

Addendum

This is an addendum to the Part A-D response submitted by South Lanarkshire Council on 31 July 2020. In accordance with the request made by email from the Inquiry on 31 January 2022, the points in relation to which clarification is required are set out below, each followed by the response (in bold) from South Lanarkshire Council.

1. In relation to your case file audit, we note that you identified 125 children and family groups who made complaints of abuse (your response to Question 5.2(a) on page 341). In your subsequent clarification dated 13th October 2020 (our reference SLC-000000021), we note that you investigated foster carers' files and when you noted an allegation of abuse, you then reviewed the relevant child's file. We also note that of the 156 children reviewed, only 84 files were available for interrogation. In relation to this audit/review, it would be helpful if you could provide some further clarification:

- We note that in your response to Question 5.2(b) for 1996-2014 you refer to reviewing 181 foster carer files in total, but in your answer to Question 3.1(b) for the same period at p.108, you refer to reviewing 200 foster carer files. Could you please confirm how many foster carer files were reviewed? Were these all of the foster carer files held by you or a proportion? If a proportion, please could advise what that proportion was and provide us with some further detail of how you selected these files- e.g. at random or by reference to a complaints/de-registrations log?

Files of 400 foster carers were reviewed to establish if they contained any information on alleged abuse or complaints. As a result of this, 181 allegations of abuse and complaints against foster carers were noted.

Of the 181 allegations uncovered, we were able to track 84 of these allegations in children's files to discover further information on these events, to assist in the completion of the Section 21 notice.

All foster files were reviewed.

- In relation to children's files, given that the retention periods for these are longer than those for the foster carers' files, we are not sure why only 84 files were available for interrogation in respect of the 1996 to 2014 period. Are you able to provide a further explanation?

In respect to the 156 children reviewed and only 84 files being available for interrogation, the Inquiry should be aware that we did not have full details and background on the 156 children. On some occasions in the foster carer files, the child's name was not given or there was only reference to their first name. As a result we were not able to identify these children and access their files. This reflects recording deficits in manual files and reflects a time of less scrutiny and emphasis on good recording systems.

2. For most of your answers in respect of the Strathclyde Regional Council period, we note that you refer to information supplied to you by the Mitchell Library or say "Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter." It would be of assistance to understand how you were supplied with these responses- did the Mitchell Library send you the specific responses quoted, including the response beginning "Information not known..." in relation to each specific question? Or did they not provide information in relation to certain questions with the result that you inserted the response beginning "Information not known..."? We ask this because the answers supplied do not necessarily make sense, for example:

The Mitchell Library sent responses to certain questions but were unable to answer others. In relation to the questions that they could not answer, we inserted the response " Information not known..."

In Question 4.3(ii)(d) on page 199, for the period 1975-1996, you note that adherence can be demonstrated by referring to the records in (c) above. However, in your response at 4.3(ii)(c) on the same page in respect of the period 1975-1996, you say "Information not known" etc.

Question 4.3.(ii)(d) should read - Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

In Question 4.4(ii)(a), on page 236, for the period 1975-1996, you note that "documentary evidence of non-adherence has been sighted in relation to the frequency of visits to foster children and carers", but in relation to the various questions regarding adherence or the lack thereof from Question 4.4(ii)(c) to (g), the "Information not known" is repeated.

In relation to Questions 4.4 (ii)(c) to (g), we received no information from the Mitchell Library on how adherence was demonstrated, how this could be demonstrated to the Inquiry, were relevant records kept, have such records been kept, or if, policy and procedures not adhered to, why not.

In relation to Question 4.9(r) beginning on page 337, you note that for the period 1975-1996, "Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter." Yet, we are of course aware that the Mitchell Library hold children's records (for example) for the period of Strathclyde Regional Council.

At the present moment we are in discussion with the Mitchell Library to establish what children's files they hold in relation to children from the South Lanarkshire area. We will provide information on this matter to the Inquiry if requested.

It would be helpful for us to have a clearer understanding of how you amalgamated the material provided to you by the Mitchell Library into your response in order that we can ascertain whether any queries we have are better addressed by us directly with them.

The Archivist at the Mitchell Library provided a partially completed Section 21 Notice on Foster Care to South Lanarkshire Council in relation to the period 1975 to 1996. This was used to populate questions in relation to the period.

3. In answer to Question 4.3(i)(d)(ix) on page 184, in relation to policy on sharing bedrooms, you say, "The policy in South Lanarkshire Council was that children should not share beds. Anyone going into a child's bedroom with a child should leave the door open. **Many children of carers and foster carers do share bedrooms**, but the child's need for privacy should be taken into account if this is a feature of the placement. Likewise, the carers own children's views need to be taken into account." We are not sure whether this is a quote from a Fostering Handbook, but in any event could you please confirm when it dates from and in relation to the highlighted section, is there a typographical error? Is it supposed to refer to foster children and children of foster carers sharing rooms? If not, can you please clarify.

This statement is taken from the Foster Carer's Handbook which is undated and is pre-2014. In relation to the highlighted area, this is a typographical error and should read, "Many children of carers and foster children do share bedrooms.....".

4. In answer to Question 4.7(i)(d)(vi) on page 274 for the period 1996-2014, you say that your Fostering Procedures and Carers' Handbook sets out the position in respect of the support which is given to the person complained about as well as to the complainer. You then go on to quote from these documents. However, we do not see reference within that answer to the support which is provided to the complainer, whether that is a child or a person other than a carer. Are you able to clarify?

If a child or other person makes a complaint against a foster carer they could receive support through three pathways:

- 1. A complaint may be taken up and dealt with at the level closest to the personnel with responsibility. These complaints are dealt with in a face-to-face way by talking through differences and seeking to resolve them. A fostered child is also more likely to 'complain' to their social worker and should have knowledge of, and access to the Who Cares? Worker and the Children's Rights Officer.**
- 2. Complaints may be dealt with through the Looked After and Accommodated Review processes, whereby issues are discussed at these regular 6 monthly meetings and where a care plan is put in place to support the child/young person and their family. The Looked After and Accommodated Review proformas/reports have a section for Childs Views and Parents and Carers.**

- 3. Allegations of abuse against foster carers may be investigated by the local office responsible for the child. This may result in a formal child protection investigation carried out by the social worker responsible for the child. The child's parents will be consulted and involved, and this may lead to a Child Protection Case Conference which will result in a Child Protection Plan or removal of the child to an alternative placement, if there is an immediate or significant risk.**

(Further detail can be found in Fostering Procedure and the Foster Carer's Handbook).

5. In answer to Question 4.8(ii)(c) on page 309 for the period 1996-2014, you refer to adherence being demonstrated by "the quality assurance exercise undertaken by staff". Was this a single exercise or review in respect of which a report is available or are you referring to an individual exercise following on internal investigations? Could you please explain further what you mean by the quality assurance exercise?

This is based on organisational memory of longstanding staff members who have advised that during the period 1996 to 2014, after each child protection investigation, a member of staff from the Child Protection Committee would review the investigation to ensure standards were maintained and advise the Service Manager in Child and Families and Justice, if any remedial steps regarding the investigation required to take place.

6. In answer to Question 4.9(ii)(c)(i) for the period 1996-2014 on page 329, we note that you advise that there are missing and incomplete records. However, in answer to Question 4.9(ii)(g) on page 333, you advise that policies and procedures were adhered to for that period. Are you able to clarify this apparent discrepancy?

In general, policy and procedures are adhered to, but there are instances when recording of incidents in the child's file are not available due to recording issues/human error and the movement from manual recording to electronic recording systems.

7. In your answer to Question 5.1 on page 341, in respect of 1996-2014, we note that you say "investigations took place into children in foster care being subject to physical abuse, neglect, emotional abuse and sexual abuse from other children placed in the foster carers home". We are not entirely sure why this answer refers specifically to abuse from other children placed in the foster carers' home- is this a typographical error? Could you please clarify?

This is an error. The words "from other children" should be removed and the word "whilst" inserted.

8. In Appendix A of your response, in answer to Question 5.9(c) on page 6, in respect of the period 1996-2014, you note that two complaints were made several

years later. In answer to Question 5.3(c) on page 348 of your main response, you say that six complaints were made many years after the alleged abuse. Is this apparent discrepancy attributable to the fact that the former reference is gleaned from Appendix 36 and the latter from Appendix 35? If not, are you able to shed any further light on this matter?

Having checked our records, there were 6 complaints made many years after. This discrepancy comes from cross referencing difficulties in respect of appendices 35 and 36.

9. In Appendix A of your response in answer to Question 5.1(m) on the final page, you say that no civil actions are ongoing under the period 1996-2014. However, we assume this is an error standing your responses to the preceding questions which refer to two civil actions. We would therefore be grateful if you could provide a response to this question.

In our response we have stated that there are no civil actions at present for the period 1996 -2014. The reason for this being slightly confusing is that although we have two claims intimated, these have not yet been litigated and as such no court proceedings have commenced to date, therefore no court papers are available.

10. We understand that within South Lanarkshire Council there was a significant case review which took place in 2014, the outcome being that various recommendations were made as regards safer recruitment to regulated posts. We note, however, that this was not referred to within your response. Please could you advise why this was not mentioned and provide us with a copy of the significant case review report?

We have no information on this matter of a significant case review from 2014. If the Inquiry can provide us with names and details we can investigate this further.

11. In terms of witnesses, we note that Liam Purdie, Chief Social Work Officer has an overview of the whole report- does he remain the person best placed to speak to the report at hearings? If not, please advise who can do so?

This remains the same.

10/2/22.