

## **ADDITIONAL QUESTIONS FROM INQUIRY –**

**Part C, we note various cross references. When the cross-references are examined, not all of them appear to us to address the questions posed. We would therefore be grateful if you could review and clarify your position in relation to the following:**

- 1. Question 4.3(i)(d)(ii) in relation to policy regarding child protection cross refers to the preceding answer in respect of safeguarding. That answer does not appear to refer to any specific policy in relation to child protection.**

### **Shetland Islands Council response to 4.3(i)(d)(ii):**

We feel this question has been answered in 'Appendix 8' which was submitted with our original response, as follows:

*6<sup>th</sup> Jan 1992 Following Guidance from the Scottish Office on 31 October 1991 – Protection from Abuse. This brought about the implementation of coordination of local services regarding Child Protection. This also set out the remit of the Child Protection Committee. This was agreed by Shetland Islands Council Social Work Committee on this date and implemented immediately.*

*We found that there were Social Work Committee Minutes stating the Principles of this process which included :- Conduct and Management of each case; the importance of Child's Plans; Response & collaboration of police; clear management oversight of cases; information to the Reporter; Procedure for investigating Child Protection cases.*

*We met with previous employees of Shetland Islands Council who confirmed that, to their knowledge, this is the first Child Protection process which Shetland Islands Council had.*

*Child Protection guidance developed by Social Work Divisional Manager following the above Guidance and following the findings of the Orkney Enquiry in 1991. The Divisional Manager for Orkney Council had come from Orkney and helped develop the first Shetland Islands Council Social Work procedures.*

*Sept 1992 - A recruitment campaign was set up for foster carers – included enhanced payment scheme. This followed the above review and a review of residential services in Shetland in February 1992.*

*Nov 1995 - It was agreed by Shetland Islands Council Committee that all vacancies and appointments to the Fostering Panel were now delegated to the Social Work Committee.*

*1996 - Shetland Islands Council's Social Work complaints handling procedure updated in line with national guidance and legislation.*

*1998 - The first Shetland Interagency Child Protection procedures are dated May 1998, followed by updates in Feb 2001, July 2003, Nov 2004, August 2007, July 2012, August 2015, and May 2019.*

*Pre 1998/9 – the Child Protection process was for Social Work to speak to the Police and agree a course of action/investigation, which may have included a form of joint interviewing.*

*Child Protection Committee (CPC) Minutes from 1999 – in archives; CPC annual reports from 2000/01 to 2017/18 and first Public Protection Committee Report for 2018/19 available if needed).*

*1999 Joint Interview Training Introduced.*

*2000 Findings from death of Victoria Climbié. (Lord Lamming Report 2003), informed further changes to the Shetland Interagency Child Protection Procedures.*

- 2. Question 4.5(ii)(a) in relation to adherence in practice to policy and procedures in relation to other members of the foster carer's household cross refers to 4.2(ii)(a) which deals with a different topic and in turn refers to Appendices 7 and 8. We note that no answers have been provided to the remaining questions in 4.5(ii)(b) to (f). A similar approach is taken in relation to Question 4.6(ii)(a) to (f). We would be grateful if answers could be provided.**

**Shetland Islands Council response to 4.5(ii)(a):**

We found limited information in our records about adherence with policies and procedures relating to the other members of a foster carers household. In addition to the Social Work Procedures, records show specific in-house Fostering procedures, were developed around 2015 and updated in 2018. There are no records of previous in-house procedures.

According to the files, there were a variety of checks carried out on other persons residing with foster carers. These range from police checks being done in 1986 (earliest record) to disclosures being done; education check; reference on applicants children (2005 onwards); PVG checks when this came in; Interviews with applicants references. We found that historically the checks were inconsistent as there are a number of foster carer files where there is no evidence of what, if any, checks were carried out.

**Shetland Islands Council response to 4.5(ii)(b):**

As there were no specific policies found addressing checks to members of foster carer's households, we cannot demonstrate this succinctly. However, we found some examples of good practice of checks on members of fosters carers households as described at 4.5(ii)(a) above.

**Shetland Islands Council response to 4.5(ii)(c):**

Examples of checks found in files were police checks being done in 1986 (earliest record) to disclosures being done; education check; reference on applicants children

(2005 onwards); PVG checks when this came in; Interviews with applicants references.

**Shetland Islands Council response to 4.5(ii)(d):**

We found a lack of consistency across all files read, however, there is evidence across some files to show this would have been a recognised practice. However, the recordings are inconsistent during this period.

**Shetland Islands Council response to 4.5 (ii)(e):**

All existing records have been retained. However, it is acknowledged that there are some records which were destroyed pre 2010.

**Shetland Islands Council response to 4.5 (ii)(f):**

There was no policy and procedure relating to this at this time.

**Shetland Islands Council response to 4.6(ii)(a):**

We have very limited information on this from our records, however the Children Files show that less than five children were placed with other local authorities/other organisations such as independent providers. The earliest procedure we can find relating to the 1997 Social Work Procedures which we believe were adhered to. The 1997 Procedures covered transfer of children to other placements out with authority. From the files read we can evidence that statutory reviews (LAC reviews) were held for all children placed out with local authority area; and social work visits were undertaken. Review and supervision of foster carer placements out with authority were undertaken by the receiving authority.

**Shetland Islands Council response to 4.6(ii)(b):**

Please refer to the response to question 4.6(ii)(a) above.

**Shetland Islands Council response to 4.6(ii)(c):**

Examples of positive practice can be demonstrated from the files retained for the less than 5 children placed out with authority during this period.

**Shetland Islands Council response to 4.6(ii)(d):**

All available records and files were read and show that the 1997 Procedures were adhered to. However, we are aware that a number of records were destroyed in 2010.

**Shetland Islands Council response to 4.6(ii)(e):**

Yes, from the files we hold.

**Shetland Islands Council response to 4.6 (ii)(f):**

We believe policy and procedures were adhered to.

- 3. Question 4.3(i)(m), 4.4(i)(m), 4.5(i)(m), 4.6(i)(m), 4.8(i)(m) and 4.9(i)(m) all cross refer to 4.2(i)(m). That in turn refers to answers above- i.e. in the rest of 4.2(i) and Appendix 8. Please can you specify whether the current position is different in relation to the various areas addressed and if so, in what respect(s)?**

**Shetland Islands Council response to 4.3(i)(m):**

Yes.

**Shetland Islands Council response to 4.3(i)(n):**

We feel this question has been answered in 'Appendix 8' which was submitted with our original response, as follows:

**Shetland Islands Council Social Work Procedures**

1992 – There is a reference to some Social Work procedures but there are no records found.

1997 – Full Social Work procedures: Fostering refers to Fostering of Children (Scotland) Regulations 1996 regarding the quality of Service to Children, Families and Foster Carers.

The Shetland Islands Council Children's Social Work Services Policy highlights the duties of the Service and incorporates:

- The main principles of the Children (Scotland) Act 1995
- Welfare and Child Care Principles
- Child Protection in conjunction with Shetland's Inter-Agency Child Protection Procedures
- Children who are Looked After – including welfare, protection and support
- Foster Care – Ethos and Values

The 1997 (and subsequent updated) Social Work Procedures cover the following:

- Aims and Intentions of Fostering Service;
- Referrals to Children's Social Work;
- Children's Hearings and Compulsory Supervision Orders;
- Assessment of need;
- Child welfare, Safeguarding; Child Protection; Medical and Wellbeing Care; Child views and Family Views;
- Information sharing with Families; Family and Sibling Contact;
- Placement of children and siblings; Matching Placement of Children with Foster Carers;
- Private Fostering;
- Out of Authority Placements;

- *Fostering payments applications and enhanced payment applications;*
- *Recruitment of foster carers including expectations of carers; Fostering Packs; Approvals; Fostering Panel role; and Foster Care Agreement;*
- *Looked After Child reviews and foster placement reviews; transfer of children to other placements; review and support provision to individuals leaving care; deregistration of carers;*
- *Social Work visits, line management responsibility and support; training for carers; supervision of carers;*
- *School and Educational activities;*
- *Assessments of Foster Carers - Assessments will be carried out in accordance with the requirements of the British Agencies for Adoption and Fostering (BAAF) Form F and the detailed BAAF guidance. This will include all the requirements specified in the Fostering of Children (Scotland) Regulations 1996. This includes accommodation; employer and character references; other members of the household; accommodation and bedroom requirements; and*
- *Fostering and Adoption Panel - The Fostering and Adoption Panel is responsible for considering the assessment of prospective foster carers and respite carers. The Panel will inform the Director of Social Work in writing of its recommendations. The Director of Social Work's decision will be communicated in writing to the applicants by the Child Care Development Officer.*

*Social Work Procedures were then subsequently updated in 2007; 2011; 2014; draft 2019.*

#### **Shetland Islands Council Fostering Procedures (in-house)**

*There were no Fostering procedures/processes prior to 1996 and they were first developed within the 1997 Social Work procedures in 1997, and then in the early 2000's.*

*In addition to the Social Work Procedures, records show specific in-house Fostering procedures, were developed around 2015 and updated in 2018. There are no records of previous in-house procedures.*

*The Foster Carers Handbook was previously in circulation in 2011 although a copy of this has not been kept. The new Handbook was completed in Jan 2019, which covers all aspects of Foster Care in Shetland.*

*The Current in-house Fostering Procedures include:*

- 1. Planning and Managing the Service*
- 2. Professional Competence and Management of the Family Placement Service (Fostering Service)*
- 3. Placements – Linking and Matching*
- 4. Adopter and Foster Carer Recruitment and Initial Information*
- 5. Preparation and Assessment of Foster Carers*
- 6. Foster Carer Agreements*
- 7. Payment of Allowances*
- 8. Post Approval Training and Support for Carers*

9. Review of Carers Approval; Termination or Deregistration
10. Unannounced Visits
11. Smoke Free Policy
12. Second Opinion Visits
13. Participation Policy
14. Functions and Objectives – Fostering. This includes the ethos and values of the Agency and the Service, and the support to Foster Carers.
15. Foster Carers Handbook (the “Handbook”)

*These procedures and the Handbook cover all aspects mentioned above under the 1997 Social Work procedures but also include:*

- Birthdays, Leisure and activities
- Induction and training support to carers
- Foster Carers Recordings
- Complaints; Disciplinary and Allegations against Carers.
- Provision of foster care
- Care of children in foster care
- Role of Foster carers
- Other members of the foster carer's household
- Placement of children with foster carers approved/registered by other local authorities or organisations
- Complaints and reporting about foster care
- Internal investigations relating to abuse or alleged abuse of children in foster care; Record keeping in relation to foster care.

*Additionally the Child Protection Procedures also detail the process regarding allegations of foster carers.*

### **Values & Ethos**

*There is scant information available prior to the procedures in 1997; but discussions around values and ethical issues were raised by the Divisional Manager Children & Families in 1996 and were then recorded in the Social Work Procedures in 1997.*

*It is clear from a Social Work Committee Minute dated 23 September 1975, which agreed the fostering allowances (higher than anywhere else in Scotland), that a positive emphasis was placed on the value of Foster Care in Shetland, which would also evidence a positive ethos from the Local Authority.*

*From the 1997 Social Work procedures, it is clear that National Guidance and Legislation was referred to throughout – the values and ethos placed on all Social Work procedures and processes are evident, including Fostering.*

*Values and ethos of the Service are now recorded in the Foster Carers handbook (2019); the Fostering Service Functions and Objectives (2018); the Current Social Work Procedures (2019); and the in-house Fostering procedures.*

As regards the present position in relation question 4.3(i)(d)(v), from reviewing the policies and procedures currently in place we recognise that this is not an area of

current practice. We noted this was not specifically referred to in our procedures and this will be rectified with the 2022 updates.

As regards the present position in relation to questions 4.3(i)(e) to (l), the policies and procedures currently in place were compiled by the relevant Social Work Teams, and updated according to National Initiatives, Case Review Findings, Care inspectorate recommendations and changing legislation and updated research about best practice. In terms of audit trails, a number of older policies were over written so there are no records of older ones. However, from around 2014 there is now more of an audit trail of older policies and procedures.

**Shetland Islands Council response to 4.4(i)(m):**

Yes

**Shetland Islands Council response to 4.4(i)(n):**

We have included the changes to foster carer policy in our response at 4.3(i)(n). We note that in relation to question 4.4(i)(d)(viii) – *Transfer of foster carers to and from other organisations or local authorities* – we do not currently have a specific procedure around this. However it is noted that any transfer into our authority would be reassessed according to the child's change of circumstances and a report presented to our independent Panel and the Panel procedure for recommendation would then proceed.

As regards the present position in relation to questions 4.4(i)(e) to (l), the policies and procedures currently in place were compiled by the relevant Social Work Teams, and updated according to National Initiatives, Case Review Findings, Care inspectorate recommendations and changing legislation and updated research about best practice. In terms of audit trails, a number of older policies were over written so there are no records of older ones. However, from around 2014 there is now more of an audit trail of older policies and procedures.

**Shetland Islands Council response to 4.5(i)(l):**

Yes

**Shetland Islands Council response to 4.5(i)(m):**

We have included the changes to foster carer policy (which covers other members of a foster carer's household) in our response at 4.3(i)(n).

As regards the present position in relation to questions 4.5(i)(b) to (k), the policies and procedures currently in place were compiled by the relevant Social Work Teams, and updated according to National Initiatives, Case Review Findings, Care inspectorate recommendations and changing legislation and updated research about best practice. In terms of audit trails, a number of older policies were over written so there are no records of older ones. However, from around 2014 there is now more of an audit trail of older policies and procedures.

**Shetland Islands Council response to 4.6(i)(l):**

Yes.

**Shetland Islands Council response to 4.6(i)(m):**

We have included the changes to placement of children in other local authorities in our response at 4.3(i)(n).

As regards the present position in relation to questions 4.6(i)(a) to (k), the policies and procedures currently in place were compiled by the relevant Social Work Teams, and updated according to National Initiatives, Case Review Findings, Care inspectorate recommendations and changing legislation and updated research about best practice. In terms of audit trails, a number of older policies were over written so there are no records of older ones. However, from around 2014 there is now more of an audit trail of older policies and procedures.

**Shetland Islands Council response to 4.8(i)(m):**

No, there is no difference to the procedures described in our response to question 4.8(i)(a). However, as regards 4.8(i)(b), the aim and intention of the policy regarding internal investigations for foster carers will be the same as allegations made against staff and as such will follow the Council's and the Shetland Inter-Agency Child protection Procedures.

Points 4.8(i)(c) to (l) sit within the Shetland Inter-Agency Child Protection Procedures and are not contained within a separate procedure. The Shetland Inter-Agency Child Protection Procedures also include and refer to the Shetland Islands Council Complaints Procedure regarding process, investigation and response to foster carers.

The Shetland Inter-Agency Child Protection Procedures state:

*7.5 Allegations Against Foster Carers*

*7.5.1 The welfare of Children looked after away from home is always paramount. Any allegation against the Foster Carer will be investigated in accordance with the Shetland Inter-Agency Child Protection Procedures and will follow the Stepwise guide.*

*7.5.2 The Council recognises the vulnerability of Carers and the Supervising Social Worker will offer support and advice to the Carer in the event that a Child Protection investigation is undertaken in respect of allegations made against that Carer.*

*7.5.3 The Team Leader/Senior Social Worker Family Placement Services must be informed immediately and included in any interagency professional meeting to plan a child protection investigation if an allegation is made against a foster carer.*

*7.5.4 Immediate consideration will be given to whether a change of placement is in the child's or young person's best interests.*

*7.5.5 A Child Protection Planning meeting will be called by the Team Leader and discussion will consider the choice of investigating social worker, including whether there is a need for help to be requested from another area to ensure independence.*



*7.5.6 Shetland Islands Council recognises the vulnerability of carers and the Supervising Fostering Officer will offer support and advice to the carer in the event that child protection investigation is undertaken in respect of allegations made against carers.*

*The Fostering Network may also be able to support the foster carer through its advice helpline and counselling service.*

*<https://www.thefosteringnetwork.org.uk/about/about-us/ourwork-in-scotland>*

**4. Question 4.9(i)(a) to (m)- no answers are provided. Please provide answers to the questions posed.**

**Shetland Islands Council response to 4.9(i)(a) to (m):**

In response to questions 4.9(i)(a) to (m), we are unable to evidence policy and procedures as they have been over written when updated and so are inaccessible. The procedures we have access to are from the following years – 1997; 2007; 2011 & 2014. We can see from the available files that record keeping was in place for foster care, but we are unable to assess what was adhered to or not.

We can assume from these records and from staff recollections that the relevant Social Work Managers wrote and updated the policies which were made available to all Social Work Teams at that time.

Accordingly there is no audit trail.

**Shetland Islands Council response to 4.9(i)(n):**

Yes

**Shetland Islands Council response to 4.9(i)(o):**

Please refer to our response provided at 4.3(i)(m).

As regards the present position in relation to questions 4.9(i)(a) and (b), we note that reference to recording is made across a number of procedures and policies currently in place, as well as the Foster Carer Handbook. However we recognise the benefit to have a single document across the service pertaining to this.

As regards the present position in relation to questions 4.9(i)(d)(i) – (vi), all recordings are made on Social Work's secure electronic recording system (SWIFT and O Drive) which only staff have access to. This system records all visits, records of foster carers, children's records, complaints and investigations.

As regards the present position in relation to questions 4.9(i)(d)(vii), any request for record access is made via the Council's Legal Department and then a formal request made to the relevant Social Work Team. This information is collated by Social Work and then sent back to Legal Services for a final check before the information is

released. Social Work would offer to meet with the applicant to discuss these records.

With regards to record keeping by foster carers, the following is written in the foster carer handbook:

### **Record Keeping**

*The Family Placement Service recognises the important and unique role foster carers play in the partnership between children/young people, their families and agencies. It is therefore essential that foster carers are able to record and convey their observations accurately and that as far as possible they reflect both positive and negative aspects of the child/young person's daily life, as well as any concerns that arise.*

*Foster Carers are also increasingly asked to attend Court, Hearings and Case Conferences and are always expected to attend a child/young person's Looked After Child Review.*

*When keeping records it is important that the information is relevant and not excessive. Foster Carers must ensure that records are accurate and kept up to date.*

*A daily record will help to:*

- *Maintain a history for the child/young person – “a coherent narrative”;*
- *Highlights any issues for the child/young person, for example behavioural changes after contact or identifies the needs for additional support, such as therapy for the child/young person etc.;*
- *Allows analysis of behaviour to identify any patterns or triggers;*
- *Informs decision making;*
- *Provides the information needed for giving evidence or writing a report for Court etc.;*
- *Identify a child/young person's future placement needs;*
- *Provides continuity for the child/young person when their allocated social worker is unavailable or changes;*
- *Reduce the risk to a foster carer and their family from allegations or complaints, both when the child/young person is in placement and once they have moved on;*
- *Provides an opportunity to reflect on the placement and identify good practice and learn from mistakes; and*
- *Highlights a foster carers training and development needs.*

*Foster Carers should also keep a record of significant events that occur. Significant events may include:*

- *Illness;*
- *Self-harm and statements of suicidal intent;*

- *Comments from a child/young person that give you cause for concern. Wherever possible the child/young person's own words should be recorded;*
- *Details of a child/young person's behaviour that gives you cause for concern. This should include the actual behaviour observed, the context which the behaviour takes place and what happened before it started. Any reactions from others, including yourself should also be recorded. Over time this information may be used to identify any triggers that contribute to the behaviour and how it is best managed;*
- *Details of any contact with the child/young person's family, including telephone calls, texts, e-mails, letters etc. Try to include the child/young person's reaction to the contact, including any behaviours before or after contact;*
- *Any involvement with the police, noting the date, police officer involved and nature of the involvement;*
- *Details of specific incidents, events or changes of circumstances of any member of the family; and*
- *Dates for reviews, family meetings, medical or dental appointments etc.*

#### **Separate Record for each Child/Young Person**

*Information relating to a child/young person should be recorded in their own log book, even when siblings are in placement together.*

#### **Diary/Log Book**

*All foster carers will be provided with a diary/log book in which they are required to record all appointments in relation to the child/young person. The log sheets should be used to record all relevant daily events in relation to each child/young person. If you run out of log sheets, additional sheets should be requested from your Supervising Social Worker.*

#### **Accidents/Incidents**

*You should record accidents and incidents on an Incident Report Form. All original Incident Report Forms should be provided to your supervising social worker who will return a signed photocopy to you to keep with the child/young person's records.*

#### **Additional Documentation**

*Original documents, such as birth certificates and passports, can inadvertently become lost so should be stored securely. Additionally, copies should be sent to the Family Placement Service.*

*Important certificates, such as records of achievement and other relevant items important to the child/young person should always be kept. These items should travel with the child/young person should they move placement or are no longer looked after.*

#### **Tips for Effective Recording**

- *Before you start be clear about why you are recording;*
- *Record as soon as possible after an event/observation;*
- *Provide a factual account;*

- *When giving an opinion, be clear that this is your opinion and explain why you have come to this conclusion;*
- *Record in a way that you would be happy for the child/young person or their family to read;*
- *Use plain language and avoid jargon; and*
- *Sign and date each record.*

### **Record Keeping Training**

*The Family Placement Services provides a number of online courses via AC Education to support foster carers develop their recording skills. The following courses are recommended:*

- *Record Keeping in Foster Care;*
- *Keeping and Sharing Information; and*
- *Reflective Practice.*

### **Storage**

*All records should be dated, signed and stored in a secure place. Foster carers are advised to keep all reports and documentation relating to children/young people they are looking after within a locked file box. Any foster carer who does not already have a lockable file box should request one from their Supervising Social Worker.*

*You should ensure that all computers, tablets etc. being used have a reputable security system which will include anti-virus software.*

*If using a personal computer, tablet etc., information regarding the child/young person should not be saved onto your device.*

### **Once a Child/Young Person Moves On**

*When a placement ends all information regarding the child/young person, including diaries and log sheets should be returned to your Supervising Social Worker who will ensure that these are stored securely with the child/young person's casefile. Once a child/young person moves on any information, for example e-mails, should be removed. Any information not already held by social work should be transferred to hard copy and passed on to your supervising social worker.*

### **Disruption Meetings**

*When a placement ends abruptly, this is often called a disruption. A meeting should be held to establish the reasons for this. Everyone involved in the placement will be invited to attend, although the child/young person does not always have to attend. Relevant workers will submit written reports, and the child/young person and carers may be asked to complete a feedback form giving their views and comments regarding the placement. This meeting will be used constructively, and in a way that helps to plan for the child/young person.*

### **Dealing with Complaints and Allegations**

*Caring for someone else's children is not easy and fostering a child/young person will place great demands on the foster carer and their family. Sometimes a*

*complaint may be made against them. If a complaint is made about a Service provided on behalf of Shetland Islands Council, it has to be investigated.*

*Depending on the nature of the complaint, it may be resolved through a joint meeting with the foster carer's social worker and the child's social worker or it may involve meeting with the social worker and the Team Leader or Registered Manager/Senior Social Worker. If it is not possible to resolve the issue or it is more serious, a formal complaint can be made. A Senior Officer may then be appointed who makes an objective investigation of the situation. Your Social Worker will support you and keep you in touch with what is happening.*

*Foster Carers are also encouraged to raise any matter of concern they have with their Social Worker or the Senior Social Worker/Registered Manager.*

### **Complaints from Carers about a Child's Placement**

*Matters of concern relating to any aspect of the child's placement should first be discussed with your Social Worker. Foster Carers should make it clear to the Social Worker that they have a matter of concern to discuss and invite them to call at a time when they are able to speak undisturbed. The Family Placement Team Social Worker will also need to discuss this with the Child's Social Worker. Should the matter remain unresolved after the Social Worker has responded to the Carer's complaints, then the Carer should arrange to see the Senior Social Worker/Registered Manager or Team Leader to discuss the matter further. If the matter still remains unresolved, the Foster Carer can request to see the appropriate Executive Manager.*

### **Complaints from Foster Carers on General Policy and Practice**

*Matters relating to general policy and practice, which are not related to a specific child/young person, should always be discussed in the first instance with your Social Worker. If a resolution is not reached at that stage, the matter should then be discussed with the Senior Social Worker/Registered Manager and subsequently the Team Leader if the complaint cannot be resolved.*

### **Formal Complaints Procedure**

*There may be occasions when Foster Carers wish to make a complaint about the Service and foster carers should speak with your Social Worker or the Registered Manager/Senior Social Worker in the first instance. Foster carers can also follow the Shetland Islands Council's formal Complaints Procedures. More information is available from your Social Worker or at [http://www.shetland.gov.uk/comments\\_complaints/](http://www.shetland.gov.uk/comments_complaints/)*

*The Care Inspectorate registers and inspects fostering services regularly. It is not required that you go through the local authority complaints procedure first but it is preferable.*

*A direct complaint can be made to them:*

- *Care Inspectorate Headquarters, Compass House, 11 Riverside Drive, Dundee DD1 4NW. Tel: **01382 207100** or complaints: **0845 6030890**.*
- [www.carecommission.com](http://www.carecommission.com)

### **Complaints or Allegations against Carers**

*The task of caring for other people's children is a complex one, requiring a high degree of co-operation from the various people involved with the children and their families. Foster Carers have day-to-day responsibility for the care of the child/young person placed with you. Clear communication and good understanding of what is expected of Foster Carers, and observance of good practice will help protect Carers from complaints being made against them.*

*Complaints against Foster Carers, or about an aspect of their fostering activities are relatively rare. However, there may be occasions when a formal complaint is made against a Foster Carer. If a formal complaint is made against the Carers, this is dealt with according to Shetland Islands Council's Formal Complaints Procedure.*

*The Council has a duty of care towards carers and foster carers will receive clear advice about processes and timings. Your Social Worker will ensure you have adequate information about what is happening and potential sources of advice and support, although they will not be able to discuss the detail of the allegation.*

*The Fostering Network has excellent information regarding allegations against foster carers. This can be found at <https://www.thefosteringnetwork.org.uk/advice-information/looking-after-fostered-child/allegations>*

*Children in placement should not have to move unless it is the only immediate, safe solution or they refuse to remain in the placement. This will be balanced against the need to minimise distress and disturbance. If it is decided that the child/young person should be moved, this can happen immediately without any period of notice. Written notice of the decision and confirmation of the date that the placement ended will be given as soon as possible.*

*Fostering Network's advice and mediation service **0141 204 1400** or [www.fostering.network](http://www.fostering.network)*

### **Care and control**

*The possible use of sanctions should be discussed and agreed at the beginning and during a placement by the carer, child/young person, the child's social worker, the family placement social worker and, if appropriate, the parents. It is accepted that individual circumstances may change and that carers will, on occasion, need to apply sanctions not previously agreed. Though there needs to be flexibility, carers need to be clear about the sanctions that are always unacceptable. Children, young people and their parents need to understand the nature of the care and controls they will experience and the type of sanctions they can expect in response to unacceptable behaviour. Carers are reminded that challenging behaviours are often related to previous negative experiences or rejections. Carers would discuss these with your social worker and consider alternative methods of supporting a child or young person, rather than imposing negative sanctions.*

**5. Question 4.9(ii)(b) to (o)- no answers are provided. We note answer 4.9(ii)(a) cross refers to 4.2(ii)(a), but as noted none of the following questions are answered including specific questions at (h) to (o). Please provide answers to the questions posed.**

**Shetland Islands Council response to 4.9(ii)(a)-(g):**

In response to questions 4.9(ii)(a) to (g), we are unable to evidence policy and procedures as they have been over written when updated and so are inaccessible. The procedures we have access to are from the following years – 1997; 2007; 2011 & 2014. We can see from the available files that record keeping was in place for foster care, but we are unable to assess what was adhered to or not.

We can assume from these records and from staff recollections that the relevant Social Work Managers wrote and updated the policies, which were made available to all Social Work Teams at that time.

Across the records we have found evidence of the areas listed at 4.9(ii)(c)(i) to (vii).

There is no evidence to verify that formal Quality Assurance procedures were in place however, we are aware from records that internal Quality Assurance processes did happen. We also have records showing that foster carers were reviewed regularly at Independent Panels in line with the Regulations and Care Inspectorate Standards. There are also records from foster carer supervision notes on their files that foster carer's records were checked during the Social Work visits which were done regularly.

**Shetland Islands Council response to 4.9(ii)(h)-(l):**

The response to question 4.9(ii)(h) is: No.

The responses to questions 4.9(ii)(i) to (l) are: N/A

**Shetland Islands Council response to 4.9(ii)(m)-(o):**

Provided questions 4.9(ii)(m) – (o) relate to the statement at 4.9(ii)(h) –

The response to 4.9(ii)(m) is:

Not in relation to any review as there were no reviews. However, the Local Authority supports individual applicants to review their records in all aspects of Social Work as set out in the answer above - any request for record access is made via the Council's Legal Department and then a formal request made to the relevant Social Work Team. This information is collated by Social Work and then sent back to Legal Services for a final check. Social Work would offer to meet with the applicant to discuss these records.

The responses to questions 4.9(ii)(n) and (o) are: N/A.