

SCOTTISH CHILD ABUSE INQUIRY

SECTION 21 NOTICE

FOSTER CARE CASE STUDY

REPORT OF THE NATIONAL FOSTERING AGENCY SCOTLAND

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Part A – Background

1. Characteristics

1.1 History of the Organisation

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

- a) When and how did the organisation become involved in the provision of foster care for children in Scotland?

The National Fostering Agency Scotland Limited (referred to herein as, “NFAS”), was incorporated on the 14th June 2005, and was registered with the Care Commission (now Care Inspectorate) in February 2006 for the provision of fostering services.

- b) How has the involvement of the organisation in the provision of foster care changed/developed over time?

NFAS has evolved overtime from an independent fostering agency to become part of the National Fostering Association Group (which is referred to as ‘NFAG’ in this report) , the largest independent fostering agency in the UK with the largest community of foster parents, which in turn is part of the Outcomes First Group, an independent provider of children’s education and care, and services for adults.

1.1.1 Funding of Foster Care

Past

- a) How were the organisation’s operations and activities, so far as relating to the provision of foster care, funded?

NFAS’s operations and activities in the provision of fostering care were funded through fostering fees paid by local authorities to NFAS.

- b) To what extent, if any, did the organisation receive funding from central government or local authorities for the purpose of provision of foster care?

NFAS received 100% of funding for the provision of foster care from local authorities.

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

NFAS made foster carers aware of financial support available from local authorities via NFAS through the foster carer recruitment process. The financial support was accessed by foster carers through payments made to them by NFAS.

d) Did the organisation provide any financial support to foster carers directly? If so, what was the extent of that support and what criteria were applied to the distribution of funds?

Yes, foster carers were advised in advance of placements the allowances they would qualify for any given placement which would vary depending on the number of foster children, their age(s) and any other factors for which additional support would be required.

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

This is funded by the child allowance element of the weekly carer allowance. In terms of other external funding that may be available, that is not something that we directly deal with (see (c) above for support offered via The Fostering Network).

f) Was the funding adequate to properly care for the children?

In NFAS's opinion, yes.

g) If not, why not?

Please see previous answer.

Present

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

The current position with regards to the funding of foster care is materially the same.

i) If so, please give details.

1.3 Legal Status.

(i) Organisation

Past

a) What was the legal basis which authorised or enabled the organisation to become responsible for the provision of foster care for children in Scotland?

The legal basis from the perspective of NFAS was the contract it had with the local authority that, in turn, had its own obligations under the Fostering of Children (Scotland) Regulations 1996 ("the 1996 Regulations").

b) Did that legal basis require the organisation to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.

As above. The contract enabled NFAS to discharge the local authority's statutory duties under Parts II and III of the 1996 Regulations on its behalf. NFAS was therefore required to fulfil the local authority's duties in respect of the approval of foster carers, and the placement of children. The contract provided for consultation and exchange of information/reports between NFAS and the local authority.

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

Yes. NFAS had both a common law duty of care, and a statutory duty of care under the 1996 Regulations. The statutory duty of care arose from the contract with the local authority that enabled NFAS to discharge some of the local authority's duties on its behalf. In discharging the functions of the local authority, NFAS was required to have regard to the duty of care imposed on the authority by section 17(1) of the Children (Scotland) Act 1995 ("the 1995 Act").

Present

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

Yes.

e) If so, please give details.

The relevant regulations have now changed. In particular, The Fostering of Children (Scotland) Regulations 1996 were repealed by The Looked After Children (Scotland) Regulations 2009 and The Looked After Children (Scotland) Amendment Regulations 2009.

In relation to point b), NFAS is now required to fulfil the local authority's duties in respect of Parts II, III, VI, VII, VIII, X, XI and XII of the 2009 Regulations.

In relation to point c), in discharging the local authority's duties, NFAS continues to require to have regard to the duty of care under section 17(1) of the 1995 Act. NFAS now also has an additional duty of care under The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.

(ii) Foster carers

Past

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

NFAS proceed on the basis that this question seeks to identify the status of foster carers in relation to the children they look after. Foster carers are classed as self-employed. They do not have parental rights or responsibilities; therefore, they do not have legal guardian status.

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

As above, foster carers are classed by NFAS as self-employed.

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

The contract between NFAS and the local authority under the 1996 Regulations enabled the organisation to discharge the duties of the authority in appointing a foster panel, and approving foster carers. The approval process, if successful, would provide the legal basis that enabled foster carers to become responsible for caring for children.

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

Yes, a Foster Carer Agreement was entered into between NFAS (on behalf of the local authority) and the foster carer regarding the matters and obligations set out in Schedule 2 of the 1996 Regulations as well as any other matters considered appropriate at the time. The agreement included obligations not to administer corporal punishment to any child placed with the foster carer, and to care for the child as if he was a member of that person's family and in a safe and appropriate manner and to promote his welfare having regard to the local authority's immediate and longer-term arrangements for the child.

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

Yes – the foster carer had a common law duty of care, and a statutory duty of care as set out in section 5 of the 1995 Act.

Present

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

Yes.

g) If so, please give details.

In relation to point c), and as noted previously, the 1996 Regulations were repealed by the 2009 Regulations. Under the 2009 Regulations, when deciding whether to approve a person as a foster carer NFAS must appoint a fostering panel. Where NFAS receives a recommendation from the fostering panel, it must make a decision on whether the prospective carer is suitable to be a foster carer. If approved, this provides the legal basis that enables foster carers to become responsible for caring for children. In relation to point d), the 2009 Regulations make continued provision for foster carer agreements.

1.4 Legal Responsibility

(i) Organisations

Past

a) Did the organisation have any legal responsibility for the children in its care?

No.

b) If so, what was the nature and extent of that legal responsibility?

N/A

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

Yes, the commissioning local authority.

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

Whilst the local authority could delegate some of its fostering functions, it is the local authority that retained overall legal responsibility for the children.

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

As above, the legal responsibility for the children remained with the local authority.

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 organisation or local authority) for children in his or her care?

Yes.

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

As above, under section 5 of the 1995 Act, those without parental responsibilities or parental rights who have care or control of a child under the age of sixteen have the responsibility to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.

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 organisation see as its function, ethos and/or objective in terms of the foster care service it provided for children?

NFAS was and remains committed to providing fostering placements for children where they are happy, safe and able to develop to their full potential. NFAS is committed to the highest possible standards of professionalism, service delivery, honesty, integrity, and accountability for all its employees and foster carers.

b) What did the organisation 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?

NFAS has continued to recruit and support foster care families to provide a fostering service to children and young people with a range of needs to ensure they strive to meet all their objectives:

- *Be safe*
- *Be healthy*
- *To achieve*
- *Be nurtured*
- *Be reassured*
- *Be responsive*
- *Be responsible*
- *Be informed*

c) Were there changes over time in terms of what the organisation saw as its function, ethos and/or objective in terms of the foster care service it provided for children?

No, the above principles and aims are NFAS's objectives and continue to be, to ensure a high quality service to all children and young people in NFAS's care is provided.

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

No changes.

e) Were there changes over time in terms of what the organisation saw as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided children placed with him or her?

No changes.

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

No changes.

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.

Please see previous answer.

1.6 Numbers

Past

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

As at:	Number of carers with children in care	Number of children in care
17/12/2006	6	9
17/12/2007	18	31
17/12/2008	36	60
17/12/2009	40	68
17/12/2010	45	81
17/12/2011	59	101
17/12/2012	87	112
17/12/2013	105	183
17/12/2014	113	198

b) How many foster carers were approved by/registered with the organisation at any given time? How many placements for children did this represent? How many placements were in use at any given time?

Specific categories	Approved carers	Number of children in care
17/12/2006	9	9
17/12/2007	26	31
17/12/2008	47	60
17/12/2009	55	68
17/12/2010	61	81
17/12/2011	82	101
17/12/2012	111	112
17/12/2013	133	183
17/12/2014	140	198

c) If foster carers were approved by/registered with the organisation 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 replacement in each.

Foster carers were approved within specific categories (e.g. long term, short term, numbers, boy or girl, siblings, age range, etc.), but these specific details are not recorded in one place.

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

The increase in placements and carers was primarily due to natural growth of the organisation and meeting increased demand for placements.

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

2135

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

The provision of foster care.

Present

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

The numbers for the present time period are provided below for sections a), b) and c)

h) If so, please give details.

a) *How many children did the organisation accommodate at a time in foster care and in how many placements?*

<i>As at:</i>	<i>Number of carers with children in care</i>	<i>Number of children in care</i>
<i>17/12/2015</i>	<i>114</i>	<i>185</i>
<i>17/12/2016</i>	<i>111</i>	<i>183</i>
<i>17/12/2017</i>	<i>106</i>	<i>180</i>
<i>17/12/2018</i>	<i>116</i>	<i>212</i>
<i>17/12/2019</i>	<i>118</i>	<i>220</i>
<i>17/12/2020</i>	<i>107</i>	<i>197</i>
<i>17/12/2021</i>	<i>103</i>	<i>182</i>

b) How many foster carers were approved by/registered with the organisation at any given time? How many placements for children did this represent? How many placements were in use at any given time?

As at:	Approved carers	Number of children in care
17/12/2015	138	185
17/12/2016	137	183
17/12/2017	155	180
17/12/2018	152	212
17/12/2019	141	220
17/12/2020	135	197
17/12/2021	136	182

c) If foster carers were approved by/registered with the organisation 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.

The following details are only available for recent years as per table below:

As at:	Respite only carers
17/12/2020	10
17/12/2021	11

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

No material changes.

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

2249

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

The provision of foster care.

1.7 Children's Background/Experience

Past

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

Yes.

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

All children were placed by their local authority. The Local Authority commissioned the care placement from NFAS .

c) Who placed children with the organisation?

The child or young person's responsible Local Authority.

d) From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the organisation receive children mainly through the Children's Hearing system?

Yes.

e) If not, generally how did children come to be admitted into the care of the organisation?

Please see previous answer.

f) How long did children typically remain in the care of the organisation?

Data is not readily available, but this would depend upon each specific type of placement, e.g. long term.

g) In respect of children who were admitted into the care of the organisation, who made the decision as to whether they should be placed in foster care?

The Local Authority responsible for the child.

h) If the decision was made by the organisation, what criteria were applied?

See above response to 1.7 (g).

i) Were children moved between different foster care placements?

Yes.

j) If so, in what circumstances?

- The care placement was ended by the organisation;
- The care placement was ended by the Local Authority;
- The care placement was ended by the birth parents;
- The care placement disrupted and ended outwith the agreed care plan;
- There was planned /unplanned respite; or
- A long-term or permanent care placement was found for the child.

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

Generally, children once placed with our foster carers stayed for the duration of the commissioned foster care placement. NFAS's policy and practice is to avoid placement disruption and the movement of children between care placements. NFAS operates respite, this is planned and in line with the needs of the child.

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?

The Local Authority responsible for the child holds the responsibility for reviews. Reviews are set out in the Looked After Children (Scotland) Regulations 2009 and the Adoption and Children (Scotland) Act 2007, PART XII Review of the Child's Case. Regulations 44 TO 47, covers child care reviews, regulations 44 and 45 local authority responsibilities to visit children in placement, regulation 46; and termination of placements, regulation 47.

The child, birth parents /significant others, the foster carer(s) and a representative from the organisation, along with other professionals involved are invited to attend and contribute to reviews. The Local Authority manage the timescales, the invites and administration of reviews.

NFAS has a regulatory responsibility to progress the foster carer annual review, which is a statutory process in which all foster carers must participate. The purpose is to review the foster carer's approval to determine whether the foster carer and their household continue to be suitable to foster and, if so, whether the foster carer's terms continue to be appropriate.

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

Children in the main left foster care on a planned basis with supported transitions, in line with agreed Local Authority Plans. Children left care for the following reasons:

- returned to their birth parents;
- returned to kinship care;
- moved on to adoption;
- moved to a LT or Permanent care placement;
- moved on to independence;

- moved to another provider/ organisation;

The process involves notification and agreement with the Local Authority that the child would be moving on or leaving NFAS's care. NFAS or the Local Authority tender the 28-day notice period. The date and plan would be agreed with all stakeholders and the child's care placement would end on the agreed date. Transition support was/is offered by NFAS. The organisational care responsibility for the child ends on the agreed placement end date.

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

Where it has been agreed as part of the child's plan, NFAS's foster carers will maintain contact with children when they leave care if appropriate. There is limited scope as a fostering organisation to offer ongoing support. The Local Authority are responsible and provide through care and after care support. On 16.07.2018, NFAS registered 'The National Fostering Agency Scotland: Adult Placement Service', which allows NFAS to provide continuing care.

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

This was not part of NFAS's remit.

p) Was such information retained and updated?

Please see previous answer.

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

Please see previous answer.

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

On 16.07.2018 NFAS registered 'The National Fostering Agency Scotland: Adult Placement Service'. This allows NFAS to provide continuing care to young adults 18-21 years. The Local Authority provide through care and after care to adults aged 21 to 26.

1.8 Organisation staff and foster carers

(i) Organisations

Past

a) How many people were employed by the organisation who had some responsibility for foster care services for children?

At the point of registration in Feb 2006, NFAS employed 3 social work staff, and with the growth of the organisation additional staff were recruited to ensure that foster carers were supported to care for the children placed with them. In 2014, the Agency employed a Registered Manager, two Team Managers, ten full-time Social Workers and a Carer Recruitment Officer and Administrator.

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

Please see previous answer.

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

The Registered Manager is responsible for the day to day running of the NFAS, and ensures all carers are supported and supervised and that all outcomes for children and young people are met through the implementation and adherence of the organisation's policies and procedures. A Team Manager supports the Registered Manager and manages and supervises a team of Senior Support Workers and support workers. Senior Support Workers support foster carers in ensuring they meet the Organisation's requirements to offer a safe and quality service to the children and young people they look after. Support Workers support both foster carers and children with individual and time limited work identified to meet their needs. Carer Recruitment Officers assist the team in engagement and recruitment of foster carers.

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

All NFA Managers, Supervising Social Workers are registered with the Scottish Social Services Council, have recognised qualifications in Social Work and have experience in of Child Care and Fostering. All hold an Enhanced Disclosure Scotland Certificate (which are renewed by Disclosure Scotland every three years).

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

The NFAS Fostering Panel was constituted in line with the Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 20022002 and The Fostering of Children (Scotland) Regulations 1996. The frequency of the Panel was determined by the recruitment and assessment of the applicant's time scales. The Panel sat on three occasions and approved seven carers during 2006. Their remit was the

approval of new applications and the continued approval of approved carers following review, alongside the quality assurance function set out in guidance.

f) How were fostering panels constituted? What skills and experience were the member required to have?

Panel membership consisted of independent and internal Panel members with relevant backgrounds in Health, Education and Social Work. All Panel members applied, were interviewed and relevant checks completed prior to joining the Panel.

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

Please see previous answer.

(ii) Foster carers

Past

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

The recruitment of carers was managed locally, supported by a marketing team. The assessment and approval of foster carers was carried out in line with Fostering Regulations and national and agency standards.

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

None specifically. Applicants came with a wide background with varying skills and parenting experience. The strength of each application is considered as to the suitability of the applicant and the appropriate approval status.

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

All statutory checks and references were carried out in-line with regulations, standards and good practice.

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

All adult members of the household were considered as part of the assessment and criminal records checks and interviews were completed.

e) What checks were carried out in relation to the other family members and friends of a prospective foster carer including criminal record checks, reference and interviews?

Regular adult visitors to the household were police checked, depending on the frequency of contact and any involvement with children placed further checks were completed.

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?

NFAS had a system that flags the renewal of checks which meets the recommended renewal timescale.

g) What checks were carried out by the organisation of the available accommodation? How frequently were these carried out? Were they repeated? If so, how frequently? If not, why not?

Health and Safety checks were completed prior to approval of the foster carer, then annually. The SW also has a duty to ensure that the accommodation remains suitable throughout the 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?

Each applicant was assessed and checked in relation to their suitability to foster. Gender would be considered in relation to matching a particular child and their needs.

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?

Yes. All members of the fostering household were considered in the Form F assessment in order that the appropriate approval status is agreed.

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

No.

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.

l) Were fostering agreements entered into? If so, were these in a prescribed form or created on an ad hoc basis?

Yes. NFAS had a standard form foster carers agreement that was issued on approval, agreed and signed by carers and NFAS's representatives.

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.

Please see previous answer.

2. Organisational Structure and Oversight

2.1 Culture

Past

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

It has always been the belief of NFAS that every child and young person has the right to benefit from a positive experience of family life, encouraging each to fulfil their potential in a family setting where they feel secure and a sense of belonging.

NFAS has always been committed to the highest possible standard of professionalism, service delivery, honesty, integrity, and accountability for all its employees and foster carers and children alike. NFAS has always and will continue to take its safeguarding objectives seriously whether relating to an individual's actions or organisational culture or practice. NFAS has always been committed to ensuring all concerns are raised and dealt with appropriately, fairly and professionally.

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

NFAS has always promoted a culture of continued improvement, where feedback about services is central to delivery. Operational staff are supported by the QA/Compliance Team to focus on quality, safety and continued improvement.

c) How can that be demonstrated?

NFAG has a QA and Compliance Department. Their role is to check adherence to policy, procedure and legislation. The QA Team provide a QA manager for NFAS, who assists and supports with panel matters and compliance.

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

Yes, it is underpinned and adhered to throughout NFAS's policies and procedures, safeguarding is everybody's business.

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 organisation's then culture, policies and procedures and what, if anything, was done to change that?

Please see previous answer.

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

It is NFAS's view that there has been no substantive change in the culture of the organisation as stated in (a) above. While policies and procedures are, of course, subject to ongoing change the fundamental culture of NFAS has remained the same.'

g) Were any changes in culture driven by internal influences, incidents, experiences or events within the organisation, or any of the foster care placements?

Please see previous answers.

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

Please see previous answers.

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

Please see previous answers.

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

Please see previous answers.

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

Please see previous answer.

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 organisation, 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?

NFAS's safeguarding policies are constantly reviewed and are kept in line with current legislation and applied when necessary. In relation to abuse, please see the answer to question 5.5 h).

2.2 Structure, Leadership, and accountability:

Past

a) What was the structure of responsibility within the organisation in relation to foster care?

The Registered Manager was responsible for the day to day running of the service, who was supported in this by colleagues from support services and supervised by the Regional Director.

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

Supervision and monthly business meetings.

c) What were the lines of accountability?

The Registered Manager was supervised by the Regional Director.

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

The Senior Management Team, Registered Manager and Social Work Team.

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

The Senior Management Team, Director of Quality Assurance, Head of Training and Registered Managers.

f) To whom were foster cares accountable?

The Agency via their SSW and Team Manager. The Local Authority via the child's Social Worker.

g) Who, within the organisation, was responsible for the implementation of, and compliance with, the organisation's policies, procedures and/or practices in foster care both by organisation staff and by foster carers?

Registered Manager and Social Work Team, HR, and Quality Assurance Team.

h) To whom were fostering panels accountable?

Registered Manager, Director of Quality Assurance, Responsible Individual and CEO.

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

NFAS established a Quality Assurance Department in Sept 2006 and a dedicated QA Manager was appointed for NFAS. This QA manager worked closely with the SW Team and Panel to ensure the robust and effective running of Panel. The Agency Decision Maker conducted the Independent Panel Chair appraisal. All Panel members received regular training and an annual appraisal by the Panel Chair and QA Manager.

Present

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

No.

k) If so, please give details.

Please see previous answer.

2.3 External Oversight

Past

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

Regulatory inspection by the Care Commission, monitoring visits by placing authorities. Also audits by the Group's Quality and Compliance Team.

b) Who visited the organisation's foster care services in an official or statutory capacity and for what purposes?

Care Commission inspectors for the purpose of regulatory inspection.

c) How often did this occur?

Annually.

d) What did these visits involve in practice?

Interviewing the Registered Manager, staff and carers. Review of policies and procedures, consultation with placing authorities, attending carer support groups, staff meetings, observing Panel, interviewing the Panel Chair, interviewing the Agency Decision Maker, interviewing the Responsible individual, checking HR files, reviewing Panel minutes and case tracking.

Present

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

No, save for the Care Commission is now the Care Inspectorate.

f) If so, please give details.

Please see previous answer.

Part B – Current Statement

3. Retrospective Acknowledgement/Admission

3.1 Acknowledgement of Abuse

a) Does the organisation accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?

Yes.

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

Since NFAS was first registered as a fostering agency in 2006, and up to the 17th December 2014, there were 26 allegations of abuse made in relation to children placed with NFAS's foster carers.

The evidence NFAS has suggests that the abuse of children was not widespread in this period. During the period in question, 26 allegations of abuse were notified to the Care Inspectorate. These included allegations of physical, sexual and emotional abuse.

c) What is the basis of that assessment?

On the above. In addition, all allegations of abuse were subject to and followed investigation processes set out in national and internal policy and procedure. These procedures were validated by the Care Inspectorate as part of each annual inspection by them.

3.2 Acknowledgement of Systemic Failures

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

NFAS does not accept that its systems failed to protect children in foster care between 2006 and 2014. NFAS's safeguarding procedures and systems have been robustly validated both internally and externally by both Local Authorities and the Care Inspectorate. When appropriate, to ensure that it systems remained appropriate and robust NFAS commissioned an external investigation , action plans were formulated along with any learning which might lead to changes in policy and working practice.

b) What is the organisation's assessment of the extent of any such systemic failures?

Please see previous answer.

c) What is the basis of that assessment?

Please see answer to 3.2 a)

d) What is the organisation's explanation for any such failure?

Please see answer to 3.2 a)

3.3 Acknowledgement of Failures/Deficiencies in Response

a) Does the organisation accept that there were any failures and/or deficiencies in its response to abuse, and allegations of abuse, or children in foster care between 1930 and 17 December 2014?

No.

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

Please see response to point 3.3 (a).

c) What is the basis of that assessment?

Please see response to point 3.2 (a).

d) What is the organisation's explanation for any such failures/deficiencies?

Please see response to point 3.2 (a).

3.4 Changes

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

As a matter of good practice generally, NFAS's safeguarding procedures are annually reviewed and any changes in practice or any new learning are implemented. Both our staff teams and carer base are made aware of any changes made via training and internal communication.

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, there was national policy and guidance in place.

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

NFAS was aware of all national policy and guidance applicable to foster care in Scotland.

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 organisation aware of such?

i. Child welfare (physical and emotional)

NFAS was aware of national policy/guidance as reflected in NFA Scotland's policies on Safeguarding Policy (SIA01) and Child Protection (SIA02). Regular, comprehensive training was provided for staff on this policy and guidance.

ii. The child's views

NFAS was aware of national policy/guidance as reflected in NFA Scotland's Child Protection Policy (SIA02) Statement of Purpose (SIA03) and the Children's Guide – Scotland (SIA04).

iii. Reviewing a child's continued residence in a foster care placement

NFAS was aware of national policy/guidance as reflected in NFA Scotland's Child Protection Policy (SIA02) and Policy on the Disruption of Placements (SIA05).

iv. Child protection

NFAS was aware of national policy/guidance as reflected in its Child Protection Policy (SIA02).

v. Discipline

NFAS was aware of national policy/guidance as reflected in its Promoting Positive Behaviour Policy (SIA06) and previous Behaviour Management Discipline Control Policy (SIA07), Restraint Report Form (SIA06a) - in line with Regulation 13; Standard 3; Guidance 3.96-3.99.

vi. Complaints handling

NFAS was aware of national policy/guidance as reflected in its Complaints Policy + Procedure (SIA08).

vii. Whistleblowing

NFAS was aware of national policy/guidance as reflected in its Whistleblowing Policy (SIA09).

viii. Record retention – Data Protection

The Carer Portfolio – Fostering for NFA (SAI20) states that:

In Accordance with the Data Protection Act, NFAS will maintain confidential records on Employees, Foster Carers and Children for the statutory period. Employees, Foster Carers and Children have the right to access their personal records through by putting their request in writing to The Director of

Quality Assurance at the NFAS . The following policies are also in place:

Placement Consultant Visit and Recording Protocol (SIA18)

Data Protection Policy (SIA10)

Data Protection Advisory Note (SIA11)

Confidentiality Policy Statement (SIA12)

NFA Protocol on Foster Carer Recording & E Mail (SIA13)

ix. Recruitment and training of foster carers

NFAS was aware of national policy/guidance as reflected in the:

- *Statement of Purpose Scotland (SIA03)- description of recruitment process can be found:
2012 edition – see pages 10-12
2006 edition – see pages 8 – 10*
- *NFA Foster Care Training Policy (SIA14)
Also described in Statement of Purpose Scotland
2012 edition – see pages 15-17
2006 edition – see pages 13 -14*

NFAS employed a full time Training Manager, with named and dedicated Training Coordinators across each of its regions. All of the NFAS's Trainers have been through the nationally recognised 'Training for the Trainers' course.

Each Foster Carer has an individual training profile, created at the point of Home Study Assessment. The training profile is continually updated with information about the Carer's attendance at training and is included in the Foster Carer's Annual Review Report.

x. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the organisation

NFAS was aware of national policy/guidance. Foster carers were required to provide employment details at the initial visit – Initial Visit guidelines and form (SIA15a, b) and NFAS Assessors were required to seek references from any current/most recent employer/s and if the Applicant had previous work experience of caring for children (no matter how long ago it was) then assessors had to include a reference from this employer along with two personal references. Please see NFA Assessors Pack (SIA16), pages 8 and 14.

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

Yes.

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

Staff were required to apply the NFAS's policies in practice. Staff had regular supervision with managers to ensure the correct policy and procedures were being followed. Please see Supervision templates (SIA19a,b,c)

f) If not, why not?

Any incidents of non-compliance with the policies were addressed by the member of staff's line manager and under the Group's Disciplinary Policy & Procedure (SIA17) where necessary.

Present

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

Yes.

h) If so, please give details.

NFAS' policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Please see present policy examples attached and listed below:

*SIB01 2015 Child Protection and Safeguarding Policy
SIB01 2021 Safeguarding Policy
SIB02 2021 NFA-Scotland-Statement-of-Purpose.pdf
SIB03 5-10 Children's Guide
SIB03 11-18 Children's Guide
SIB04 2017 Policy on the Disruption of Placements
SIB05 2021 Promoting Positive Behaviour Policy
SIB05 Physical Intervention Report Form
SIB06 2021 Whistleblowing Policy
SIB07 Complaints Policy and Toolkit (consisting of 9 documents)
SIB08 Data Protection Toolkit (consisting of 19 documents)
SIB10 2017 Record Keeping
SIB11 2019 Fostering Records Retention Guidance
SIB12 2020 Disciplinary Policy and Procedures
SIB13 2018 Supervision Policy (Staff)
SIB14 2017 NFA Supervision and Support Policy*

Regarding training, NFAS as part of Outcomes First Group benefits from a central Training Team created in late 2019 that works across all services i.e. National Fostering Group, Children and Adults Education and Residential Care. The Training Team ensures that compliance training is provided which is co-ordinated through the Shine training system, to which all foster carers and staff have access. The Agency Supervising Social Worker works with the Foster Carer to ensure their training is compliant and up to date.

4.2 Local authority

Past

- i) Was there local authority policy/guidance relevant to the provision of foster care for children?

Yes.

- j) If so, to what extent was the organisation aware of such?

Children's Service Plans produced by each local authority in Scotland shaped NFAS's recruitment of foster carers strategy. Therefore, the service was structured according to the researched needs of children and young people in different localities. Please see Statement of Purpose 2012, p10 (SIA03).

The requirements of NFAS to be aware of the policies and procedures of local authorities and be compliant and/or have regard to them was outlined in contract agreements with each authority.

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

This was specified in the contract with each local authority.

- xi. Child welfare (physical and emotional)
- xii. The child's views
- xiii. Reviewing a child's continued residence in a foster care placement
- xiv. Child protection
- xv. Discipline
- xvi. Complaints handling
- xvii. Whistleblowing
- xviii. Record retention
- xix. Recruitment and training of foster carers
- xx. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the organisation

- l) If the organisation was aware of such, did they give effect to that policy/guidance?

Yes.

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

NFAS worked in compliance/with regard to the Local Authority policies as set out in the contract with the authority. Each Local Authority carried out its own audits on the services NFAS provided to check their policies were being adhered as set out in their contract with NFAS.

- n) If not, why not?

Please see above answer.

Present

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

No (Please see Statement of Purpose, 2021, page 13 (SIB02)).

- p) If so, please give details.

Please see above answer.

4.3 Organisation

(i) Policy Past

- a) Did the organisation have its own policies/guidance in relation to the provision of foster care?

Yes. NFAS had policies in line with national Fostering Regulations, legislation and guidance.

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

The highest priority in all policies and procedures has always been the safety and wellbeing of the children in NFAS's care.

All policy and procedures aim to keep children in the organisation's care safe by ensuring staff and carers are aware of their statutory responsibility to provide children with an appropriate carer and protection in line with fostering regulations and standards.

The Agency had a wide range of policies including Safeguarding, Child Protection, Safe Care, Recording, Confidentiality. Please see policies attached (beginning SIA...)

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

Relevant policies and procedures were recorded on the NFAS Intranet and provided to staff, foster carers, placing authorities and regulators as part of the NFAS's annual inspections.

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

- i. Child welfare (physical and emotional)

Safe care and child protection. Please see Health and Safety Policy 2012 (SIA27), Safe Care Policy 2011 (SIA23) Child Protection Policy (SIA02)

ii. The child's views:

The child was seen regularly during the supervising social worker's visits which the child attended and was encouraged to contribute to their statutory review. SSWs/Placement Consultants ensure that they met independently with all Children and Young People placed at least four times a year, together with at least two unannounced visits, to ensure that their views were heard and recorded within NFAS database recordings. (Please see Statement of purpose SIA03, Foster Care Portfolio SIA20/SIA29 and Support and Supervision of Foster Carers SIA48). Auditing and management systems help ensure the quality of the service provision.

Please see the Children's Guide (SIA04), which emphasises to children how important their views are and different ways in which they can put them forward. Children have always been encouraged to attend support groups and take part in arranged events to give their views.

The child's view was always sought for the carer's annual review and included in the information provided to panel. The views of any birth children were also sought at SSW's visits and had to be recorded and provided for the Annual Foster Carer Review (Please see SIA40). Children were also spoken to by inspectors during inspection visits.

iii. Placement of siblings:

During the referral and matching process, discussions with the referral authority around placing children together was/is seen as a priority if appropriate and agreed with relevant professionals and parental views. Please see Matching Policy (SIA39).

iv. The placement of a child in foster care:

Foster carers guidance and policy is contained in the Foster Carers Portfolio (SIA20 and 29). This covered all of the fostering tasks associated with caring for a child in foster care.

The Child's care Plan and placement plan would be used extensively prior to and at the beginning of a placement and reviewed regularly throughout.

Please also see Matching Policy (SIA39), Safe Care Policy (SIA23) and Risk Assessment Policy (SIA24).

v. The particular placement of a child with foster carers.

Please see above.

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

Contact arrangements had to be discussed and agreed during the placement meetings; they had to be considered during the matching process and discussed during reviews with the child and foster carers. Please see Contact Policy (SIA38).

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

Please see above.

viii. Information sharing with the child's family.

This would have been considered during the Placement Planning meeting.

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

NFAS Fostering Panels adhere to regulations and guidance in respect of how they are constituted. The Panel had an independent Panel Chair and internal and external members with relevant backgrounds. All Panels were minuted, agreed by the Panel and Panel Members prior to final decisions being made by an Independent Decision Maker. Panels were reviewed by the Regulator as part of the Agency inspection (Please see SIA46 Panel Policy on Annual Foster Carer Reviews and SIA47 Stirling Panel Report).

x. Recruitment and training of foster carers.

NFAS had clear policies and procedures on the recruitment of Foster Carers (the recruitment process is explained in Statement of Purpose Scotland (SIA03)).

Foster carers were provided with appropriate training to support them to care for the children placed with them. Please see the Training Policy-NFA (SIA14) and the NFA Carer Portfolio (SIA20) Section 2 'The Foster Carer'.

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

All applicants were comprehensively checked and assessed in line with regulations and guidance. Employment checks were carried out for all applicants, and NFAS when asked for references on transferring carers, provides information on complaints, allegations and standards of care concerns. Checks are explained in more detail in Terms of Engagement (SIA36) and NFA Assessors Pack (SIA16).

Please also see Disclosure Scotland Policy and Procedure (SIA21), Statement of Purpose - Scotland (SIA03) and Protocol for the movement of carers between agencies (SIA42)

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

Foster carers and Supervising Social Workers took an active part in contributing to a child's statutory review, this would include discussions on the continued suitability of the child's placement. Please see Annual Foster Carer Reviews policies (SIA40) and Foster Carer Portfolio (SIA20 and SIA29).

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

Visits were monthly and telephone calls to provide support and supervision of Foster Carers were also provided (Please see Supervision and Support of Foster Carers Policy SIA48), monitoring of children in placement, attendance at any statutory meetings. Please Foster Carer Portfolio (SIA20 and SIA29).

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

This information is set out in Foster Carer Portfolio (SIA20 and SIA29) and Annual Foster Carer Review policies (SIA40).

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

This information is set out in Foster Carer Portfolio (SIA20 and SIA29) and Annual Foster Carer Review policies (SIA40).

xvi. Child protection.

This information is set out in Child Protection Policy (SIA02).

xvii. Complaint's handling

This information is set out in Complaints Policy and Procedure (SIA08).

xviii. Whistleblowing

This information is set out in Whistleblowing Policy (SIA09).

xix. Record retention:

Records were retained in line with national requirements. Please see:

Data Protection Policy SIA10 and SIA11), Confidentiality Policy (SIA12), Placement Consultant Visit and Recording Protocol (SIA18)

e) Who compiled the policies and/or procedures?

NFAG's Policy Manager

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

Policies were in place from the registration of the Agency in 2006.

g) Were such policies and/or practices reviewed?

Yes. The organisation's policies are reviewed and updated regularly, usually on an annual basis or when there were changes in national policy, guidance or regulation or organisational changes to procedures.

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

Please see previous answer.

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

Changes and updates to reflect relevant national regulation, legislation or guidance and any changes to procedures introduced in the organisation.

j) Why were changes made?

Changes were made to ensure NFAS was working in compliance with national regulations, legislation and guidance and good practice and/or to improve processes.

k) Were changes documented?

The updated information was in the new policy. The previous policy was saved within the NFA Intranet archive files.

l) Was there an audit trail?

Yes. Updated policy was published on NFAG's Intranet, and previous policies saved in intranet archive.

Present

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

No, policies and procedures have been updated and reviewed over time as described above. Please see attached policies, beginning SIB for present policies.

n) If so, please give details.

Please see previous answer.

(ii) Practice Past

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

i. Child welfare (physical and emotional)

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ii. The child's views

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iii. Placement of siblings

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iv. The placement of a child in foster care

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

v. The particular placement of a child with foster carers

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

viii. Information sharing with the child's family

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

- x. Recruitment and training of foster carers

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

- xvi. Child protection

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

- xvii. Complaints handling

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

- xviii. Whistleblowing

Yes as far as we can determine: we have seen no evidence in our review of non-compliance.

xix. Record retention

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

c) How was adherence demonstrated?

Internal audit, Supervision, Panel minutes, External inspection by regulators.

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

Care Inspectorate Reports can be found here:

<https://www.careinspectorate.com/index.php/care-services?detail=CS2005098696>

Foster carers adherence would be monitored at supervision and meetings with SSW and at the Annual Foster Carer review in line with following the Fostering Regulations and Standards, consideration given to continued approval. Please Annual Foster Carer Review Policy and Procedure (SIA40). Supervision notes, panel minutes and audit reports, although not listed or enclosed, were used to review adherence.

e) Were relevant records kept demonstrating adherence?

Yes.

f) Have such records been retained?

Yes.

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

Please see above answers.

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

Please see above answers.

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

No.

j) If so, please give details.

4.4 Children

(i) Policy

Past

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

NFAS had a range of policies in relation to the care of children in foster care including:

(SIA01) Safeguarding Policy

(SIA02) Child Protection Policy

(SIA23) Safe Care Policy

(SIA14) Safeguarding Children affected by gang activity and/or serious youth violence

(SIA13) Guidance for professionals working with sexually active young people under 18

(SIA25) Missing Children and Young People Policy & Procedure.

(SIA28) Additionally Vulnerable Groups of Children (Awareness raising document)

(SIA06) Promoting Positive Behaviour

(SIA24) Risk Assessment Policy

(SIA27) Health & Safety Policy

(SIA26) Equal Opportunities Policy

(SIA08) Complaints Policy

(SA04) Children's Guide

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

The highest priority in all policies and procedures has always been the safety and wellbeing of the children in the organisation's care.

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

On the NFAG Intranet System.

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

i. Safeguarding

Please see policy SIA01.

ii. Child Protection

Please see policy SIA02.

iii. Medical care

*Please see pages 15/16 of the Foster Carer Portfolio (SIA29) and Health Record Template (SIA30)
The Foster Carer Agreement (SIA31) requires foster carers, "To notify the placing authority/National Fostering Agency immediately of any medical appointment, serious illness or medical occurrence, or significant events affecting the child/young person placed."*

iii. Children's physical wellbeing

Please see Health and Safety Policy 2012 (SIA27), Safe Care Policy 2011 (SIA23) and Child Protection Policy (SIA02).

v. Children's emotional and mental wellbeing

Please see Child Protection Policy (SIA02), Safe Care Policy (SIA23), Children's Guide (SIA04).

vi. Schooling/education

Statement of Purpose 2012, Page 9 (SIA03) states:

NFA fully promotes educational achievement. Foster carers' abilities to promote education are addressed in all aspects of our services to foster carers: recruitment, assessment, approval processes, training and quality assurance.

The NFA operate a comprehensive Education Policy (Please see SIA32). The Outcomes application will provide a baseline audit in the area of education. For example the number of children that are excluded from school, attendance, and exam results. In line with Every Child Matters it will also measure achievement in a broader sense for example, membership of clubs, and national awards such as the Duke of Edinburgh.

The NFA publications emphasise the enjoyment of education and achievement and NFA newsletters 'LinkLines' and 'KidsLines/TeenLines' regularly feature:

- *Book reviews, the benefits of reading and writing. The current edition features an NFA creative writing competition.*
- *The benefits and the risks of information technology*
- *Covers a range of subjects including music, art science and sport*
- *Study tips*
- *Useful websites*

vii. Discipline

Please see Promoting Positive Behaviour Policy (SIA06) and Behaviour Management Discipline Control Policy (SIA07).

viii. Activities and holidays for children

Please see Foster Carer Portfolio (SIA29) and Allowance Guidelines (SIA41).

ix. Sharing a bedroom

Terms of Engagement (SIA36) set out issues to be considered with regard to the foster carers' birth children and bedroom sharing arrangements e.g. under no circumstances are birth children permitted to share a bedroom with a fostered child, this would be discussed at the Initial Visit (SIA15).

A bedroom sharing risk assessment (SIA37) must be completed in all situations where a bedroom is shared and then to be attached to running records with a clear heading.

x. Contact with family members

Please see Contact Policy 2013 (SIA38)

The Child's Care Plan and recent assessments of the Child and the Family (contact, education, health etc). Practical questions must be asked and sufficient answers provided. For example, is the foster carers' home within easy travelling distance of the child's school, how will contact be organised? Matching Policy 2011 (SIA39).

xi. Contact with siblings

Please see Contact Policy 2013 (SIA38).

xii. Celebration of birthdays and other special occasions

Please see Allowance Guidelines (SIA41).

xiii. Information sharing by the foster carer with family members

This is addressed in each Placement Plan and discussed and agreed in placement planning meetings as the arrangements will be specific to each child or sibling group.

e) Who compiled the policies and/or procedures?

The NFAG's Policy Manager.

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

From 2006 onwards.

g) Were such policies and/or practices reviewed?

Yes.

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

Reviewed annually or when there was a change in relevant regulation, legislation or guidance. The organisation's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation.

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

Changes and updates to reflect relevant national regulation, legislation or guidance and any changes to procedures introduced in the organisation.

j) Why were changes made?

To ensure the agency was working in compliance with the national regulations, legislation and guidance line and good practice and/or to improve processes.

k) Were changes documented?

The updated information was in the new policy. The previous policy was saved within the NFAG Intranet archive files.

l) Was there an audit trail?

Yes. The updated policy was published on NFAG's Intranet, previous policies are saved.

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

No

n) If so, please give details.

Please see previous answer.

(ii) Practice

Past

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

i. Safeguarding

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ii. Child Protection

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iii. Medical care

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iv. Children's physical wellbeing

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

v. Children's emotional and mental wellbeing

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vi. Schooling/education

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vii. Discipline

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

viii. Activities and holidays for children

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ix. Sharing a bedroom

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

x. Contact with family members

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

xi. Contact with siblings

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

xii. Celebration of birthdays and other special occasions

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

xiii. Information sharing by the foster carer with family members

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

c) How was adherence demonstrated?

Audits, Care Inspectorate reports, supervision notes, and Panel minutes.

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

Care Inspectorate Reports can be found here: <https://www.careinspectorate.com/index.php/care-services?detail=CS2005098696>

Also by supervision notes, panel minutes and audit reports.

e) Were relevant records kept demonstrating adherence?

Yes (please see previous question).

f) Have such records been retained?

Yes.

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

Please see previous answers.

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

Please see above answers.

Present

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

Not materially in relation to adherence, but changes have been made to form and policies and procedures.

j) If so, please give details.

Templates have now been embedded in the Charms system rather than Word documents. The organisation's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Please see present policy examples attached and listed below:

*SIB01 Child Protection and Safeguarding policies
SIB16 Child Sexual Exploitation Policy and Strategy
SIB17 Child Exploitation Policy (includes sexual and criminal exploitation)
SIB20 2020 Safeguarding Children Affected by Gangs and Serious Youth Violence
SIB21 2021 Safeguarding Children who are Particularly Vulnerable
SIB22 2020 Missing From Care
SIB23 2020 Anti Bullying Policy
SIB24 2021 Working with Lesbian, Gay, Bisexual and Transgender Children and Young People Policy & Guidance
SIB 26 Guidance for professionals working with sexually active young people under 18
SIB03 Children's Guide, 5-10 and 11-18
SIB19 Safer Caring Policy and plan templates for each child/young person and adult
SIB05 Promoting Positive Behaviour Policy
SIB05a Physical Intervention Report Form
SIB06 Whistleblowing Policy
SIB07 Complaints Policy and Toolkit
SIB04 Policy on Disruption of Placements
SIB25 Accommodation Guidance*

4.5 Foster carers

(i) Policy Past

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

Initial Visits guidelines and template (SIA15)

Placement Consultant Visit and Recording Protocol (SIA18)
NFA Assessors Pack (SIA16)
Matching Policy (SIA39)
Foster Carers Agreement (SIA31)
Terms of Engagement (SIA36)
Foster Carer Portfolio (SIA20 and SIA29)
Foster Carer Handbook (SIA32)
Statement of Purpose (SIA03)
Incident Reporting and Notifications (SIA35)
Annual Foster Carer Review Policy (SIA40)
Contact Policy (SIA38)
Risk Assessment Policy (SIA24)
Safer Care Policy (SIA23)
Disruption of Placements Policy (SIA05)
Promoting Positive Behaviour (SIA06)
Behaviour Management Discipline and Control (SIA07)
Data Protection Policy (SIA10)
Confidentiality Statement (SIA12)
Complaints Policy (SIA08)
Whistleblowing Policy (SIA09)
NFA Protocol on Foster Carer Recording e mail (SIA13)
Internet and Mobile Safety (SIA43)
Training Policy (SIA14)
Bullying Policy (SIA44)
Equal Opportunities Policy (SIA26)
Health and Safety Policy (SIA27)
Health Record (SIA30)
Medication and First Aid Log (SIA30a)
Bedroom Sharing risk Assessment (SIA37)
Allowance Guidelines (SIA41)
Statutory Checks – includes Disclosure Scotland Policy and Procedure and Protection of Vulnerable Groups (SIA21)
Protocol for the movement of carers between agencies (SIA42)

All of the Child Protection and Safeguarding policies listed in 4.4 also apply to foster carers.

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

To provide guidance for foster carers and staff to help keep children safe and provide the best possible standards of care in line with regulations and guidance.

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

On the NFAG Intranet.

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

i. Recruitment

Safe recruitment. The recruitment process is explained in Statement of Purpose Scotland (SIA03)

ii. Standard and size of accommodation

These requirements were set out in Initial Visit Guidelines (SIA15)

Statement of Purpose Scotland (SIA03) states:

“At the initial point of telephone contact applicants are referred to Carer Recruitment Officer who completes a basic questionnaire, which encompasses the issues of location, family size, accommodation and availability. This enables all applicants to be clear about accommodation and statutory expectations. All positive screening calls are passed to our managers for allocation for an Initial visit, which are undertaken by a SSW. We will also send out our standard Application Form.”
Once this initial process was completed the allocated SSW made contact to undertake an initial visit, and provided an initial assessment report with recommendation in relation to an applicant’s suitability.

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

Please see Initial Visit Guidance (SIA15)

iv. Pre-approval/registration checks

The Statement of Purpose Scotland 2012 (SIA03) states that the Statutory Checks include:

- Application to join the PVG list for children (previously Criminal Records Bureau Checks)*
- Full Statutory GP Medicals*
- Independent Medical Advice*
- Local Authority Checks*
- Previous Fostering Reference (if applicable)*
- Previous Child Care Reference (if applicable)*

Checks are explained in more detail in Terms of Engagement (SIA36) and NFA Assessors Pack (SIA16).

Please also see Disclosure Scotland Policy and Procedure (SIA21)

v. References

Please see above ‘Recruitment.’

vi. Foster care agreements

Please see SIA31.

vii. Induction

Please see the NFA Carer Portfolio (SIA20) Section 2 The Foster Carer.

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

Please see Protocol for the movement of carers between agencies (SIA42).

ix. Review/supervision

The Foster Carer Portfolio (SIA20) states that:

“NFA provides each fostering family with a fully qualified and experienced Supervising Social Worker. The Supervising Social Worker ensures support is available 24 hours a day, seven days per week and has a Minimum Service Standard to:

- Make at least one supervision visit a month and make at least one telephone call per week to each carer. Exceptions can be settled long term placements where less frequent patterns have been arranged with the foster carer and placing authority and this has been written into the Care Plan.*
- Make at least one unannounced visit per year to each foster carer and regular bedroom checks.*
- Work in partnership with social workers and other relevant professionals.*
- Be present when children are placed.*
- Be present for emergencies.*
- Be present at LAC Reviews and other statutory meetings.*
- Inform Team Managers of any complaints immediately.*
- Complete the Annual Foster Carer Review (AFCR).*
- Complete recordings and ensure that foster carers complete recordings to an acceptable standard. Your Supervising Social Worker will ensure that you received an NFA Diary and recording system which have been developed in consultation with foster carers.”*

Please also see Annual Foster Carer Review (AFCR) Policy (SIA40)

x. Training

Please see the Training Policy-NFA (SIA14) and the NFA Carer Portfolio (SIA20) Section 2, The Foster Carer.

xi. Personal development

Please see ‘Training’ information above.

xii. Disciplinary actions

Please also see Annual Foster Carer Review (AFCR) Policy (SIA40).

xiii. Removal of approval/registration

Please also see Annual Foster Carer Review (AFCR) Policy (SIA40).

e) Who compiled the policies and/or procedures?

NFAG's Policy Manager.

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

From 2006 onwards.

g) Were such policies and/or practices reviewed?

Yes.

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

NFAS policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation or a change in the organisation's procedures.

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

Changes and updates to reflect relevant national regulation, legislation or guidance and any changes to procedures introduced in the organisation.

j) Why were changes made?

To reflect relevant national regulation, legislation or guidance and any changes to procedures introduced in the organisation.

k) Were changes documented?

The reviewed and updated policies were published on the NFAG Intranet and the previous policies are stored.

l) Was there an audit trail?

Yes. Old policies were retained.

Present

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

Yes. Please see below.

n) If so, please give details.

NFAS' policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Many policies are now written for the NFAG overall with Scottish legislation, regulation, policy and guidance detailed. All are reviewed regularly in line with legislation, regulations and national guidance.

Safer Care Policy has been expanded over time to emphasise the inclusion of other members of the family household and family network. Each family/household must have its own Safer Caring Plan and each child must have their own Safer Care Plan. All Safer Care plans are reviewed and updated annually as a minimum or when necessary, in response to any relevant developments or changes for the child or the household.

Past

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes, to I to XIII below.

- 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

c) How was adherence demonstrated?

Minutes of AFMR panel meetings and decisions, supervision notes of foster carers and SSWs/Placement Consultants, audit reports and Care Inspectorate Reports , which can be found here; <https://www.careinspectorate.com/index.php/care-services?detail=CS2005098696>

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

Please see previous answer.

e) Were relevant records kept demonstrating adherence?

Yes.

f) Have such records been retained?

Yes, on archived databases.

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

Please see previous answer.

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

This would depend upon the type of non-adherence, but it would have been dealt in accordance with the most appropriate policy and procedure relevant to the non-adherence.

Present

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

Yes.

j) If so, please give details

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Present policies can be found in the attached information – referenced SIB.

Templates have now been embedded in the Charms system rather than Word documents.

4.6 Other members of the foster carer's household

(i) Policy

Past

a) What policies and/or procedures did the organisation have in place in relation to other members of the foster carer's household?

Initial Visit Guidelines (SIA15) and NFA Assessors Pack (SIA16) set out information required about adults and children living in the house and children living elsewhere e.g. grown-up children, grandchildren.

All necessary checks were carried out as part of the assessment process including all Criminal Record Checks (CRBs)/PVG on all adults in the home over the age of 18 (16 in Scotland) and other adults who likely to have unsupervised contact with the Child/ren. This is also stated in the Safe Care Policy (SIA23).

Terms of Engagement (SIA36) sets out issues to be considered with regard to the foster carers' birth children and bedroom sharing arrangements e.g. Under no circumstances were birth children permitted to share a bedroom with a fostered child.

Please also see Policy on Sons and Daughters of Foster Carers (SIA45)

The Foster Carer Portfolio (SIA20 and SIA29) stated that carers were advised not to smoke in front of children, nor should any other family or household member. They were expected to advocate strongly no smoking. Carers are also required to discourage other family members from bullying and aggressive behaviour.

The Portfolio also reminds Foster Carers that they had a duty to inform the organisation at the earliest opportunity of any changes in their home, family or individual circumstances. This would include for example: serious illness; holiday plans; becoming pregnant; another adult over 16 years joining the family home on either a temporary or permanent basis; bereavement; a divorce or any other significant life event. The Supervising Social Worker had to be kept informed.

The 'Nominated Carer' section in the Foster Carer Portfolio provided information and requirements about a person who could look after the foster child on occasions when the Foster carers were unable to do so.

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

To provide guidance for foster carers and staff to help keep children safe and provide the best possible standards of care in line with regulations and guidance.

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

NFAG's intranet.

d) Who compiled the policies and/or procedures?

NFAG's Policy Manager.

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

From 2006 onwards.

f) Were such policies and/or practices reviewed?

Yes.

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

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation.

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

These reflected changes in relevant regulation, legislation or guidance and any changes in procedures made.

i) Why were changes made?

To reflect changes in relevant regulation, legislation or guidance and any changes in the organisation's procedures.

j) Were changes documented?

The reviewed and updated policies were published on the NFAG Intranet and the previous policies were retained.

k) Was there an audit trail?

Yes. Old policies were retained.

Present

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

Yes.

m) If so, please give details.

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation.

The Safer Care Policy (SIB19) has been developed over time to emphasise consideration of other members of the family household and family network. Each family/household must have its own Safer Caring Plan and each child must have their own Safer Care Plan. All Safer Care plans are reviewed and updated annually as a minimum or when necessary, in response to any relevant developments or changes for the child or the household.

Past

a) Did the organisation adhere in practice to its policy/procedures in relation to other members of the foster carer's household?

Yes as far as we can determine: we have seen no evidence in our review of non-compliance.

b) How was adherence demonstrated?

Audit reports, supervision notes, initial visit forms and Care Inspectorate reports.

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

Audit reports, Supervision notes, Initial Visit forms and Care Inspectorate Reports which can be found here:<https://www.careinspectorate.com/index.php/care-services?detail=CS2005098696>

d) *Were relevant records kept demonstrating adherence?*

Yes

e) Have such records been retained?

Yes.

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

Present

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

Yes.

h) If so, please give details.

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the

whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Present policies can be found in the attached information – referenced SIB.
See information about Safer Care Policy above.

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

(i) Policy

Past

a) What policies and/or procedures did the organisation have in place in relation to placement of children with foster carers approved/registered by local authorities or other organisations?

NFAS did not place children with foster carers approved/registered by local authorities or other organisations. It only placed children with foster carers approved by NFAS.

As such, the remaining questions are not applicable and have therefore not been answered.

- b) Was there a particular policy and/or procedural aim/intention?
- c) Where were such policies and/or procedures recorded?
- d) Who compiled the policies and/or procedures?
- e) When were the policies and/or procedures put in place?
- f) Were such policies and/or practices reviewed?
- g) If so, what was the reason for review?
- h) What substantive changes, if any, were made to the policies and/or procedures over time?
- i) Why were changes made?
- j) Were changes documented?
- k) Was there an audit trail?
- l) With reference to the present position, are the answers to any of the above questions different?
- m) If so, please give details.

(ii) Practice Past

a) Did the organisation adhere in practice to its policy/procedures in relation to placement of children with foster carers approved/registered by local authorities or other organisations?

(No placements with local authorities or other organisations were made).

b) How was adherence demonstrated?

Not applicable.

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

Not applicable.

d) Were relevant records kept demonstrating adherence?

Not applicable.

e) Have such records been retained?

Not applicable.

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

Not applicable.

Present

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

No.

h) If so, please give details.

4.8 Complaints and Reporting

(i) Policy

Past

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

The organisation had written policy/guidance & practice notes setting out the process and procedure for identifying and managing complaints and allegations within the organisation and other relevant policies, as follows:

*(SIA01) Safeguarding CYP – Scotland
(SIA02) Child Protection Policy - Scotland
(SIA2a) Child Protection Policy & Procedures
(SIA08) Complaints Policy and Procedure
(SIA09) Whistleblowing Policy
(SIA21) Disclosure Scotland Procedure
(SIA04) Children’s Guide – Scotland
(SIA35) Incident Reporting and Notifications
(SIA11) Data Protection Policy
(SIA17) Disciplinary Policy*

The organisation worked in partnership with the Children's Commissioning Authority, as they were the lead investigator (Working Together). NFAS's policies/procedures followed fostering regulations to consider the ongoing suitability of the carer, termination/referral to Disclosure Scotland.

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

Yes. To safeguard children within the organisation, and to give a framework for any concerns or abusive behaviour to be voiced by children, carers or external agents, to ensure all complaints are investigated in a fair and rigorous way, and to ensure stakeholders had access to clear information on how to complain, the investigation process, timescales and expectations of the organisation in completing the task. They also provided guidance on working in partnership with commissioning agents to protect children.

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

In local regional offices and on NGAG's intranet.

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

i. *Complaints by children*

They set out:

- Complaints Policy (SIA08) references 'Children's Guide' (SIA04) for staff/family/advocates given to children wanting to complain.*
- The 'Children's Guide' was linked to the Complaint Policy for information on how to complain, and was explained in a child centred way, with appropriate language.*
- Information on how to complain, their right to complain and who to complain to, and how to register a complaint.*
- Information on internal and external agencies to support complaints.*
- Information on expectations of the complaint process, how it will happen, timescales and outcomes.*
- Information on advocacy.*
- Information on how to escalate complaints to regulatory bodies if the complainant was not happy with the outcome.*
- Reassurance about being supported to make a complaint.*
- Information to agency staff on how to conduct an investigation, support complainants, seek further advice, and resolve complaints at each stage of the process.*

ii. *Complaints by foster carers*

They set out:

- Information on how to complain, who to approach in the organisation to make the complaint, their right to complain, and how to formally register a complaint.*
- Information on internal and external agencies to support complaints. Information on expectations of the complaint process, how it will happen, timescales and outcomes. Information on advocacy. Information on how to escalate complaints to regulatory bodies if not happy with the outcome.*

- *Information to agency staff on how to conduct an investigation, support complainants, seek further advice, and resolve complaints at each stage of the process.*

iii. Complaints by family members of children

They set out:

- *Information on how to access the agency and Complaint process, and the family members role in supporting the person looked after/making their own complaint, and how to register a formal complaint.*
- *Information on internal and external agencies to support complaints.*
- *Information on expectations of the complaint process, how it will happen, timescales and outcomes.*
- *Information on advocacy.*
- *Information on how to escalate complaints to regulatory bodies if not happy with the outcome.*
- *Information to agency staff on how to conduct an investigation, support complainants, seek further advice, and resolve complaints at each stage of the process.*

iv. Complaints by third persons

They set out:

- *Information on how to complain, their right to complain and who to complain to.*
- *Information on expectations of the complaint process, how it will happen, timescales and outcomes.*
- *Information on advocacy/support.*
- *Information on how to escalate complaints to regulatory bodies if not happy with the outcome.*
- *Information to agency staff on how to conduct an investigation, support complainants, seek further advice, and resolve complaints at each stage of the process.*

v. Whistleblowing

There was a separate 'Whistleblowing' Policy (SIA09). This was linked to the 'Complaints Policy' (SIA08) and both documents reference each other. The 'Whistleblowing Policy' offered advice on how to make representation to the organisation regarding concerning practice. The Policy set out that it was an independent/confidential process, and reassured people that its purpose is to ensure they were protected from possible reprisals or victimisation when raising issues. The Policy outlined the areas of concern that could be reported such as discrimination, corruption, bad practice and fraud. The Policy set out how the process worked, how to make a complaint, and how it would be managed and administered. It reassured people all matters raised would be fully investigated in an impartial way.

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

The Policy highlighted the complaint process, and the stages of review if the complainant was dissatisfied with the outcome. The policy also identified independent regulatory bodies who would accept further representation regarding complaints. All complainants had the right to an independent

complaints procedure. The policy stated the organisation would assist in the provision of advocacy/support facilities.

vii. Response to complaints (including response by the organisation)

NFAS clearly set out the timescales for the complaints process and ensured the complainant would be kept updated on the progress of their complaint in a timely way. Actions and outcomes were clearly documented. The organisation looked to facilitate the best medium of communication for the complainant. Feedback on any changes and learning was provided.

viii. External reporting of complaints

The requirement to notify external agencies including statutory notifications to regulatory bodies i.e., Ofsted, ISA/DBS.

e) Who compiled the policies and/or procedures?

NFAG Policy Manager.

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

Since 2006 and onwards.

g) Were such policies and/or practices reviewed?

Yes.

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

To respond to statutory changes and or to respond to outcomes and learning for the organisation from the complaints process.

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

Any statutory changes necessitated by law or regulation. Any substantive change in peace to the agency procedures for investigating complaints. Any reflection, learning or research that could improve and inform the policy. i.e., changes to timescales/reporting.

j) Why were changes made?

In response to any statutory changes necessitated by law or regulation, any substantive change in procedure to the organisation's procedures for investigating complaints, and any reflection, learning or research that could improve and inform the police, e.g. changes to timescales/reporting.

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.

Please see previous answer.

(ii) Practice

Past

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

b) Did the organisation adhere in practice to its policy/procedures on the following

i. Complaints by children

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ii. Complaints by staff

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iii. Complaints by family members of children

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iv. Complaints by third persons

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

v. Whistleblowing

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vii. Response to complaints (including response by the organisation)

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

viii. External reporting of complaints

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ix. How was adherence demonstrated?

The organisation provided evidence/logged required paperwork to statutory agencies including statutory notifications to regulatory bodies i.e., Ofsted, ISA/DBS, carer case recoding, Panel minutes Inspection Reports, in line with policy and guidance.

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

The organisation completed and stored records of statutory notifications to regulatory bodies, carer case recoding, Panel minutes and inspection reports.

d) Were relevant records kept demonstrating adherence?

Yes.

e) Have such records been retained?

Yes.

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

If policy was not adhered to, it would have been addressed according to the type of non-adherence and the relevant policy and procedure.

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

Yes.

g) If so, please give details.

The organisation's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Please see present policy examples attached and listed below:

- (SIB01) Child Protection and Safeguarding Policies
- (SIB03) 5-10 Children's Guide and 11-18 Children's Guide
- (SIB06) Whistleblowing Policy 2021
- (SIB07) Complaints Policy and Toolkit
- (SIB08) Data Protection Toolkit
- (SIB10) Record Keeping
- (SIB12) Disciplinary Policy and Procedures
- (SIB15) Referrals Disclosure Scotland
- (SIB16) Child Sexual Exploitation Policy & Strategy
- (SIB17) Child Exploitation Policy (includes criminal and sexual exploitation)
- (SIB18) Notifiable Events Policy and Guidance

4.9 Internal Investigations

(i) Policy Past

a) What policies and/or procedures did the organisation have in place in respect of internal investigations relating to abuse or alleged abuse of children in foster care?

The organisation had written policy/Guidance & Practice notes in setting out the process and procedure for identifying and managing allegations of abuse within the agency, as follows:

- (SIA01) Safeguarding Children and Young People Scotland*
- (SIA02) Child Protection Policy Scotland*
- (SIA02a) Child Protection Policy and Procedure*
- (SIA08) Complaints Policy and Procedure*
- (SIA09) Whistleblowing Policy*
- (SIA35) Incident Reporting and Notifications*

The organisation's policies/procedures followed Fostering Regulations to consider the suitability of the carer, termination/referral to Disclosure Scotland.

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

The policy intention of the organisation was to safeguard children within the organisation, and to provide a framework for any concerns or abusive behaviour to be voiced and investigated in a rigorous way. The organisation worked in partnership with children's commissioning authority, as they were the lead investigator (Working Together).

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

In local regional offices and on the NFAG intranet.

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

i. Approach to/process of internal investigations –

Policies were in place to give direction on receiving and managing allegations of abuse, linked to statutory expectation in protecting children. It included definitions of abuse, swift and effective action to protect, direction on aims and objectives, roles and responsibilities in ensuring robust safe care of children, child centred practice in investigating allegations and appropriate timescale and feedback to complainants.

Following a complaint or allegation a foster carer's continued suitability was reviewed. These reviews and their recommendation were overseen by the organisation's independent fostering approval panel. Notification of the instigation and outcome of any child protection matter involving a child placed within the organisation was promptly reported to the Care Commission.

ii. Identifying lessons/changes following internal investigations.

Identify challenges within procedures in regard to allegations, investigations and outcomes, to consider how the organisation should monitor, evaluate and review this information for learning and implementing policy going forward. It also facilitated agency 'notes' on findings and improvements.

iii. Implementation of lessons/changes following internal investigations

Internal Safeguarding Board fed into policy and guidance for the organisation, and to consider relevant information and if referral to Scottish ISA was appropriate.

iv. Compliance

Scottish policy & procedure to ensure continuity of agency process, and to ensure statutory requirements and outcomes for organisation were compliant and person centred. Investigations and outcomes scrutinised by internal Safeguarding Board regarding compliance with ISA. Analysis of behaviour and investigation outcomes to assess referral to ISA.

v. Response (to child and abuser)

The process and procedure of investigation was set out. This was alongside timescales of actions and requirement to inform all parties involved in the allegation/complaint/investigation of the progress/outcome of investigation.

vi. Response to complaints (including response by the organisation)

The process and procedure of investigation was set out, alongside timescales of actions and to inform all parties involved in the allegation/complaint/investigation of the progress/outcome of investigation.

vii. External reporting following internal investigations

Information on process/regulatory compliance for complaints/allegations/investigation outcomes to be shared with Las, LADO, relevant regulator, ISA.

e) Who compiled the policies and/or procedures?

NFAG's Policy Manager.

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

2006 onwards.

g) Were such policies and/or practices reviewed?

Yes.

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

To reflect the organisation's operations, good practice and legislation compliance.

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

Policies were reviewed and updated to reflect the organisations operations, good practice, regulatory/legislative change, and to demonstrate learning and ongoing statutory compliance (inspections). To ensure continuity of service, good practice and outcome.

j) Why were changes made?

Policies were reviewed and updated to reflect the organisation's operations, regulatory compliance and continuity of service.

k) Were changes documented?

Yes.

l) Was there an audit trail?

Yes. Updated policies referenced by organisation. Complaints/allegations and investigations were evidenced in Foster Carer's annual reviews, foster carer case recording, and presented at the Panel and notifications were sent to the regulator.

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.

Please see previous answer.

(ii) Practice

Past

a) Did the organisation adhere in practice to its policy/procedures in respect of internal investigations relating to the abuse or alleged abuse of children in foster care?

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

i. Approach to/process of internal investigations

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ii. Identifying lessons/changes following internal investigations

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iii. Implementation of lessons/changes following internal investigations

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iv. Compliance

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

v. Response (to child and abuser)

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vi. Response to complaints (including response by the organisation)

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vii. External reporting following internal investigations

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

c) How was adherence demonstrated?

Foster carer/ young person case recording, regulatory notifications, internal audit reports, panel minutes, Care Inspectorate reports, feedback from LADO, LA Strategy Meetings etc.

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

By examining the records referred to in the previous answer.

e) Were relevant records kept demonstrating adherence?

Yes.

f) Have such records been retained?

Yes.

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

If policy was not adhered to, it would have been addressed according to the type of non-adherence and the relevant policy and procedure.

Present

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

Yes.

i) If so, please give details.

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

Please see present policy examples attached and listed below:

*(SIB01) Child Protection and Safeguarding Policies
(SIB16) Child Sexual Exploitation Policy & Strategy
(SIB17) Child Exploitation Policy (covers criminal and sexual exploitation)
(SIB06) Whistleblowing Policy
(SIB12) Disciplinary Policy and Procedures
(SIB07) Complaints Policy and Toolkit
(SIB27) Protection of Vulnerable Adults Scotland See above.*

4.10

Record keeping

(i) Policy Past

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

*Placement Consultant Visit and Recording Protocol (SIA18)
Protocol on Foster Carer Recording and email (SIA13)
Data Protection Policy (SIA10)
Data Protection Advisory Note (SIA11)
Confidentiality Statement (SIA12)*

Recording is also referred to in the key policies: Child Protection Policy, AFCR Policy and Procedure, Disruption of Placement etc because recording is a key aspect of each Supervising Social Workers task, and each Foster Carer's task.

Please also see Foster Carer Portfolios where recording is frequently referred to (SIA20 and SIA29)

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

Please see previous answer.

c) In relation to (a) and (b) above, was there a particular policy and/or procedural aim/intention?

To ensure accurate and appropriate records were maintained by SSWs and foster carers. Policies reflected the importance of record keeping for many reasons, including assessments, reviews, court hearings and case conferences. Records also provide important information for the child as they grow up.

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

*Policies were stored on NFAG Intranet.
SSW's records and recording were stored on NFAG's database.
Foster Carers were advised to keep records in a safe place.*

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

i. Children in foster care

Please see response to a).

ii. Foster carers

Please see response to a).

iii. Visits to children and foster carers

Please see response to a).

iv. Complaints

Please see Complaints Policy (SIA08).

vi. Investigations (both internal and external)

Please see response to a) and APCR policies (SIA40), Incident Reporting and Notifications (SIA35).

vi. Discipline

Please see Promoting Positive Behaviour Policy (SIA06), Restraint Report Form (SIA06a) and Behaviour Management Discipline Control (SIA07).

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

Please see response to a).

viii. Other issues relevant to foster care

Please see response to a).

e) Who compiled the policies and/or procedures?

NFAG's Policy Manager.

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

From registration in 2006 and onwards.

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

Yes, but updated versions are in place in line with current regulations and guidance.

h) Were such policies and/or practices reviewed?

Yes.

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

They were reviewed regularly in line with changes to national policy, regulations and guidance and organisational procedures.

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

They have been reviewed regularly in line with changes to national policy, regulations and guidelines and organisational procedures.

k) Why were changes made?

Changes were made to ensure policies were up to date and in line with changes to national policy, regulations and guidelines and organisational procedures.

l) Were changes documented?

The updated information was in the new policy. The previous policy was retained.

m) Was there an audit trail?

Yes. Updated policies were published on the NFAG Intranet and previous policies were retained.

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.

NFAS's policies are reviewed and updated regularly, usually on an annual basis or when there are any changes in national policy, guidance or regulation. Most fostering policies are now written for the whole of the UK with legislation and guidance for each nation (Scotland, Wales, Northern Ireland and England) listed and referred to.

(ii) Practice Past

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

c) Did the organisation adhere in practice/check adherence in practice to its policy/procedures in relation to record keeping on the following:

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

i. Children in foster care

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

ii. Foster carers

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iii. Visits to children and foster carers

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

iv. Complaints

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

v. Investigations (both internal and external)

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

vi. Discipline

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

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

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

viii. Other issues relevant to foster care

Yes as far as we can determine: we have seen no evidence in our review of material non-compliance.

d) How was adherence demonstrated?

From audits, Care Inspectorate reports, supervision notes and Panel minutes.

e) Were relevant records kept demonstrating adherence?

Yes.

f) Have such records been retained?

Yes.

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

If policy was not adhered to, it would have been addressed according to the type of non-adherence and the relevant policy and procedure. Please see previous answers.

h) Did the organisation 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?

Yes, please also refer to the answer to 4.9. The Registered Manager as part of their role undertook audits of complaints and allegations. As part of the annual review by the Care Commission all complaints and allegations were reviewed. Quality Assurance staff undertook an annual safeguarding audit. A review of the Quality of Care was also undertaken. Any concerns about children in the organisation's care were (and are) acted on immediately.

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

Care Commission Inspection reports have been provided.

Please also see Sections 5.5 and 5.13.

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

Where appropriate policies have been updated/amended.

Staff had the opportunity to consider in detail individual cases and lessons learnt during team meeting or workshops.

As time has passed, the organisation has centralised the recruitment and assessment process as part of NFAG.

k) What changes have been made?

Please see the answer to question 5.5 h). Appropriate changes to policy and practice have been made.

l) How are these monitored?

The Registered Manager, as part of their role, monitored all complaints and allegations and their outcomes. Notifications were made to the Care Commission, who also monitor the number and content of notifications.

Panels also monitor complaints and allegations made against foster carers as it is the organisation's practice that a carer's suitability is reviewed and returned to Panel following a complaint/allegation.

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

Yes.

n) If so, how was that facilitated?

Children have the right to access their personal records through by putting their request in writing to The Director of Quality Assurance at the National Fostering Agency. (Please see the Foster Carer Portfolio SIA20).

o) If not, why not?

Please see previous answer.

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

Yes.

q) If so, please give details.

The NFAG now has a Subject Access Request Form to enable an efficient response to all requests for information. This form may be completed by the individual (data subject) or their authorised representative and submitted to a member of the service's senior management or administration team, who will process the request with the Data Protection Team within one month. A request for information, however, can also be made by other means, for example by email or letter or verbally.

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:

Weekly/monthly records kept by a carer (carer diary).

Records provided by the child's placing authority in relation to their placement with the carer.

Children's comments provided for their foster carers review (Have Your Say document)

School reports/medical reports as appropriate.

Youth Voice tool used to engage with children and young people to seek their views.

ii. Staff with responsibilities for foster care.

HR and training records and supervision records.

iii. Foster carers:

Form F, statutory checks, annual reviews, Panel minutes, foster carers' recordings, foster carer supervision records, minutes of meetings held with the carers, visit records, telephone calls, monthly records, unannounced visits and discussions with LA SWs.

iv. Complaints.

As appropriate, notification to Care Commission, investigation reports, meeting minutes (internal and external), complaint review report, carer responses/submission and Panel minutes.

v. Investigations (both internal and external)

Please see response above to (c).

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

Please see response to (p).

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

They have been reviewed regularly in line with changes to national policy, regulations and guidelines and organisational procedures.

Part D Abuse & Response

5. Abuse

5.1 Nature

a) What was the nature of abuse and/or alleged abuse of children in foster care, for example, sexual abuse, physical abuse, emotional abuse?

During the period between 2006 and 2014, the nature of abuse and/or allegations of abuse of children in the organisation's foster care came under the categories of:

- *Sexual abuse*
- *Physical abuse*
- *Emotional abuse*
- *Standards of care*

5.2 Extent

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

The evidence available supports the views that the abuse of children was not widespread in this period. During the period in question, the organisation received allegations of abuse made under the following categories:

*Physical-11
Sexual Abuse-5 (3 Child on Child)
Emotional-6
Standards of Care-4*

Nine young people were removed following investigations, the other seventeen children remained in placement and were deemed safe.

b) What is the basis of that assessment?

Each of the allegations made were subject to and appropriately notified to the Care Commission/Inspectorate. As required, the organisation worked in partnership with the child's placing authority as they are the investigators and followed our internal safeguarding procedures. On conclusion of the investigation, the organisation followed Fostering Regulations to consider the continued suitability of the carers to continue to foster.

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

Twenty-six

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

Nineteen

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

One

f) How many foster carers have been found by the organisation to have abused children?

All child protection investigations are led by the child's placing Local Authority and the police, and findings of abuse are made by them, not NFAS. NFAS' remit is to assess thereafter if a carer is suitable to continue as an approved foster carer.

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

None.

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

None.

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

None.

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?

One.

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

None.

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

None.

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 organisation?

Between 2009 to 2014.

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

On the evidence available, each allegation was made whilst recent or on-going (i.e. they were not made long after the event) and was reported accordingly.

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

None.

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

The highest number of allegations made during the period in question were made under the category of physical abuse, and in particular the improper use of restraint. The organisation provides training for carers to offset the need of restraint and to use other de-escalation techniques in all circumstances.

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?

During 2006 to 2015, the organisation underwent annual external inspections by the Care Commission/Inspectorate.

For each such external inspection please answer the following:

b) Who conducted the inspection?

Care Commission/Inspectorate.

c) Why was the inspection conducted?

As set out by the Regulation of Care (Scotland Act 2001).

d) When was the inspection conducted?

Annually, on the following dates:

- - 22.01.07
- - 14.01.08
- - 02.03.09
- - 22.10.10
- - 18.10.11
- - 03.12.13
- - 08.10.14

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

At each annual inspection, NFAS 's child protection procedures were reviewed and verified. A recommendation from the inspection held on 14th January 2008 stated 'the service should review its child protection policy to include arrangements of policy review and ensure young people have access to independent support'.

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

The above recommendation was acted upon and implemented immediately following the inspection and it was verified and completed by the Care Commission.

g) Were recommendations made following the inspection?

Please see previous answer.

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

Please see previous answers to f) and g).

i) If recommendations were not implemented, why not?

Please see previous answer.

5.5 External Investigations

a) What external investigations have been conducted relating to children in foster carer which have considered issues relating to abuse and/or alleged abuse of children?

The organisation had one case where it commissioned an external investigation.

For each such external investigation please answer the following:

b) Who conducted the investigation?

The investigation was conducted by a Registered Social Worker with relevant qualifications and thirty years' experience in the management of fostering and adoption services and had nine years' experience as an independent consultant.

c) Why was the investigation conducted?

The investigation was conducted to review the foster carers assessment, decision making and support to the children placed with the foster carers and identify any learning points for the organisation.

d) When was this investigation conducted?

The investigation was conducted during November and December 2012.

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

That NFAS had fulfilled its responsibilities in assessing, approving, supervising, and supporting the foster carers, diligently. There were areas for practice improvement in assessing foster carers, but these of themselves may not have prevented the circumstances which emerged in this placement.

f) What was the organisation's response to the investigation and its outcome?

Recommendations made by the investigator were followed up by both the local and national staff teams.

g) Were recommendations made following the investigation?

Yes.

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

There were six recommendations, these were.

- *Previous partner checks; NFAS to adopt a more investigative approach to identifying referees who know both applicants through key events in their lives and can independently verify the applicant's version of such significant events.*
- *References; NFAS to ensure all relevant information from medicals or any other source is made known to the assessing social worker in order that this is integrated and understood within the context of the family assessment. All references should be recorded fully and be clearly attributable and the Form F should contain a summary of all the key information from references.*
- *Second opinion: NFAS to consider that a second worker undertakes a visit to applicants, prior to the completion of their assessment, and that this worker provides a second opinion report on their suitability to the Fostering Panel.*
- *Recording: NFAS improves the consistency in the quality and style of recording of visits to foster carers.*
- *Protocol with Local Authorities: NFAS develops a protocol for resolving difficulties with senior managers with the local authority.*
- *Learning the lessons: NFAS should create an opportunity for all staff involved in this case to reflect and learn from the circumstances and to rebuild their confidence in their skills and in the value of fostering.*

All recommendations were implemented.

i) If recommendations were not implemented, why not?

Please see the previous answer.

5.6 Response to External Inspections and Investigations

a) What was the organisation's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse of children in foster care?

Following each external inspection, any allegation made in regard to abuse is acted upon immediately by the Registered Manager in accordance with the organisation's safeguarding reporting procedures and implemented within the timescales set. The Inspectorate monitored to ensure it was carried out and this was checked at the following annual inspection.

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

As above.

What was the organisation's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?

As above.

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?

As stated, during the period in question, nine children were removed from placement following an investigation into an allegation of abuse. All nine children were the responsibility of their respective Local Authority and NFAS does not have any further involvement or knowledge of the impact upon them. However, those children that remained with NFAS would have received support from NFAS, guidance, and stability to lessen any impact or trauma caused. Each young person would have been monitored closely by the carer, Supervising Social Worker, and Local Authority Social Worker.

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

NFAS has a highly committed professional and knowledgeable workforce, who are suitably trained and qualified to deal with the impact of young people subjected to abuse. All of our Supervising Social Workers and support staff and carers were kept up-to-date with new knowledge and learning in dealing with the impact of abuse.

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?

NFAS did not have any links with family members of any child in our foster care that had been abused or alleged to have been abused. It was the responsibility of the placing Local Authority of each child abused or alleged to have been abused to have contact thereafter with their family members.

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

Please see the previous answer.

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?

This information is not known.

b) If so, please provide details if known.

This information is not known.

Appendices

Appendix 1 – Answer to 5.8

Appendix 2 –Answer to 5.9

Appendix 3- Answer to 5.10

Appendix 4 – Answer to 5.12

Appendix 5 – Answer to 5.13

List of Documents