responsibility for oversight of social work services' policies and general operations, including in relation to fostering child care services. Thereafter, the education and children policy board had this responsibility.

The Social Work Department operated the Council's fostering and adoption panel since that panel was established.

The purpose and remit of the panel was to consider individual children's needs for alternative permanent carers, (i.e. where the care plan for the child was that they do not return home to their birth parents), this included considering the most appropriate legal action to take to secure this. The panel also considered the matching of a child with specific carers, the assessment and approval of foster carers and adoptive carers and ensured this was of a consistently high standard.

The panel made recommendations to the Agency Decision Maker (ADM) who was the Social Work Department's Head of Service. The ADM then made final decisions on the recommendations made.

Within Renfrewshire Council, the Chief Social Work Officer provided a professional lead for the social work service. Specific duties include being the final point of appeal in relation to fostering decisions. The Chief Social Work Officer was accountable to the Chief Executive of the Council.

Officers of the Council were responsible for day to day operations in terms of delegated authority.

In relation to the management of fostering services the Director of Children's Services (previously the Director of Social Work) had overarching responsibility for provision and management of service for children, reporting to the Chief Executive and the relevant policy board.

- b) What were the oversight and supervision arrangements by senior management?

As outlined above in a)

- c) What were the lines of accountability?

The fostering team workers were responsible to senior social workers (fostering and adoption) who in turn were responsible to the Service

Manager (fostering and adoption) who reported to the Operations Manager. In turn they were responsible to the Children's Services Manager who reported to the Head of Child Care who was accountable to the Director of Social Work and Chief Social Work Officer.

The Chief Social Work Officer provided regular reports to elected members on the key activities and role of the Chief Social Work Officer and reported directly to the social work, health and wellbeing policy board and Renfrewshire Council.

- d) Within the local authority, who had senior management/corporate/organisational responsibility for the managers/management teams/leadership teams who had responsibilities in relation to children in foster care?

Children in foster care had an allocated social worker. The Social Worker was accountable to the relevant senior social worker who in turn was accountable to the Operations Manager for their locality. In turn they were responsible to the Children's Services Manager who reported to the Head of Child Care. In turn they were responsible to the Director of Social Work and Chief Social Work Officer who reported to the Chief Executive of the Council and the relevant policy board.

- e) Who, within the local authority, took decisions on matters of policy, procedure and/or practice in relation to foster care?

Policies and procedures were drafted by or on behalf of the Head of Service and approved by the community and family policy board or thereafter, the education and children policy board.

Day-to-day practice would be determined by the Children's Services Manager in terms of those policies and procedures.

- f) To whom were foster carers accountable?

Foster carers were approved by the fostering panel who were responsible for registration and deregistration.

Expectations of the role of a carer was outlined in the Foster Carers' Handbook and Partnership Agreements.

- g) 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?

Lines of accountability within the local authority are outlined above in sections a), c) and d).

h) To whom were fostering panels accountable?

Within Strathclyde Regional Council a divisional director made final decisions on each application for foster carers taking into account the fostering panel's recommendations.

In Renfrewshire Council, the fostering panel made recommendations to the Agency Decision Maker (ADM). It was the responsibility of the ADM to make decisions based on recommendations by the fostering panels.

In Renfrewshire, the Head of Child Care was the ADM in relation to fostering and had overall responsibility for all matters relating to fostering. The final point of appeal for all decision was with the Director of Social Work.

i) What were the oversight and supervision arrangements in respect of fostering panels?

The Head of Child Care was the ADM in relation to fostering and had overall responsibility for all matters relating to fostering. The final point of appeal for all decision was with the Director of Social Work.

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.

From 2018, due to changes in structure, the responsibility of Chief Social Work Officer and Agency Decision Maker is with the Head of Child Care and Criminal Justice who is accountable to the Director of Children Services and the Chief Executive of the Council.

2.3 External Oversight

Past

a) What were the arrangements for external oversight of the local authority's foster care services?

In 2002 the fostering services required to become registered with the Scottish Commission for the Regulation of Care, known as 'the Care Commission'. Social Care and Social Work Improvement Scotland, known as 'the Care Inspectorate', became responsible for this from 2011.

The requirement to be a registered service meant that fostering services became subject to external scrutiny and was inspected regularly.

In addition, an annual return was submitted to the Care Inspectorate.

Part of this inspection involved the service providing the detail of all complaints made against carers and the outcome of the investigation of these complaints.

The National Care Standards for Foster Care and Family Placement Services were introduced in Scotland in 2002. The National Care Standards provided guidance regarding the standards expected for the assessment and approval of potential carers and the ongoing support and monitoring of registered foster carers.

The Care Inspectorate regulated fostering providers using the Health and Social Care Standards and the Public Services Reform (Scotland) Act 2010.

- b) Who visited the local authority's foster care services in an official or statutory capacity and for what purpose?

From 2002, the Care Inspectorate visited the local authority's fostering services to undertake and inspection as a regulated service.

- c) How often did this occur?

Inspection occurs every 2 years.

- d) What did these visits involve in practice?

The National Care Standards set out the standards that people who used the service should expect. Inspectors from the Care Inspectorate checked care services regularly to make sure that they were meeting the needs of those being cared for. One of the ways this was done is by inspection, this can be unannounced visits or planned. Typically, inspectors talk to people who use the service, staff and managers, talk to individuals or groups for example groups of foster carers, check the quality of care received and examine records and files.

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.

N/A.

Part B – Current Statement

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.

- b) If so, what is the local authority's assessment of the extent and scale of such abuse?

See response to Part D, question 5.8.

- c) What is the basis of that assessment?

See response to Part D, question 5.2b).

3.2 Acknowledgement of Systemic Failures

- a) Does the local authority accept that its systems failed to protect children in foster care between 1930 and 17 December 2014 from abuse?

While the acknowledgement in 3.1a) has been made, Renfrewshire Council does not accept that any abuse can be attributed to systemic failure.

- b) What is the local authority's assessment of the extent of any such systemic failures?

N/A.

- c) What is the basis of that assessment?

N/A.

- d) What is the local authority's explanation for any such failures?

N/A.

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?

No.

- b) What is the local authority's assessment of the extent of any such failures in its response?

N/A.

- c) What is the basis of that assessment?

N/A.

- d) What is the local authority's explanation for any such failures/deficiencies?

N/A.

3.4 Changes

- a) To what extent has the local authority implemented changes to its policies, procedures and practices as a result of any acknowledgment in relation to 3.1 – 3.3 above?

Section 4.9 ii)k) outlines changes that were implemented as a result of the review of the case noted in 3.1 above.

Part C - Prevention and Identification

4. Policy and Practice

4.1 National

Past

- a) Was there national policy/guidance relevant to the provision of foster care for children?

Yes, the following policy documents relate to the provision of foster care.

Policy	Date
Protecting Children and Young People, The Charter, Scottish Executive	2003
Framework for Standards, Scottish Executive	2004
Getting it Right for Every Child in Kinship and Foster Care, Scottish Executive	2007
Looked After Children and Young People: We Can and Must Do Better, Scottish Executive	2007
These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent, Scottish Government	2008
Getting it Right for Every Child (Girfec) Policy and Assessment Framework, Scottish Government	2008
Moving Forward in Kinship Care and Foster Care, Scottish Government	2008
Improving the Education of Looked After Children: A Guide for Local Authorities and Service Providers, Scottish Government	2009
Staying Put Scotland, Guidance for Local Authorities and Other Corporate Parents: supporting looked after children and young people to remain in care, as part of a staged transition towards adulthood and greater independence, Scottish Government	2013
Getting it Right for Looked After Children and Young People, Early Engagement, Early Permanence and Improving Quality of Care, Scottish Government	2015

b) If so, to what extent was the local authority aware of such?

Renfrewshire Council was aware of relevant policies and guidance.

c) If there was national policy/guidance in respect of any of the following in relation to provision of foster care for children, to what extent was the local authority aware of such?

- i. Child welfare (physical and emotional)
- ii. The child's views
- iii. Reviewing a child's continued residence in a foster care placement
- iv. Child protection
- v. Discipline
- vi. Complaints handling
- vii. Whistleblowing
- viii. Record retention
- ix. Recruitment and training of foster carers
- x. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority

The local authority was aware of national policy and guidance in relation to these issues.

d) If the local authority was aware of such, did they give effect to that policy/guidance?

Yes.

e) If so, how was effect given to such policy/guidance?

Local policy, guidance and practice developed in line with national policy and guidance changes.

Local authority committee structure and line management governed and oversaw the development and implementation of policies and guidance.

Policies, guidance and procedures were available to operational staff who were given training and support to implement these.

Operational managers had established mechanisms to monitor the performance of teams and workers in relation to their practice and their adherence to policies and procedures.

f) If not, why not?

N/A see e) above

Present

- g) With reference to the present position, are the answers to any of the above questions different?

No, the Council continues to aware of national policy and guidance.

- h) If so, please give details.

N/A.

4.2 Local Authority

(i) Policy

Past

- a) Was there local authority policy/guidance in relation to the provision of foster care?

Yes.

- b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents were to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

- c) Where were such policies and/or procedures recorded?

Policies and procedures were recorded in Council Committee, Welfare Assistance and Children's Committees papers (pre 1975).

From 1975 policies and procedures were recorded by Strathclyde Regional Council within the Social Work Committee papers.

Renfrewshire Council policies and procedures were recorded at Council Committees.

- d) What did the policies and/or procedures set out in terms of the following?

- i. Child welfare (physical and emotional)

The Social Work (Scotland) Act 1968 and the Children (Scotland) Act 1995 placed duties on local authorities to safeguard and promote the welfare of children. Policies and procedures reflected these duties.

- ii. The child's views

As far as the Council is aware, policy has always dictated that the child's views should be sought and taken into account in making decisions.

More recently, formal structures for obtaining children's views were developed. For example, Renfrewshire Council adopted a policy of commissioning independent advocacy services from third sector organisations to support children and young people to express their views. Advocates were routinely invited to attend child protection meetings, looked after reviews with or on behalf of children.

iii. Placement of siblings

Minutes from the Children's Board meetings (1948 – 1963) noted consideration of the placement of siblings together as an aim of local policy. It is also noted in minutes that this was often difficult as carers tended to prefer singleton placements.

Strathclyde Regional Council documentation indicated that it aimed to maintain the placement of siblings together where this was in the child's best interest.

Renfrewshire Council maintained the principle within fostering/boarding out regulations that, so far as was reasonably practical, children of the same family would be placed in the same house.

iv. The placement of a child in foster care

Renfrewshire Council aimed to ensure that children would be placed in a family setting where this was possible. An assessment of the circumstances of a child was undertaken by a social worker which informed the decision to recommend that a foster placement was the most appropriate placement. Consideration was given to the needs of the child and the factors and attributes in a placement which were necessary to promote the child's welfare.

Children could be placed with foster carers in a planned way or, at times, there would have been emergency placements where a child was at immediate risk.

Children's placement arrangements and plans were set out in operational guidance for looked after children (LAC) and LAC review meetings where a plan for a particular child was developed.

The expectations of foster carers were outlined in Renfrewshire Foster Carers' Handbook and Partnership Agreement which was

a signed agreement between foster carers and Renfrewshire Council.

v. The particular placement of a child with foster carers

In Renfrewshire Council, carers were assessed and approved to provide particular placement types for children such as respite care, long or short term foster care. Children's needs were assessed, and a specific placement chosen for them on that basis.

vi. Contact between a child in foster care with his or her family

Strathclyde Regional Council policies and strategies emphasised the importance of the involvement of parents and other family members in the lives of children in care.

Renfrewshire Council policy stated that contact arrangements were discussed and agreed as part of a child's plan at their LAC review meeting.

In some cases, a children's hearing decided the level of contact between a child and his or her family.

Renfrewshire Foster Carers' Handbook and Partnership Agreement outlined the expectation of carers to support and facilitate contact arrangements, where appropriate.

vii. Contact between a child in foster care and other siblings in foster care

Renfrewshire Council policies emphasised the importance of contact between siblings.

Over time, policies and practice developed to ensure an improved focus on relationships between siblings supporting contact as part of the child's plan.

viii. Information sharing with the child's family

Renfrewshire Council policies emphasised the importance of information sharing with parents which ensured they were kept informed about details of their child in their placement, including routines, milestones and achievements. Policies noted the importance of the involvement and working alongside parents.

Information was shared with parents at LAC meetings and also during regular visits by social workers.

Some parents had regular contact with their child(ren) at the carers home or facilitated elsewhere by a carer or social work staff where relevant information would be shared.

Carers were supported to record information about day to day activities so this could be shared with parents.

- ix. Fostering panels (including constitution, remit, frequency and record keeping)

See information in section 1.8(i)(d) regarding fostering panels.

- x. Recruitment and training of foster carers

Since at least the time of Strathclyde Region, there has been a shortage of foster carers and a corresponding policy to attempt to increase numbers.

Renfrewshire Foster Carers' Handbook outlined the recruitment process for foster carers, including dealing with enquiries, timescales, carrying out initial visits, assessment process and the induction process for new carers.

Training has been offered for foster carers for as long as this Council is aware. It has only been possible to insist on foster carers attending training since the introduction of fostering agreements in 2005/6. It is now mandatory for foster carers to attend training.

- xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority

Renfrewshire Council guidance for the recruitment of carers outlined the checks that were sought for prospective foster carers including checks with employers.

Employee references were sought and letters sent to employers requesting information including any concerns that may have arisen.

- xii. Reviewing a child's continued residence in foster care or in a particular foster care placement

Renfrew County Council and Paisley Burgh minutes indicated that visits were undertaken to children in boarding out/ foster care arrangements. This informed decisions to continue placements (1948- 1963).

Strathclyde Regional Council guidance outlined the process for reviewing a placement as part of the child in care meetings.

Renfrewshire Council guidance stated that the child's LAC review meeting considered the continued residence of a child in a placement.

Children's hearings could make conditions in relation to the residence of children who were subject to compulsory supervision orders. Social work reports would provide recommendations to hearings to inform these decisions.

- xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)

Boarding Out Regulations (1947, 1959, 1985 and 2009) outlined the requirements to visit foster care placements and the responsibilities of the local authority. Policies and procedures reflected these requirements.

The 1948 Children's Act outlined the responsibility for local authorities to set up children's boards. These boards (Renfrew and Paisley) oversaw the arrangements for visitation to children in placement and records note rotas for undertaking these visits in line with statutory requirements (i.e. annual visits).

Strathclyde Regional Council guidelines stated that 'visits to foster homes must be made every 3 months and the foster child seen.'

Strathclyde Regional Council Fostering Handbook (1985) stated the requirement for social workers to visit child in placements.

The Renfrewshire Council Partnership Agreement with individual foster carers outlined arrangements for visits and other contact with a foster carer with their supervising social worker.

Each carer would have a supervising social worker appointed at the time of approval as foster carer. Contact with the supervising social worker or an alternative worker from the fostering team would be at least once each month while a child was placed with the foster carer.

Support from the fostering team to carers would be on an individual basis. The team consulted with carers about support that would be of benefit to them and their family, while ensuring minimum requirements for visits. The supervising social worker was required to record all visits to carers and noted issues discussed and the areas that form the learning and development plan for the carers.

Reports presented to fostering panels included details of visits and review meetings.

Separately, each child had a named locality team social worker who ensured statutory requirements for the child's care and protection were met, and who would promote the child's welfare and development. Recordings of contacts and visits would be made in the child's file.

- xiv. Transfer of a child from one foster placement to another (including preparation and support)

Since the time of Strathclyde Region, planned transfers would be detailed in the care plan for the child outlining what action would be taken and by whom and when.

Where possible changes in placements would take place on a planned basis however, on occasions, a transfer to another placement may have been undertaken on an emergency basis due to circumstances for a specific child or carer.

Decisions about changes could also be made at children's hearings for children subject to compulsory orders.

Support and preparation for transfers would be from the child's social worker and the foster carers supervising social worker.

- xv. Transfer of a child between foster care and residential care (including preparation and support)

As xiv above.

Residential staff would also support children with transfers.

- xvi. Child protection

The Strathclyde Regional Council Manual of Procedure on Child Abuse for Staff of the Social Work Department, (1983) provided a framework for the investigation of allegations of child abuse. There was no specific reference to abuse in foster care in these procedures.

Strathclyde Regional Council published revised child abuse procedures in 1989, Child Abuse Procedures for Staff of the Social Work Department. The procedures covered 'situations where children are abused or at risk of abuse from their family or caretaker' and set out procedures specific to dealing with allegations of abuse by foster parents. Amended supplementary procedures were produced in 1993.

In 1996 Renfrewshire Council produced interim Child Protection Procedures. These were revised in 2000 to align with legislation

and incorporate learning from case reviews, research and national child protection policy. In particular there was a reframing from child abuse procedures to child protection to ensure a greater emphasis on child and family support and recovery, as well as ensuring the safety and protection of the child.

These procedures included specific guidance about the investigation of allegations of abuse by foster carers. Additionally, investigations of allegations of abuse, particularly sexual abuse, by young people against young people was also given greater prominence.

In 2014, the child protection procedures were updated to incorporate changes such as the National Guidance for Child Protection in Scotland (2010, 2014) which extended child protection responsibilities for social workers out with family or care situations. Renfrewshire Council Social Work Operational Procedures Manual, Children and Family Services, Child Protection Procedures was produced in 2014.

Renfrewshire Child Protection Committee was part of a West of Scotland Consortia that developed inter agency child protection guidance. These were produced in 2000 and revised and updated in 2007, and 2015. This guidance outlined the processes for a multi-agency response to child protection.

xvii. Complaints handling

Complaints pertaining to the alleged abuse or mistreatment of children by foster carers were dealt with under child protection procedures.

The Renfrewshire Council Foster Carers' Handbook specifically outlined the process for responding to complaints against foster carers. The process included a mechanism for logging complaints, procedures for investigating complaints, procedures for resolutions, disputes and appeals processes.

xviii. Whistleblowing

Foster carers are not employees of the local authority and are not therefore subject to its whistleblowing policy.

xix. Record retention

For as long as the Council has been aware, the effect of policies regarding the archiving of records was to ensure compliance

with statutory responsibilities and also retain such documentation as would be of historical interest.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and if required approved at the relevant Council committee.

f) When were the policies and/or procedures put in place?

Dates are outlined in 4.3(i)a) and 4.4 (i)a) and 4.5(i)a) below.

g) Were such policies and/or practices reviewed?

Yes.

h) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

See section 4.2 (i) d) (i) to (xvi).

j) Why were changes made?

See h) above

k) Were changes documented?

Yes.

l) Was there an audit trail?

Yes.

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.

N/A

(ii) Practice
Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to the provision of foster care?

There is no evidence of any significant divergence from policy or procedures.

- b) Did the local authority adhere in practice to its policy/procedures on the following:

- i. Child welfare (physical and emotional)
- ii. The child's views
- iii. Placement of siblings
- iv. The placement of a child in foster care
- v. The particular placement of a child with foster carers
- vi. Contact between a child in foster care with his or her family
- vii. Contact between a child in foster care and other siblings in foster care
- viii. Information sharing with the child's family
- ix. Fostering panels (including constitution, remit, frequency and record keeping)
- x. Recruitment and training of foster carers
- xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority
- xii. Reviewing a child's continued residence in foster care or in a particular foster care placement
- xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)
- xiv. Transfer of a child from one foster placement to another (including preparation and support)
- xv. Transfer of a child between foster care and residential care (including preparation and support)
- xvi. Child protection
- xvii. Complaints handling
- xviii. Whistleblowing
- xix. Record retention

Yes, there is no evidence of any significant divergence from policy or procedures.

- c) How was adherence demonstrated?

Adherence in practice was demonstrated in the work undertaken by social workers and staff involved in work with children and families and foster carers. Work undertaken was recorded in case files, reports,

minutes of meetings etc in individual case files for children and foster carers.

Individual workers were accountable for practice to their line managers who supervised staff following organisational policies and procedures.

Social work staff were registered (from 2001) with the Scottish Social Services Council (SSSC) and are professionally responsible for standards of practice.

As a regulated service since 2002, foster care provision is externally inspected by the Care Inspectorate who produce reports of inspections.

d) How can such adherence be demonstrated to the Inquiry?

Children's Committees (Renfrew County Council and Paisley Burgh) were established to meet the requirements of the Children's Act 1948 Act. Minutes of these meetings (1948-1963) demonstrated adherence to the requirements within the boarding out regulations at this time.

In order to provide information for the inquiry, Renfrewshire Council undertook an audit of all foster carers' files held by the authority. The files related to de-registered and registered foster carers dating from the late 1980s until the present day. The audit was undertaken by social work staff using a standardised review template. Any information relating to potential abuse of children in foster care was triangulated with the social work records of the children involved and checked against the log of complaints and allegations against foster carers (established in 2001).

While some historic recordings were not as detailed as they would be at current standards, there was no evidence of lack of compliance with procedures where allegations of abuse were indicated.

All allegations of abuse or mistreatment by carers were looked into as per procedures at the time.

Adherence can also be demonstrated in the Care Inspectorate reports on the fostering service (2006, 2007, 2009, 2010, 2011, 2012, 2014, 2015, 2017) and child protection inspections (2008, 2011) and children's services inspection (2015).

e) Were relevant records kept demonstrating adherence?

Yes.

The Mitchell Library holds relevant children's records from Renfrew County Council and Paisley Burgh Council and Strathclyde Regional Council (prior to 1996).

From 1996, Renfrewshire Council had the responsibility to retain children's and foster carers case files in accordance with statutory requirements.

f) Have such records been retained?

Yes.

g) If policy/procedure was not adhered to in practice, why not?

N/A.

h) If policy/procedure was not adhered to in practice, what was the practice?

N/A.

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.

N/A

4.3 Children

(i) Policy

Past

a) What policies and/or procedures did the local authority have in place in relation to the care of children in foster care?

Relevant Strathclyde Regional Council Policies & Procedures	1975 - 1996
Policy	Date
A Care Strategy for Young People in Trouble	1985
Care and Education: Supporting Young People	1988
Care of Children from Ethnic Minorities	1992
Charter of Rights and Responsibilities	1994

Home and Away	1883
Regional Child Care Plan	1995
Procedures	Date
Access to Personal Files	1995
Child in Care Reviews	1995
Children and Young People appearing Before the Court in Criminal Procedures	1992
Criminal Justice Compensation for Abused Children and Young People	1992
Complaints Procedure	1988
Death of a Child in Care	1988
Medical Examinations of Children in Care	1992
Operational Procedures Manuals Volumes 1-4	1992
Parental Access to Children in Care or Under Supervision	1990, 1992
Practice Instructions on Sexuality Issues	1992
Reporting of Serious Incidents	1992
Safety in Outdoor Activities	1990
Practice Guidance	Date
Abused and Abusing Children [CRCC]	1995
Children with HIV [SWSG]	1992
Practical Suggestions for Staff and Carers on the Charter of Rights and Responsibilities for Young People in Care	1995
Quality Assurance Paper	1995
Setting the Record Straight (Practice Guidance on Recording)	1995
Supervision Paper	1995
Testing for HIV Infection and Aids	1995
UN Convention on the Rights of the Child [UN]	1991
Who Cares? Charter of Rights [Who Cares? Scotland]	1994

Relevant Operational Procedures (Child Care) transferred to Renfrewshire Council from Strathclyde Regional Council in 1996
Fostering Guidelines
Foster Carer's Handbook
Case Recording Guidance
Complaints Procedures
Access to Personal Files Guidance
Assumption of Parental Right Guidance
Child Care Strategy

Child Care Review Guidance
Children and Young People with Special Needs Strategy
Criminal Injuries Compensation for Abused Children and Young People
Guidelines for Long Term Planning for Children in Care
Medical Examination of Children in Care
Parental Access to Children in Care under Supervision
Practice Instruction Note on Sexuality Issues (including testing for HIV and Aids in children in care)
Procedures for the Death of a Child in Care or on the Child Protection Register
Supported Carers Guidance
Through Care Strategy

Renfrewshire Council, Social Work Department, child care guidance and procedures	Date
Operational Guidance, Looked After Child (LAC) Reviews	2004
Renfrewshire Council Social Work Department Child and Family Services: Looked After Children Health Protocol.	2004
Electronic Case Recording (Looked After Children)	2007
Identifying People who Pose Potential Risk to Children	2007
Seeking the Views of Children and Young People, Guidance Note	2007
Operational Procedure: Support and Assistance for Care Leavers (aged 16 -18 years)	2008
Renfrewshire Council Social Work Child and Family Services Guidance Note: Individual Assessments, Care Plans, Chronologies, Case Recordings, Consultation with Children.	2008
Operational Instructions Case Recording; Case Notes, Chronologies, Assessment Care Plan/ Action Plan, Transfer, Closure	2008
Renfrewshire Council Social Work Child and Family Services: Support and Assistance for Care Leavers.	2008
Child in Need Policy	2010
Process for Permanence	2010
Renfrewshire Getting it Right for Every Child (Girfec) policy	2010 2014
Adoption and Permanence Procedures and Practice Guide	2010
The Role of the Qualified Social Worker in Statutory Interventions	2010
Risk Management Framework, Assessing and Managing Risk within the Child Protection Setting	2010
West of Scotland Child Protection Committee Consortium. Missing Children for Whom there are Child Protection Concerns, Good Practice Guidance	2010
Throughcare and Housing Support Team, information for young people	2011
Raising the Bar – Improving Professional Practice, Child Care	2012

Supporting Children Affected by a Parent/ Carer with Mental Health Problems	2012
Protocol for Unseen or Missing Children and Young People	2016
Health Assessment for Looked After Children and Young People Guidance	2016

b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents were to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

c) Where were such policies and/or procedures recorded?

Policies and procedures were recorded in Council Committee, Welfare Assistance and Children Committees papers (pre 1975).

From 1975 policies and procedures were recorded by Strathclyde Regional Council within the Social Work Committee papers.

Renfrewshire Council policies and procedures were recorded at Council Committees.

d) What did the policies and/or procedures set out in terms of the following?

i. Safeguarding

See section 4.2(i) d) i above.

ii. Child Protection

See section 4.2 (i)(d) xvi above.

iii. Medical care

The Strathclyde Regional Council Foster Parent Handbook, (1985), outlined specific guidance for children received into care and the process for arranging medicals and recording information. It stated that 'all children in foster care must be medically examined within one month of placement and thereafter annually'. The guidance outlined the responsibilities of foster carers and the social work department. The handbook stated that 'foster parents should give foster children the same quality of health care and attention as they give their own children'. This included seeking routine medical and emergency advice.

Strathclyde Regional Council guidance stated that 'foster children must be registered with a general medical

practitioner. The GP's name, address and telephone number should be known to the child's social worker and entered in the child file. Foster children must 'have a full medical examination within one month of placement and thereafter every 12 months and a report furnished in writing regarding their health.'

Subsequent Renfrewshire Foster Carers' Handbooks (2011,2014, 2019) set out expectations regarding the health needs of children in foster care and the role of carers.

iv. Children's physical wellbeing

See section 4.2(i)(d) i. above.

The Renfrewshire Foster Carers' Handbook outlined the expectations about the maintenance of a safe environment for children in foster care and also set out expectations and guidance to assist carers to promote children's health and well-being. Specific procedures are included for:

- Home safety issues
- Fire safety
- Baby/child sitters and support carers
- Sporting/outdoor activities
- Household pets
- Having a dog
- Internet and mobile phone safety
- Car safety
- Safe caring
- Firearms

v. Children's emotional and mental wellbeing

See section 4.2(i)(d) I above.

The Renfrewshire Foster Carers' Handbook explained the potential impact upon children of the separation from their families and community and provided practical guidance to assist carers to support emotional and mental wellbeing of children.

Specifically, the handbook set out the needs of a child in foster care:

'Children who have been separated from their own family have the following needs:

- To know they are cared for and protected from harm when those who have had responsibility for them have not always been able to provide safety and security;
- To have contact with their birth families. If this is not possible by visits, it can be facilitated by written correspondence and / or telephone calls;
- To have information about their birth families and have a clear understanding of why they are looked after, particularly in those situations where contact is not continued;
- To be valued in a way which embraces their cultural, religious and linguistic background;
- To have their self-esteem valued and promoted to enhance confidence and feelings of self-worth;
- To receive services from a range of different local agencies including social work, education, housing, primary health care and hospital services;
- To have opportunities to obtain skills in non-vocational settings both social and cultural, which will involve them in activities and interests such as sport, music and the arts;
- To have security, whether through reunification with their own family, placement with a permanent substitute family or by helping them towards independence and independent living;
- To be informed and involved in their plans for the future as specified in Looked After and Accommodated (LAAC) Procedures.
- Supervising social workers (that is, the social worker for the foster carer), social workers for the child and foster carers share the responsibility to ensure a child in the foster home has these needs met and has every opportunity for healthy physical and emotional development.'

vi. Schooling/education

Within the Renfrewshire Foster Carers' Handbook, the education needs of children in placement was detailed and the expectation, advice and guidance to carers outlined.

This included:

- Enabling children to continue at the school or nursery they attended previously.
- Building good relationships with the schools and nurseries attended.

- Expectations of transporting children to school or nursery.
- Attending parents' evenings
- Extra-curricular activities and school trips

vii. Discipline

Strathclyde Regional Council Foster Parent Handbook (1985) stated the philosophy underpinning the Council's approach to caring for children including discipline and corporal punishment. The handbook stated 'in residential care there is a clear Regional policy against the use of corporal punishment which is a reflection of the philosophy underpinning the Council's approach to caring for children. Although the Regional Council recognises that it would be unwise to impose such strict instructions on foster families, the Council nevertheless would wish to convey its overall philosophy in respect of corporal punishment and seek the cooperation of foster families in ensuring that other means of control and discipline are used'.

Renfrewshire Council policy on the discipline of children in foster care is outlined in the Safe Care Policy. Renfrewshire Council followed the guidance in the 'UK National Standards for Foster Care', (Fostering Network 1999, 2002, 2005).

Safe Caring standards stated that 'the authority ensures that its policy on corporal punishment is implemented and each child in foster care is protected from all forms of corporal punishment (smacking, slapping, shaking) and all other humiliating forms of treatment or punishment'.

The Foster Carers' Handbook states that no physical chastisement can be used by foster cares.

viii. Activities and holidays for children

The Children's Committee minutes (1948-1963) noted that additional funding was available for activities and hobbies for children (for example, musical activities). Minutes also noted arrangements and funding for annual holidays for children boarded out.

The Renfrewshire Foster Carers' Handbook included specific guidance on activities and holidays. There were specific procedures for taking a child on holiday, caravans and camping and holidays abroad.

ix. Sharing a bedroom

The Renfrewshire Foster Carers' Handbook stipulated that carers must:

'Provide the child with food, clothing and warmth, a bed and separate room (where appropriate). If it is not possible for the child to have their own room, then accommodation arrangements must reflect the child's assessed need for privacy and space. Children under the age of 5 years must not be placed in an upper bunk. Children over the age of 8 years, including siblings should not share a bedroom with any child of the opposite sex.'

x. Contact with family members

See section 4.2(i)(d) vi above.

xi. Contact with siblings

See section 4.2(i)(d) vi above.

xii. Celebration of birthdays and other special occasions

In practice foster carers celebrated birthdays and special occasions with children in their care. The aim was to ensure that children had positive experiences. Additional finance could be sought to support special events. There is no specific policy in relation to this.

xiii. Information sharing by the foster carer with family members

The Renfrewshire Foster Carers' Handbook outlined the responsibilities for carers to share information with family members, where appropriate. For example, foster carers were asked to keep diaries to record details of a child's routine and how they have been in the placement so this could be shared with parents.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

f) When were the policies and/or procedures put in place?

Dates are outlined in section 4.3 (i)(a)

g) Were such policies and/or practices reviewed?

Yes.

h) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

Substantive changes over time included:

- The approach to the physical discipline of children in foster care and safe care policies have changed over time.
- Inclusion of policies relating to safety such as internet safety and mobile phones.
- Enhanced focus on the participation of children in planning and meetings.
- Greater emphasis on the holistic needs of children based on the wellbeing indicators as part of the Girfec policy changes.

j) Why were changes made?

See h) above.

k) Were changes documented?

Yes.

l) Was there an audit trail?

Yes.

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 significant changes following the new legislative duties in the Children (Scotland) Act 2014. This includes extended eligibility for aftercare assistance for care leavers until the age of twenty-six and the introduction of continuing care, which provides certain care leavers with the opportunity to continue to live in the accommodation they were provided with immediately before they ceased to be looked after. These duties are incorporated into the Council's Corporate Parenting policy.

(ii) Practice**Past**

- a) Did the local authority adhere in practice to its policy/procedures relating to the care of children in foster care?

See above at 4.2(ii)(a).

- b) Did the local authority adhere in practice to its policy/procedures in terms of the following?

- i. Safeguarding
- ii. Child Protection
- iii. Medical care
- iv. Children's physical wellbeing
- v. Children's emotional and mental wellbeing
- vi. Schooling/education
- vii. Discipline
- viii. Activities and holidays for children
- ix. Sharing a bedroom
- x. Contact with family members
- xi. Contact with siblings
- xii. Celebration of birthdays and other special occasions
- xiii. Information sharing by the foster carer with family members

See above at 4.2(ii)(b).

- c) How was adherence demonstrated?

See 4.2 (ii) c).

- d) How can such adherence be demonstrated to the Inquiry?

See 4.2 (ii) d).

- e) Were relevant records kept demonstrating adherence?

Yes see 4.2 (ii) e).

- f) Have such records been retained?

See 4.2 (ii) f).

- g) If policy/procedure was not adhered to in practice, why not?

N/A.

- h) If policy/procedure was not adhered to in practice, what was the practice?

N/A.

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.

N/A

4.4 Foster carers

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in relation to foster carers?

Renfrewshire Council fostering policy, procedures and guidance	Date
Fostering Procedures: this covered information relating to recruitment, assessment, induction for new carers, annual reviews, complaints procedure, transition to other placements, arrangements for child care and holidays, origins enquiries, arranging placements and business support and recording processes.	2008 2014
Foster Carers' Handbook: this outlined the local authority statutory responsibilities for fostering, roles and responsibilities, planning for children contact and communication with families, financial arrangements, safe care, education, health, procedures for managing concerns about abuse and complaints, foster care review process, confidentiality and data protection.	2011 2014 2019
Foster Carers' Partnership Agreement: The agreement described the respective responsibilities and obligations placed upon the Council and upon its registered foster carers for children.	2006 2019

- b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents were to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

The Fostering Procedures were a procedural document for staff to follow in relation to all aspects of the fostering service.

The Renfrewshire Foster Carers' Handbook provided basic information that would help carers and guide them in their fostering role.

The Renfrewshire Foster Carers' Handbook and Partnership Agreement with carers set out the policies and procedures in relation to the care of children in foster care.

c) Where were such policies and/or procedures recorded?

Policies and procedures were recorded in Council Committee, Welfare Assistance and Children Committees papers (pre 1975).

From 1975 policies and procedures were recorded by Strathclyde Regional Council within the Social Work Committee papers.

Renfrewshire Council policies and procedures were recorded at Council Committees.

d) What did the policies and/or procedures set out in terms of the following?

i. Recruitment

The Renfrewshire Fostering Procedures outlined the recruitment process and procedure including:

- Handling inquiries
- Recording information
- Initial discussions with prospective carers
- Assessment process
- Statutory checks
- Home visits
- Decisions making
- Preparation groups

ii. Standard and size of accommodation

The Renfrewshire Foster Carers' Handbook stipulated requirements in relation to accommodation.

See 4.3 (i)a)d)ix above.

iii. Number, age and gender of children accommodated/in the household

The Looked After Children Regulations outlined the requirements for this. It is not set out in a local policy.

iv. Pre-approval/registration checks

The Looked After Children Regulations outlined the responsibility for and frequency of checks and there was no local policy for this.

Statutory checks were carried out for all members of the household.

The following checks were carried out from 2009:

- PVG checks
- Local authority & out with authority social work record checks
- NSPCC checks
- Medicals
- Debt management check
- References from friends, family and employers
- Veterinary assessment of any dogs in the household

v. References

This was not the subject of local authority policy/ procedures but was addressed in national guidance and legislation.

vi. Foster care agreements

The Renfrewshire Partnership Agreement was developed in 2005/2006 and described the respective responsibilities and obligations placed on the Council and upon its foster carers to safeguard and promote the welfare and wellbeing of looked after children and young people.

vii. Induction

A detailed induction process was outlined in the Renfrewshire Foster Carers' Handbook. This included details of roles and responsibilities, safe care, training, preparatory groups, essential reading and information, standards of care, financial information, details of fostering organisations and support etc.

viii. Transfer of foster carers to or from other organisations or local authorities

The Renfrewshire Foster Carers' Handbook outlined the process and arrangements for carers who have transferred from other authorities or agencies. This included references from the other agency and a requirement for the same assessment process as that for 'new' carers.

ix. Review/supervision

Review and supervision requirements were outlined in the Renfrewshire Foster Carers' Handbook including annual reviews.

The purpose of the foster carer review was to allow a regular opportunity for a formal discussion about how the foster carer and their family were experiencing the task of fostering. It was a forum for consideration of any major changes in circumstances, and how these changes may have affected the carer's ability to undertake their role as a foster carer.

In addition to annual reviews, there were other circumstances that would trigger a foster carer review. For instance, a review would be convened in the event of placement disruption, placement breakdown, a carer opting to change from one type of fostering to another or following a serious complaint or allegation.

Guidance outlined who must attend review meetings, reports, agenda, recording and chairing arrangements.

The Renfrewshire Council Partnership Agreement with individual foster carers outlined minimum standards for visits and other contact with a foster carer with their supervising social worker.

Each carer had a supervising social worker appointed at the time of approval as foster carer. Contact with the supervising social worker or an alternative worker from the fostering team would be at least once each month while a child was placed with the foster carer.

The supervising social worker was required to record all visits to carers and note issues discussed and the areas that form the learning and development plan for the carers.

x. Training

The Renfrewshire Partnership Agreement stated that foster carers must attend training. There was mandatory training such as first aid, safe care and fire safety. Each foster carer had a training record which was recorded by the supervising social worker and considered at foster care reviews.

xi. Personal development

See x) above.

xii. Disciplinary actions

Foster carers are not employees of the local authority and, as such, were not subject to disciplinary action.

xiii. Removal of approval/registration

The Renfrewshire Fostering procedures outlined the process for removal of approval and registration.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

f) When were the policies and/or procedures put in place?

Dates are noted in 4.4(i)(a).

g) Were such policies and/or practices reviewed?

Yes.

h) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

Over time there were changes which have been included in policies and procedures. For example:

- One of the major changes in the assessment of foster carers was the introduction of a competence based approach, focusing on the formulation of a set of skills for which evidence could be sought and recorded.
- Following a review of a case in England following the death of a child in foster care in 1999, changes were made to the background checks undertaken in relation to ex partners of prospective carers.
- Following a case review by Glasgow Child Protection Committee (2013) following the death of a foster carers, registration for carers was changed to ensure that there were specific registration categories for carer, for example age ranges. Placement descriptors are agreed by the agency decision maker if there is any possible placement out with these categories, thus creating greater scrutiny.
- Following learning from a local review of a case, chronologies of significant events are included in carers files to ensure an accessible recording of any issues arising in a placement to assist assessments and identify any patterns of concern.

- Carers must advise the fostering team of all accident and emergency admissions for a child in their care.

See also information in 2.1 m), s4.2i) d) i), s4.3 d) i).

j) Why were changes made?

See h) above.

k) Were changes documented?

Yes.

l) Was there an audit trail?

Yes.

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.

Training for foster carers:

Additional mandatory training for new carers is now in place which includes crisis prevention intervention and promoting positive behaviour, which is undertaken prior to their first placement.

(ii) Practice

Past

a) Did the local authority adhere in practice to its policy/procedures in relation to foster care?

See above at 4.2(ii)(a).

b) Did the local authority adhere in practice to its policy/procedures in terms of the following?

- i. Recruitment
- ii. Standard and size of accommodation
- iii. Number, age and gender of children accommodated/in the household
- iv. Pre-approval/registration checks
- v. References
- vi. Foster care agreements
- vii. Induction

- viii. Transfer of foster carers to or from other organisations or local authorities
- ix. Review/supervision
- x. Training
- xi. Personal development
- xii. Disciplinary actions
- xiii. Removal of approval/registration

See above at 4.2(ii)(b).

c) How was adherence demonstrated?

See 4.2 (ii) c).

d) How can such adherence be demonstrated to the Inquiry?

See 4.2 (ii) d)

e) Were relevant records kept demonstrating adherence?

See 4.2 (ii) e)

f) Have such records been retained?

See 4.2 (ii) f)

If policy/procedure was not adhered to in practice, why not?

N/A.

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.

N/A.

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?

Renfrewshire Council fostering policy, procedures and guidance	Date
Fostering Procedures: this covered information relating to recruitment, assessment, induction for new carers, annual reviews, complaints procedure, transition to other placements, arrangements for child care and holidays, origins enquiries, arranging placements and business support and recording processes.	2008 2014
Foster Carers' Handbook: this outlined the local authority statutory responsibilities for fostering, roles and responsibilities, planning for children contact and communication with families, financial arrangements, safe care, education, health, procedures for managing concerns about abuse and complaints, foster care review process, confidentiality and data protection.	2011 2014 2019
Foster Carers' Partnership Agreement: The agreement described the respective responsibilities and obligations placed upon the Council and upon its registered foster carers for children.	2006 2019

b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents were to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

c) Where were such policies and/or procedures recorded?

Policies and procedures were recorded in Council Committee, Welfare Assistance and Children Committees papers (pre 1975).

From 1975 policies and procedures were recorded by Strathclyde Regional Council within the Social Work Committee papers.

Renfrewshire Council policies and procedures were recorded at Council Committees.

d) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

e) When were the policies and/or procedures put in place?

Dates are outlined in a) above

f) Were such policies and/or practices reviewed?

Yes.

- g) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

- h) What substantive changes, if any, were made to the policies and/or procedures over time?

This was not the subject of local authority policy/ procedures but was addressed in national regulations.

- i) Why were changes made?

See g) above

- j) Were changes documented?

Yes.

- k) Was there an audit trail?

Yes.

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.

N/A

(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?

See above at 4.2(ii)(a).

- b) How was adherence demonstrated?

See 4.2(ii)c)

c) How can such adherence be demonstrated to the Inquiry?

See 4.2(ii) d)

d) Were relevant records kept demonstrating adherence?

See 4.2 (ii) e)

e) Have such records been retained?

See 4.2 (ii) f)

f) If policy/procedure was not adhered to in practice, why not?

N/A.

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.

N/A.

4.6 Placement of children by the local authority with foster carers approved/registered by other local authorities or organisations

(i) Policy

Past

a) 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?

Refer to s 4.3(i)(a), s4.4(i)(a)

b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents was to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

c) Where were such policies and/or procedures recorded?

Policies and procedures were recorded in Council Committee, Welfare Assistance and Children's Committees papers (pre 1975).

From 1975 policies and procedures were recorded by Strathclyde Regional Council within the Social Work Committee papers.

Renfrewshire Council policies and procedures were recorded at Council Committees.

d) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

e) When were the policies and/or procedures put in place?

Refer to s 4.3(i)(a), s4.4(i)(a)

f) Were such policies and/or practices reviewed?

Yes

g) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

h) What substantive changes, if any, were made to the policies and/or procedures over time?

Procedures for the placement of children in independent foster placements was incorporated into the Fostering Procedures.

i) Why were changes made?

Refer to g) above

j) Were changes documented?

Yes.

k) Was there an audit trail?

Yes.

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.

N/A.

(ii) Practice

Past

- a) 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?
See above at 4.2(ii)(a).

- b) How was adherence demonstrated?

See 4.2(ii) c).

- c) How can such adherence be demonstrated to the Inquiry?
See 4.2(ii) d).

- d) Were relevant records kept demonstrating adherence?

See 4.2(ii) e).

- e) Have such records been retained?

See 4.2(ii) f).

- f) If policy/procedure was not adhered to in practice, why not?

N/A

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.

N/A.

4.7 Complaints and Reporting

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in place in relation to complaints and reporting about foster care?

Complaints procedures relating to foster carers were contained in the Renfrewshire Foster Carers' Handbooks.

- b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents were to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

Complaints processes aimed to ensure that dissatisfaction could be reported to the Council so that the highest standards of service provision could be maintained.

Specific policies relating to complaints regarding foster care stated that foster carers were accountable to the local authority for the quality of the care they provided to any child placed with them.

- c) Where were such policies and/or procedures recorded?

Renfrewshire Council policies and procedures were recorded at Council Committees.

Complaints procedures relating to foster carers are recorded in the fostering handbook and procedures documents.

- d) What did the policies and/or procedures set out on the following:

- i. Complaints by children

Policies outlined the process for children to complain and the support they could receive in doing so.

Children were encouraged to speak with their social worker or an independent advocate about complaints.

- ii. Complaints by foster carers

Policies outlined the process of reporting, investigating and resolving complaints. Policies outlined the role of the social worker, fostering team manager, social work senior manager, the fostering panel and the agency decision maker.

The role of the Scottish Public Services Ombudsman and the Care Inspectorate was also noted in procedures.

iii. Complaints by family members of children

See ii) above.

iv. Complaints by third persons

See ii) above.

v. Whistleblowing

See 4.2(i)(d)(xviii)

vi. Support, including external support, for those who made the complaint or those who were the subject of complaint

If the complainant was the child in placement or family member, the social worker allocated to the child provided support.

Commissioned independent advocacy services for children in foster care also provided external support.

Arrangements for support for carers are outlined in the Partnership Agreement. Foster carers subject to a complaint would be supported by their supervising social worker in the fostering team. Carers were also advised that they could access support externally (for example via the Fostering Network).

vii. Response to complaints (including response by the local authority)

The procedures outlined processes for logging complaints, investigating complaints relating directly to the care of a child, investigating complaints that were not directly relating to the care of a child, timescales for responses, the role of the foster care review, appeals process internally, the role of the Care Inspectorate and the recording and notification process.

viii. External reporting of complaints

The procedures outlined the role of the Care Inspectorate and the Scottish Public Services Ombudsman.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant council committee.

- f) When were the policies and/or procedures put in place?

See section 4.4(i)(a)

- g) Were such policies and/or practices reviewed?

Yes.

- h) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

- i) What substantive changes, if any, were made to the policies and/or procedures over time?

Changes were made to the social work complaints process in relation to the criteria for a foster carers' complaint given their unique role (i.e. social work do not provide a service to a foster carer and they are not employees).

- j) Why were changes made?

The changes allowed clarification regarding these complaints in relation to the criteria for a foster carers' complaint given their unique role noted above.

- k) Were changes documented?

Yes.

- l) Was there an audit trail?

Yes.

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.

A new Scottish Public Services Ombudsman model for complaints handling for social work services in Scotland was implemented in 2017. This model, along with the associated guidance, gives a detailed description of the complaint handling processes. This has been incorporated into local procedures.

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to complaints and reporting about foster care?

See above at 4.2(ii)(a).

- b) Did the local authority adhere in practice to its policy/procedures on the following:

- i. Complaints by children
- ii. Complaints by staff
- iii. Complaints by family members of children
- iv. Complaints by third persons
- v. Whistleblowing
- vi. Support, including external support, for those who made the complaint or those who were the subject of complaint
- vii. Response to complaints (including response by the local authority)
- viii. External reporting of complaints

See above at 4.2(ii)(b).

- c) How was adherence demonstrated?

Adherence in practice would be demonstrated via the records of complaints and outcomes.

As a regulated service (since 2002), foster care provision is externally inspected by the Care Inspectorate. Annual returns are submitted to the Care Inspectorate including information on complaints against foster carers.

- d) How can such adherence be demonstrated to the Inquiry?

Adherence can be demonstrated in the recordings of complaints and processes and outcomes (for example foster care reviews and panels).

- e) Were relevant records kept demonstrating adherence?

Yes.

f) Have such records been retained?

See 2.2 (i) f)

g) If policy/procedure was not adhered to in practice, why not?

N/A.

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.

N/A.

4.8 Internal Investigations

(i) Policy

Past

a) 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?

Renfrewshire Council fostering policy, procedures and guidance	Date
Fostering Procedures	2008 2014
Foster Carers' Handbook	2011 2014 2019
Foster Carers' Partnership Agreement:	2006 2019
Child Protection Procedures	1996 2000 2014
Initial and Significant Case Review (ICR/SCR) Guidance: Protecting Children and Young People: Interim Guidance for Child Protection Committees for conducting Significant Case Review: Renfrewshire Child Protection Committee published a local guidance procedure for conducting a significant case review.	2008 2015

b) Was there a particular policy and/or procedural aim/intention?

The overall aim of all policy and procedural documents was to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

c) Where were such policies and/or procedures recorded?

Renfrewshire Council policies and procedures were recorded at Council Committees.

d) What did the policies and/or procedures set out on the following:

i. Approach to/process of internal investigations

Renfrewshire Council's Child Protection procedures outlined the process of investigation into abuse or alleged abuse of a child in foster care including the actions to be taken by social work staff in responding to these concerns.

ii. Identifying lessons/changes following internal investigations

The guidance for significant case reviews states that the overarching objectives of a significant case review included:

- Establishing whether there are lessons to be learned
- Recognising good practice
- Making recommendations for actions
- Overseeing the Implementation of recommendations
- Increasing public confidence in services

iii. Implementation of lessons/changes following internal investigations

The policy sets out that the implementation of learning and recommendations from initial or significant case reviews would be overseen and monitored via Renfrewshire Child Protection Committee.

iv. Compliance

The guidance for case reviews outlines the role of the child protection committee to oversee the implementation of recommendations following a case review. The committee has a chair who is independent of services which provided additional scrutiny to learning and improvement.

The responsibility for compliance sits with the Chief Officers' Group (COG). This group is chaired by the Chief Executive of Renfrewshire Council and its membership consists of senior

managers from police, council and health services. The child protection committee and chair are accountable to the COG.

The Care Inspectorate were the central repository for case reviews. They review the implementation of changes and improvements through the inspection processes.

v. Response (to child and abuser)

Case review guidance states that throughout any review process, consideration must be given to the contribution and involvement of the child, family and carers.

Where appropriate the child, their family or carer would be kept informed at the different stages of a review and of the outcome of the review.

Consideration must be given to the support needed by the child at all stages of a review and consideration must be given to identifying a person to support the child and family at onset of the review process.

In relation to a child protection investigation the procedures stated that efforts must be made to keep all parties informed of progress where possible throughout the course of the investigation.

Foster carers subject to an allegation of abuse would be supported by their supervising social worker in the fostering team. Carers were also advised that they could access support externally (for example via the Fostering Network).

The response to an abuser (i.e. a person who has been convicted of, or who has admitted abuse), would be to refer any potential criminal matter to the police.

The local authority followed procedures for a foster care review and fostering panel.

vi. Response to complaints (including response by local authority)

Complaints of abuse against foster carers were dealt with via procedures set out in fostering handbooks and foster carer agreements. Following the receipt of a complaint the local authority would have acknowledged the complaint within clear timescales and followed a process of investigation.

vii. External reporting following internal investigations

This was not the subject of local authority policy/ procedures but was addressed in national guidance and legislation.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

Initial and Significant Case Review Guidance was compiled by Renfrewshire Child Protection Committee.

f) When were the policies and/or procedures put in place?

See 4.8 (i)a).

g) Were such policies and/or practices reviewed?

Yes.

h) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

National guidance for undertaking significant and initial case reviews was published in 2008, and updated in 2015, by Scottish Government and informed local policy.

See section 4.2 (i) d) xvi.

j) Why were changes made?

See h) above.

k) Were changes documented?

Yes.

l) Was there an audit trail?

Yes.

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.

N/A

(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?

See above at 4.2(ii)(a).

b) Did the local authority adhere in practice to its policy/procedures on the following:

- i. Approach to/process of internal investigations
- ii. Identifying lessons/changes following internal investigations
- iii. Implementation of lessons/changes following internal investigations
- iv. Compliance
- v. Response (to child and abuser)
- vi. Response to complaints (including response by local authority)
- vii. External reporting following internal investigations

See above at 4.2(ii)(b).

c) How was adherence demonstrated?

Adherence in practice was demonstrated in case recordings in children's and foster cares files, reports and minutes for fostering panels, minutes of foster care reviews and looked after children meetings.

Child protection investigations and processes are recorded in children files.

As a regulated service (since 2002), foster care provision is externally inspected by the Care Inspectorate. Annual returns are submitted to the Care inspectorate including information on allegations against foster carers.

Case review process is demonstrated in the minutes of meetings and any relevant reports presented to the child protection committee and its subgroups and the Chief Officers Group.

d) How can such adherence be demonstrated to the Inquiry?

As c) above

e) Were relevant records kept demonstrating adherence?

As far as we can ascertain records have been retained.

f) Have such records been retained?

See 2.2 (i) f).

g) If policy/procedure was not adhered to in practice, why not?

N/A.

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.

N/A

4.9 Record keeping

(i) Policy

Past

a) What policies and/or procedures did the local authority have on record keeping in relation to foster care?

Setting the Record Straight (Practice Guidance on Recording), Strathclyde Regional Council	1995
Electronic Case Recording (Looked After Children), Renfrewshire Council	2007
Renfrewshire Council Social Work Child and Family Services Guidance Note: Individual Assessments, Care Plans, Chronologies, Case Recordings, Consultation with Children, Renfrewshire Council	2008
Operational Instructions Case Recording; Case Notes, Chronologies, Assessment Care Plan/ Action Plan, Transfer, Closure, Renfrewshire Council	2008

Case Recording Guidance, Renfrewshire Council	2019
---	------

- b) What policies and/or procedures did the local authority have on record keeping by foster carers?

Fostering Procedures	2008 2014
Foster Carers' Handbook	2011 2014 2019

The Foster Carers' Handbooks outlined the expectations and responsibilities in relation to record keeping by foster carers. It outlined issues in relation to confidentiality and compliance with data protection legislation.

- c) 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?

The overall aim of all policy and procedural documents was to ensure implementation of relevant duties as per prevailing legislation and regulations with the aim of ensuring the welfare and wellbeing of children for whom the local authority had responsibilities.

The intention was to ensure that relevant recordings were made in relation to the lives of children accommodated by the local authority.

Over time there were improvements made to policies on recording to ensure that those accessing their records were able to have clearer information about their care journey and significant events in their lives.

Guidance outlined the minimum requirements expected of all social work staff in relation to case recording.

Renfrewshire Council policies and procedures were recorded at Council Committees.

- d) What did the policies and/or procedures set out in relation to record keeping on the following:

- i. Children in foster care

The guidance outlined the purpose of recording and the expected content of a child's case file.

The child's social worker was responsible for the recording of information in the child's file. This included details of contact with the child and their family for example home visits,

telephone contact, emails, office contact etc. Recording would also reflect the work undertaken with a child and family and the progression of the child care plan and any changes to the plan.

The views of the child would be recorded and relevant contact/ discussions with other professionals.

ii. Foster carers

The Renfrewshire Foster Carers' Handbook outlined the expectations and responsibilities for a foster carer to record information regarding a child in their care.

Foster carers kept a record and diary with the aim of recording significant events. This included significant information on achievements, health, behaviour, activities, and contact.

The supervising social worker for a foster carer was responsible for the case recording in a carers file. The guidance outlined the expectations and responsibilities of the worker to maintain records.

iii. Visits to children and foster carers

Renfrewshire Council guidance stated that details of visits to children and carers must be recorded in the relevant case files, including dates, reason for visits and a summary of the discussion/ issues covered at the visit.

iv. Complaints

Complaints are recorded in line with procedures noted in section 4.7 above.

v. Investigations (both internal and external)

Child protection investigations were recorded in the child's file. See 4.8(ii)c) above.

vi. Discipline

Significant issues of discipline were recorded in the records maintained by carers and discussed with supervising social workers who would include any issues in the carer's files. Significant issues would also have been recorded in a child's file.

vii. Responding to requests from former children in foster care for information/records

Requests for information from former children in foster care would be dealt with via subject access procedures and predecessor guidance within prescribed timescales.

A database was kept which recorded requests.

viii. Other issues relevant to foster care

Relevant recordings relating to the child, such as medical and educational information would be recorded in the child's file and noted, where relevant in reports (for example for children's hearings or LAC review meetings).

Information on direct work and support with a child would have been noted in files such as life story information.

e) Who compiled the policies and/or procedures?

Renfrewshire Council policies and procedures were compiled by, or on behalf of, a head of service with the relevant responsibilities in the local authority at the time and approved if required at the relevant Council committee.

f) When were the policies and/or procedures put in place?

See a) and b) above.

g) Do such policies and/or procedures remain in place?

Yes

h) Were such policies and/or practices reviewed?

Yes.

i) If so, what was the reason for review?

Renfrewshire Council policies were reviewed to consider any changes that may be required due to changes to legislation and policy or learning from research or case reviews.

The 2008 case recording guidance was developed to reflect the expectations in the Scottish Social Services Council Code of Practice for Employers.

j) What substantive changes, if any, were made to the policies and/or procedures over time?

Recording practices were adapted following the introduction of technology and electronic systems of recording and therefore a move away from recording in paper files. Policies reflected these changes.

Over time greater emphasis was placed on specific recording of the views of children and young people.

Additionally, awareness has increased about the need to provide a coherent history for care leavers who access their files. This has led to changes in policy to ensure that recordings reflect this purpose.

k) Why were changes made?

See i) above.

l) Were changes documented?

Yes.

m) Was there an audit trail?

Yes.

Present

n) With reference to the present position, are the answers to any of the above questions different?

Yes.

o) If so, please give details.

Revised Renfrewshire Council Case Recording Guidance was implemented in 2019.

(ii) Practice

Past

a) Did the local authority adhere in practice to its policy/procedures in relation to record keeping?

See above at 4.2(ii)(a).

b) Did the local authority check adherence in practice to its policies and/or procedures in relation to record keeping by foster carers?

Checks for adherence were made by the supervising social worker.

- 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
 - ii. Foster carers
 - iii. Visits to children and foster carers
 - iv. Complaints
 - v. Investigations (both internal and external)
 - vi. Discipline
 - vii. Responding to requests from former children in foster care for information/records
 - viii. Other issues relevant to foster care

See above at 4.2(ii)(b).

Accountability was through line management responsibility for example through staff supervision and reviews of case files.

- d) How was adherence demonstrated?

Adherence to practice was demonstrated in the case files and other recordings.

- e) Were relevant records kept demonstrating adherence?

Records were retained in line with requirements pertaining at the time as far as can be ascertained.

- f) Have such records been retained?

Renfrewshire Council records have been retained in line with regulations pertaining at the time.

- g) If policy/procedure was not adhered to in practice, why not?

N/A

- h) 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?

Investigations were undertaken where there were allegations of abuse of children in foster care. See Part D for further details.

Self-evaluation exercises were undertaken, and these were submitted to the Care Inspectorate as part of the inspection process for child protection and children's services.

- i) If so, when did the reviews take place, what documentation is available, and what were the findings?

See Part D.

- j) How have the outcomes of investigations been used to improve systems, learn lessons?

Recommendations and learning from self-evaluation and inspections have informed improvements to practice and policy, for example there was a policy developed in relation to the recording of the views of children and young people (2008) following an inspection of social work services.

In relation to learning from investigations, any learning was used to reflect on and improve practice.

- k) What changes have been made?

Changes were made to policies and practice for example, the involvement and participation of children who were looked after in processes such as LAC review meetings, joint visits to foster carers with the supervising social worker and the child's social worker, the inclusion of a chronology of significant events in all carers' files and changes to case recording guidance.

Following the conviction in 2013 of a foster carer in Renfrewshire (see Part D) for the abuse of children in her care, local practice was reviewed. The abuse was historic in nature and therefore practice and policy had changed in the intervening 20 years since the carer was registered.

These practice changes were implemented as a result of the review:

- Unannounced visits by fostering team social workers to carers homes was increased;
- A carer chronology was included in all carers files that included key events and any complaints or allegations against carers;
- Responsibility was reallocated to another worker for the duration of any child protection investigation;
- Fostering team social workers routinely check bedroom. Clothing toys etc in the foster carers home;
- Joint visits are made to carers within 4 weeks of placement with the child's social worker and regular joint visits are made thereafter.

- l) How are these monitored?

Changes were monitored by senior managers in the social work service. Reports were provided to council boards of significant changes and improvements and the impact of these.

The Care Inspectorate externally monitors changes and improvements through their inspection process.

Practice was monitored via supervision and accountability processes within social work teams and overseen by operational managers.

m) Did the local authority afford former children in care access to records relating to their time in foster care?

Yes.

n) If so, how was that facilitated?

Access to records was facilitated via the subject access request processes pertaining at the time.

o) If not, why not?

N/A

Present

p) With reference to the present position, are the answers to any of the above questions different?

No.

q) If so, please give details.

N/A.

r) Please provide details of the types of any records currently held relating to the children in foster care in respect of the following:

i. Children in foster care

Children in foster care will have an individual case file.

The Renfrewshire Council Social Work, Case Recording Guidance (2019), outlines the requirements for the records for children in foster care, which are the responsibility of the child's social worker to maintain. Oversight of this sits within line management structures.

Information from meetings such as looked after reviews, children's hearings etc are recorded in the child's file as well as the child's plan and case recordings of meetings, contacts

etc. Records of the views of the child are also contained in files.

The Renfrewshire Foster Carers' Handbook outlines the responsibilities for foster carers in relation to recording and report writing. Carers are given a proforma to record the placement record, which includes information about caring for the child (health, behaviours, achievements, activities etc) which is completed for each child in their care. Each child has an individual record. The purpose of this is to write down significant events in placement and for the child.

The guidance outlines the way records should be written (for example, using factual and plain language). All the carer's records for the child are copied for the child's social worker and form part of the child's record.

Information on record keeping is also contained in the Fostering Network Safer Caring book, which is given to all carers.

Carers may also be asked to keep a diary which can be passed on between the carers and the parent to help give information about the child's routines.

The supervising social worker will read through these records and sign them.

ii. Staff with responsibilities for foster care

Records held include supervision records, employment records and contracts, HR records (health, sickness, holiday, grievance information etc), professional registration etc.

Records are held in relation to staff supervision and professional development plans.

iii. Foster carers

Carers' records include information on their recruitment process, assessment as carers, detail of checks undertaken (such as medicals, local authority and health board checks, references, risk assessment reports, foster care review reports and minutes, PVG disclosure checks, chronology of placement and significant events etc)

Supervising social workers meet with carers on at least a monthly basis and record details of these meetings. These are signed as a supervision record and a copy given to the carer

and a copy retained in the foster carers file. Other contacts such as unannounced visits or telephone discussions are also recorded in carers files.

The social worker will also maintain a training and development record for carers.

Where a complaint or allegation has been made against a carer the supervising social worker may be involved in inquiries into this and all relevant information will be recorded in the carers and the child's file.

The supervising social worker will also provide written reports for foster care reviews including information about the child in placements as this pertains to the carer's role and responsibilities.

iv. Complaints

Information on complaints is kept in carers' files and children's files.

A log of all complaints and allegations relating to foster carers is maintained.

v. Investigations (both internal and external)

Information on child protection investigations are kept in the foster carer's and child's files.

Inspection reports on the fostering service are published by the Care Inspectorate on their website.

vi. Responding to requests from former children in foster care for information/records

All requests for information and records are noted on a confidential database

Part D – Abuse and Response

The questions in Part D should be answered in respect of abuse or alleged abuse relating to the time frame 1930 to 17 December 2014 only.

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?

The nature of the abuse of children in foster care that is outlined in 5.8 and 5.9 below was, variously, physical, emotional and/ or sexual.

5.2 Extent

- a) What is the local authority's assessment of the scale and extent of abuse of children in foster care?

From information reviewed by Renfrewshire Council, there is evidence that children were abused (noted in 5.8 below) while in the care of a foster carer approved by Strathclyde Regional Council and subsequently registered by Renfrewshire Council. Abuse was proven in court in relation to 6 children placed in her care (2 sibling groups). The abuse occurred between 1991 and 1997. The conviction was in 2013 after an investigation into non recent abuse reported to the police by 6 adults who were placed in the care of the foster carer (details in 5.8 below).

Renfrewshire Council has undertaken child protection investigations relating to children (see c) and d) below). These have not led to convictions.

- b) What is the basis of that assessment?

For this case study we have undertaken an audit of the files of foster carers registered by Renfrewshire Council.

The findings from the audit were cross referenced with a review of the complaints and allegation log held by the fostering service from January 2001, when the log was started.

The complaints and allegations recorded in the log were cross referenced with the information contained in the carers' files and, where there were significant concerns noted, this was followed up by a review of the files of the children by whom concerns were raised.

There was institutional knowledge of a police investigation and court case where 2 former carers were charged with offences relating to 6

children who had been in their care. One of the carers was convicted. Reports of a review into these carers were reviewed for the case study (see 5.8 below).

A review was undertaken of all initial and significant case reviews undertaken by Renfrewshire Child Protection Committee. None of these reviews related to concerns where a child was placed in foster care.

A review was undertaken of claims for compensation that had been made to Renfrewshire Council in relation to possible abuse in foster carer. These were cross referenced with information held in relation to the complaints and allegations log and the audit of case files.

Meetings were held with managers and staff of the foster care team throughout the audit process to ascertain their knowledge and understanding of concerns or allegations regarding foster carers.

Renfrewshire Council has not been able to access files from Strathclyde Regional Council. These are held and stored by Glasgow City archives at the Mitchell Library in Glasgow.

- c) How many complaints have been made in relation to alleged abuse of children in foster care?

Refer to 5.8 below.

- d) Against how many foster carers have the complaints referred to at (c) above been made?

One.

- e) How many foster carers have been convicted of, or admitted to, abuse of children?

One foster carer has been convicted of abuse of children.

- f) How many foster carers have been found by the local authority to have abused children?

Renfrewshire Council has not made any independent finding of abuse by a foster carer, in the period January 2001- 17 December 2014.

- g) Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?

From the review of cases, we are aware of a complaint (noted in 5.8 below) in relation to adult children of a foster carer.

- h) How many family members of foster carers have been convicted of, or admitted to abuse of children?

As far as we are aware, no family members of foster carers have been convicted of or admitted to abuse of children.

- i) How many family members of foster carers have been found by the local authority to have abused children?

No family members of foster carers have been found by the local authority to have abused children.

- 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?

Renfrewshire Council are not aware of other children in placement where complaints have been made in relation to the alleged abuse of children.

- k) How many other children placed in foster care in the same placement have been convicted of, or admitted to abuse of children?

Renfrewshire Council are not aware of any other children placed in foster care in the same placement who have been convicted of or admitted abuse of children.

- l) How many other children placed in foster care in the same placement have been found by the local authority to have abused children?

Renfrewshire Council is not aware of children placed in foster care in the same placement that have been found to have abused others in a foster placement.

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?

Refer to 5.9 below.

- b) To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?

Refer to 5.9 below.

- c) To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?

The case noted in 5.8b) below related to non-recent abuse.

- d) Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?

See 5.8 below.

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?

Renfrewshire fostering service was registered in 2005 in line with requirements of the Care Commission (later the Care Inspectorate). Inspections were conducted by the Care Commission in relation to this service in 2006, 2007, 2009, 2010, 2011, 2012, 2014, 2015 and 2017. Aspects of these inspections focus on safe care, complaints and child protection policy and procedures.

The Care Commission (Care Inspectorate) and HMIE (Her Majesty Inspectorate of Education) undertook joint inspections of services to protect children and young people in Renfrewshire in 2008 and 2011. A joint inspection of children's services took place in 2015.

All reports of these inspections are published on the Care Inspectorate website.

For each such external inspection please answer the following:

- b) Who conducted the inspection?

See 5.4 a) above

- c) Why was the inspection conducted?

As a regulated service, the fostering service was subject to regular inspections.

The joint inspection of services to protect children in Renfrewshire Council area looked at the services provided by health, police, council, children's reporter, voluntary and independent organisations to assess how well they worked together to protect children and keep them safe, as part of the national inspection programme requested by Scottish Ministers.

At the request of Scottish Ministers, the Care Inspectorate led joint inspections of services for children and young people in need of care and protection across Scotland. The inspections looked at the difference community planning partnerships made to the lives of children and young people in need of care and protection, the lives of the children and young people for whom the community planning partnerships had corporate parenting responsibilities.

d) When was the inspection conducted?

Dates are outlined in a) above.

e) What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children in foster care?

There were no issues or improvement actions noted in inspection reports for the fostering service in relation to abuse or alleged abuse in foster care in the reports dated 2006, 2007, 2010, 2011, 2012, 2014, 2015 and 2017.

In 2009 the Care Inspectorate report noted the following:

'allegations and complaints against carers were carried out robustly and the fostering panel was used, as appropriate, for guidance with legal and medical advice'.

The report noted that 'the service had a complaint monitoring log and evidence was provided that complaints were investigated.'

An improvement action was noted in relation to the timescales to undertake investigations and improved communication on outcomes to carers.

The joint child protection and children services inspections (2008, 2011, 2015) had no specific recommendations relating to abuse or alleged abuse in foster care.

f) What was the local authority's response to the inspection and its outcome?

The local authority acted on all recommendations made in inspection reports to ensure that requirements were met, and improvement made as required.

g) Were recommendations made following the inspection?

Yes.

h) If so, what were the recommendations and were they implemented?

The 2009 fostering service inspection recommended: 'The Child Protection procedures should be reviewed to ensure they are still in keeping with latest research, best practice guidance and current legislation. National Care Standards: Foster Care and Family Placement Services. Standard 13: Management and Staffing.'

The 2010 fostering service inspection noted: 'The manager advised that, as a member of the West of Scotland Consortium, the service had

contributed to the funding of a review of inter-agency child protection procedures. Having already commented on the draft, it was anticipated that the final version would be available shortly. The service's own procedures may then be reviewed. The outcome of this will be considered at the next inspection.'

See also e) above.

The recommendations were implemented.

- i) If recommendations were not implemented, why not?

N/A.

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?

No external investigations, (other than police investigations, see 5.12 below) have taken place considered issues relating to abuse and/or alleged abuse of children.

For each such external investigation please answer the following:

- b) Who conducted the investigation?

N/A, see 5.5 a) above.

- c) Why was the investigation conducted?

N/A, see 5.5 a) above.

- d) When was the investigation conducted?

N/A, see 5.5 a) above.

- e) What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children in foster care?

N/A, see 5.5 a) above.

- f) What was the local authority's response to the investigation and its outcome?

N/A, see 5.5 a) above.

- g) Were recommendations made following the investigation?

N/A, see 5.5 a) above.

h) If so, what were the recommendations and were they implemented?

N/A, see 5.5 a) above.

i) If recommendations were not implemented, why not?

N/A, see 5.5 a) above.

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?

The local authority response to external inspection of services was to comply fully with requests to provide information such as annual returns and self-evaluation reports. The local authority also provided access to the relevant documentation such as policies and procedures, service users' records, the complaints and allegations log etc. A timetable of inspection activity was also arranged including meetings with staff and carers.

There were no specific inspections undertaken in relation to abuse, and/or alleged abuse of children in foster care.

Where police conducted investigations, the council would assist as far as possible and where relevant, for example, requests could be made to the council for access to relevant records and these requests are dealt with under the relevant legislation for access to information/ records.

The local authority also worked alongside the police in some investigations, for example where there is a joint investigation into child protection concerns. There are joint procedures for these matters (such as joint investigative interviewing, inter agency child protection procedures and arrangements for medical examinations).

b) What was the local authority's procedure/process for responding to the outcomes of such external inspections and/or investigations?

Responses to external inspections:

The recommendations and findings of inspections were considered by senior managers and were presented at relevant council committees. This included action plans to implement the improvements and changes required as a result of inspection. Senior managers oversaw and monitored the action plans.

Response to external investigations:

Any requests for disclosure of personal data was dealt with as per the relevant legislation pertaining at the time.

Renfrewshire Council child protection procedures focused on joint investigations with police and social work and not external investigation by police on a single agency basis.

Any requests for disclosure of personal data was dealt with as per the relevant legislation pertaining at the time.

- c) What was the local authority's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?

The implementation of recommendations from fostering services inspection was overseen by senior managers who were accountable to council committees who received reports on the outcome of inspection, recommendations and future improvement actions. Updated reports were submitted to boards to provide information on progress of changes. These were provided by the relevant head of service.

Senior managers worked with operational managers and staff to implement the relevant improvements and changes.

Joint inspection recommendations were overseen by the Renfrewshire Child Protection Committee and the Renfrewshire Children's Services Partnership as reports and recommendations pertained to services provided jointly across the community planning partnership.

5.7 Impact

- a) What is known about the impact of abuse on those children in foster care who were abused, or alleged to have been abused?

Over time society has become increasingly aware of the extent and nature of abuse of children in care. The impact of abuse in foster care has been the subject of research and reports which has led to a greater understanding of the traumatic impact of abuse.

In particular, the testimony of abuse survivors has enhanced our understanding of the impact of abuse in care. This has led to an awareness of the impact of abuse on the health and wellbeing of survivors.

Locally, following the conviction of a foster carer for the abuse of children in her care, some of those subject to that abuse have spoken to senior managers about the devastating impact this has had on their lives.

The victims who suffered abuse by that foster carer spoke of significant impact on their emotional development. Services and supports were offered to assist the victims by the local authority.

- b) Where does the local authority's knowledge/assessment of that impact come from?

As stated above, the local authority's understanding has been informed by research, reports from reviews of abuse in care and directly from listening to survivors. Renfrewshire Council works in partnership with organisations who advocate for young people who are care experienced and, over time has increasingly ensured that the voice of care experienced young people informs policy and practice improvement across council services.

Local authority staff receive ongoing learning and development which supports the development of knowledge and assessment of the impact of abuse.

Following the conviction of a foster carer for the abuse of children in her care, Renfrewshire Council senior managers met with some of those abused in her care and some of their family members.

- 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?

There is less research on the impact on families than the impact on children themselves particularly in relation to foster care, however there is a growing awareness of the impact of traumatic events and loss on the lives of children who are care experienced and their families.

There is research on the impact of abuse on a (non-abusing) parent and from the 1990s this knowledge has been used to develop the response and support offered by services such as social work.

- d) Where does the local authority's knowledge/assessment of that impact come from?

As stated above, the local authority's knowledge is informed by learning from research, case reviews and by listening to families impacted by abuse, trauma and loss. The council provides direct services to families impacted by trauma and listens to their experiences.

Staff within the council such as social workers and teachers have professional qualifications and their training involves developing an understanding of the impact of abuse and trauma.

5.8 Known Abusers and Alleged Abusers

See separate appendix.

- a) Does the local authority know of specific abusers, or alleged abusers, of children in foster care?
- b) If so, what are the names of the abusers, and/or alleged abusers?
- c) For each of these persons, please provide as much as possible of the following information:
 - the period (dates) during which they are known or alleged to have abused children in foster care
 - 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
 - the knowledge sought or received about them by the local authority at the point of approval/registration of foster carers and thereafter
 - 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,
- d) Were known abusers, or alleged abusers, of children permitted to continue as foster carers?
- e) If so, why was this considered to be appropriate?
- f) If so, what process of monitoring/supervision followed?

5.9 Specific Complaints

See separate appendix.

- a) How many specific complaints of abuse of children in foster care have been made to the local authority?

For each specific complaint, please answer the following:

- b) Who made the complaint?
- c) When was the complaint made?
- d) Against whom was the complaint made?
- e) What was the nature of the complaint?
- f) When/over what period was the abuse alleged to have taken place?
- g) What was the local authority's process and approach in dealing with the complaint?
- h) What was the local authority's process and approach for investigating the complaint?
- i) What was the outcome of the complaint following that investigation?
- j) Did the local authority provide a specific response to the complaint?

- k) If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?
- l) If there was no response, why not?
- m) Was the information/content of the complaint passed to police?
- n) If not, why not?

5.10 Civil Actions

See separate appendix.

- a) How many civil actions have been brought against local authority relating to abuse, or alleged abuse, of children in foster care?

For each such civil action, please answer the following:

- b) Who brought the action?
- c) When was the action brought?
- d) Against whom was the action brought?
- e) What was the nature of the abuse, or alleged abuse, to which the action related?
- f) What were the names of the persons said to have, or alleged to have, committed abuse?
- g) When/over what period was the abuse said, or alleged, to have taken place?
- h) How did the action progress?
- i) What was the outcome?
- j) Was the action settled on a conditional basis of confidentiality?
- k) Who was/were the local authority's legal representative(s) in relation to the civil action?
- l) Did the local authority carry insurance for meeting civil claims at the time the action was live?
- m) How/where can copies of the court papers relating to the civil action be made available to the Inquiry?

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?

Renfrewshire Council is not aware of criminal injuries compensation awards in respect of abuse or alleged abuse of children in foster care.

- b) If so, please provide details if known.

N/A.

5.12 Police

See separate appendix.

- a) How many complaints of abuse of children in foster care have been made to the police?

In relation to each known complaint to the police, please answer the following questions:

- b) Who was the alleged abuser or abuser?
c) Did the police conduct an investigation in relation to the complaint?
d) If so, who conducted the investigation and when?
e) What was the outcome of the police investigation?
f) What was the organisation/establishment's response?

5.13 Crown

See separate appendix.

- a) To what extent has the Crown raised proceedings in respect of allegations of abuse of children in foster care?

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?
c) What was the nature of the charges?
d) What was the outcome of the proceedings, including disposal/sentence if there was a conviction?
e) What was the local authority's response to the proceedings and outcome?