Scottish Child Abuse Inquiry Questions

West Dunbartonshire

	Background	T *********
No.	Question	Answer
	acteristics	
	ory of the Local Authority	
1.1 a	Over the period from 1930 to date, please provide details of the predecessor authorities for the local authority area for which the authority is now responsible, and the time periods during which these authorities were the responsible authority for the area, or any part thereof.	Period from 1889 until 1975 Dumbarton County Council was established by the Local Government (Scotland) Act 1889 taking over powers from the Commissioners of Supply County Road Trust and other Local Authorities. Period from 1975 to 1996 Dumbarton County Council was abolished in 1975 and Strathclyde Regional Council operated between 1975 and 1996 under the terms of the Local Government (Scotland) Act 1973. Period 1996 to present day On the abolition of Strathclyde Regional Council parts of the former County were placed under the administration of the following unitary authorities — East Dunbartonshire Council, West Dunbartonshire Council, Argyll and Bute Council, North Lanarkshire Council and Glasgow City Council.
1.1 b	When and how did the local authority become involved in the provision of foster care for children in Scotland?	West Dunbartonshire Council is a creature of statute and any involvement in the provision of foster care is from a statutory basis. The legislation governing the provision in Scotland of foster care (including residential care) for children authorised or enabled the organisation to become responsible for the execution of foster care (including residential care) as follows:-

Legislation

- Children and Young Persons (Scotland) Act 1932
- Poor Law Act 1934
- The Care of Children (Scotland) Act 1948
- The Children Act 1958
- Social Work (Scotland) Act 1968
- Foster Children (Scotland) Act 1984
- Children (Scotland) Act 1995
- Regulation of Care (Scotland) Act 2001
- Children (Scotland) Act 1995
- Adoption & Children (Scotland) Act 2007
- Children's Hearing (Scotland) Act 2011
- The Children and Young People (Scotland) Act 2014

Regulations

- Children and Young Persons (Scotland) Care and Training Regulations 1933
- Children (Boarding Out etc.) (Scotland) Rules and Regulations 1947

- The Boarding Out of Children Regulations 1959
- Boarding Out and Fostering of Children Regulations 1985
- Fostering of Children (Scotland) Regulations 1996
- Looked After Children (Scotland) Regulations 2009

In terms of the Children Boarding Out etc. (Scotland) Rules and Regulations 1947, this provided, for the first time, a child with an opportunity to make complaints. The Regulations also dealt with how foster parents, as they were then known, should act in terms of food, clothing, sleeping arrangements, training, discipline, medical matters, insurance, visitation where a child placed with a foster parent <a href="may be visited without notice from time to time by members or officials or other persons authorised by the local authority or Secretary of State to interview the child and inspect clothing sleeping accommodation etc.

The Boarding Out of Children Regulations 1959. These Regulations applied to boarding out by a local authority in respect of children in their care under Section 1 of the 1948 Act. The Regulations, amongst other matters, dealt with consideration reports on the circumstances of the child's home and circumstances into which he came into care. Examination by a duly medically qualified practitioner and consideration of the suitability of a foster parent dealing with such matters as a person who is of the same religious persuasion of a child. That the care authority or voluntary organisation has to be satisfied that the foster parent is of good character and is suitable to look after the child. These Regulations also dealt with boarding out of children within the same family and notification of boarding out.

<u>Boarding Out and Fostering of Children Regulations 1985</u>. These Regulations set a requirement on care authorities to establish foster panels. With particular emphasis on the consideration to the need to

safeguard and promote the welfare of the child throughout his or her childhood and to give due consideration to the ascertainable wishes and feelings of the child, having regard to his or her age and understanding.

Fostering of Children (Scotland) Regulations 1996. These Regulations amongst other things required a local authority to make a care plan for each child looked after by them whether the child was in foster care, residential establishment or otherwise. Each local authority had to establish fostering panels. Schedule 1 of these Regulations set out the details required of foster carers. The Regulations also required a local authority to enter into a written agreement with the foster carer concerning the matters listed in Schedule 2 the Regulations.

In 1975 the Director of Social Work set out his report on Fostering Care and laid down priorities for achieving a good fostering service which included:

- Stem wastage rate of foster-parents by providing adequate support services: Supervision by social workers; group support; provision of factual information for foster-parents; back-up services; financial support.
- Encourage recruitment of all types of foster- parent
- · Identify the needs for foster care
- Dealing with limitations, including inadequacy of social work staff resources; recruiting sufficient numbers of suitable fosterparents

In 1976 the Director issued to Officers dealing with fostering and children in care a 'package' aimed at raising the standard of practice and meeting the Martin Committee requirements.

As a first step a regional child-care Resources Team was established, with a main focus on children in residential care or boarded-out. There was close links between this venture and the Member/Officer Group

(see ballow) on Child-Care which added great strength to this devalopment

Strathclyde Region's vision of tackling the problems of multiple deprivation in its area and in particular its vision on child care was articulated in its strategic vision to transform the west of Scotland in a policy document - 'Social Strategy for the Eighties'. Central to the review was child-care and the recognition that some young people would require to be helped, supported and treated in a residential setting. This was followed by a review which spelled out the detailed policy implications for services, including child care. These were supported by various implementation strategies.

Central to the review was child-care and the Social Strategy was preceded by a 'Member/Officer' report on Child Care (1978) which considered the methods by which children in care are assessed as eligible for substitute family care; examine arrangements for the recruitment, assessment, support and deployment of foster parents.

The Officer and Member report led to a new strategy 'Home or Away': Residential Child Care for the Eighties' which highlighted the broad aims of residential care emphasising the rights of children 'to the best possible quality of care while in residential care'. The report looked at residential care within the context of a coherent set of values upon which all child-care facilities rely.

The values included a 'Homefinding' strategy which was based on the right of all children to family life – if not in their own family then with another.

The Home and Away strategy was followed by supporting and implementation plans. These included:

Guidelines for the long-term planning of children in care, 1986.
 A practice document to be used as an aid to social workers who

are involved in the long-term planning of children in care provided a guide round the various pieces of legislation which could be used to secure a child's future in care' Every Social Worker to have a copy of the document as a basis for discussion in in area teams or as a training aid.

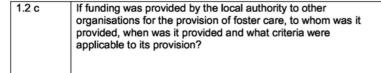
- Young People in Trouble: Report by the Directors Education, Social Work and Reporter to the Children's Panel, April 1988
- Charter of Rights for Children, 1988s, with clear procedural and practice guidelines and training for staff on their implication
- Current Issues in Child Protection report by the Director of Social Work, 1 April 1993
- Child Care Strategies and Priorities report by the Director of Social Work, 3 March 1993
- Inspection of Social Work Services Joint report by Chief Executive and Director of Social Work, June 1993
- Young people In Trouble Joint report by Directors of Social Work and the Reporter to the Children's Panel, 29 June 1993.

In 1995 the Director of Social Work Report to the Social Work (Childcare) Committee, included:

- Outline of forthcoming presentation on the number and needs of SRC, including:
- foster carers and the children in their care
- Department's work in recruiting, supporting and retaining carers, and the concerns of foster carers
- Report on draft Child Care Plan to form the basis of discussion and debate within the Department, with other statutory and voluntary agencies; with the consumers of departmental child care services and with elected members. Two main aims were to set a template for the identification of need and the development of services, and to provide an agreed set of criteria for the measurement of the quality of child care services. The need for services is looked at in four main areas

		 Support for children and families Children and young people in care Young people leaving care or supervision Child protection
1.1 c	How has the involvement of the local authority in the provision of foster care changed/developed over time?	The legal and regulatory requirements in respect of children in foster care have changed and developed with emerging new legislation and expectations with regard to the care that children can expect to receive whilst looked after away from home. Our Investigations with Glasgow City archives shows that Dumbarton Burgh was involved in the provision of what would now be termed as Foster Care to children and families within what is now West Dunbartonshire Council. It is clear from the archive documents that fostering services have incrementally developed. In the early parts of this process, records indicate a progression in the model from boarding out, with limited supports or assessments beyond the initial placing of a child to the developments of Strathclyde, where much more comprehensive guidance and procedures around assessment and support for children and their carers could begin to be evidenced. Building on this the developments of a regulatory framework and the professional development of specialist teams. Additionally, a significant increase and focus around the care of the child, training and development of carers and a framework for reviewing the quality of care being provided and suitability of carers to meet the needs of the children placed in their care. Specialist training for carers has been developed, including safer caring, child protection and child developmental aspects including trauma informed and relationship based focused work. Mandatory training has been developed as a structured norm.

1.2 a	How were the local authority's operations and activities, so far as relating to the provision of foster care, funded?	The operations and activities, relating to the provision of foster care were funded by the County Council and latterly the local authority.
1.2 b	To what extent, if any, did the local authority provide funding to other organisations for the purposes of provision of foster care?	Some of the allocated budget will have been used to pay for the external provision of foster care.
		We have been unable to identify records to indicate whether or not funding for fostering provision to other organisations was granted prior to the development of Strathclyde region in 1975.
		Archived records from 1976 held by Strathclyde demonstrate a developing need to look at the payments of foster provision across Scotland. This is recorded in communication surrounding a COSLA recommendation regarding the supervision of children placed in other areas/regions.
		A report from 1985 records that Strathclyde region began to purchase fostering provision from special fostering provision in that year. In the main, this provision was utilised for a small group of children, ordinarily a child with specific needs, such as disability. Number of children would rarely exceed 6/10.
		In 1996 following the developments of the unitary authorities, as we know them today, West Dunbartonshire Council sought to place children within their own established carers.
		However records would indicate that due to demands in the service provision and a slowing down of local recruitment, WDC began to commission services from a range of private providers through a service level agreement. There has been a significant growth in the last 10/15 years for outwith authority/ private provision to be utilised. At present WDC have 58 children placed with independent providers.



Records demonstrate that there was agreement reached in 1976 that payments would be made to other regional councils for the payment of children who had moved to those areas, with the placing authority continuing to hold responsibility. In real terms the placing authority would retain responsibility for the child and their financial needs for their care. In the event of issues such as breakdown would be the responsibility of the placing authority.

Circumstances surrounding the direct support to families remained in the control of Strathclyde Regional Council. At that time the host authority would carry out tasks relating to the support and well being of the child in placement, facilitating the role in effective supervision of the overall placement. Conditions set out for the overall management was for minimum annual meetings to occur between the two organisations, with a quarterly provision made to consider issues surrounding the child's well-being and home situation.

As noted above, the development of purchased provision started to grow following demands on unitary authorities. Recruitment became challenging, where private providers were paying higher amounts of fees, whereas the local authority were continuing to pay an allowance (to volunteer carers) only for the placement and this impacted on the overall recruitment process and available cares with the WDC area.

WDC only purchase fostering providers from a registered fostering service. These are managed and controlled by Care Inspectorate interaction and provision is facilitated by Scotland Excel through an agreed fostering framework. The overarching aim of the framework is to provide financial transparency and importantly to ensure that operational standards are maintained at high levels while caring for children and young people.

As far as we can ascertain, external providers within the private and third sector were utilised in relation to the provision .of fostering. The number of children in foster care has fluctuated across the years;

		historically however most children were accommodated within foster placements provided by the organisation.
1.2 d	To what extent was financial state support available to foster carers? How were foster carers made aware of that state support? How was that state support accessed by foster carers (e.g. directly or via the local authority)?	Financial state support would be by way of direct application by foster carers, if applicable, and would have changed over time in line with changes to the provision of state benefits.
	(e.g. directly of the tile local dutionly).	Foster carers would have been made aware of the state support via fostering panels and individual support would also be in the foster carers handbook.
		During 2010, there were developments within WDC where the authority progressed from the voluntary allowance to a fee based scheme for the carer and child. This was updated in 2017, to incorporate a fee per child.
1.2 e	To what extent was financial support from the local authority available to foster carers?	Since 2010 a fee based payment structure was put in place paying foster carers a standard fee and allowances per child.
		Prior to 2010 allowances were paid to foster carers with discretionary payments being made in respect of the specific needs of children. Payments made to carers previous to this covered an allowance for the child's maintenance, including, clothing and pocket money. Additional payments were made for any additional payments, including specialist equipment for hobbies, extra clothing or areas such as school trips. These were agreed at head of Service level, with weighting provided to the essential need for such extra expenditure.
		To assist with the agreement around additional payments, the head of service could rely on the foster carers handbook as a gauge. Where a child had special needs or there were larger sibling groups, payments were paid at a higher level (for example where a sibling group of three or more was being considered, then payments could be increased to levels including double payments).

1.2 f	If financial support was available, what was the source of those funds (i.e. from local or central government)? What criteria did the local authority apply to the distribution of such funds?	Central Government grants were allocated to Local Authorities for distribution to foster carers. The Scottish Government Revenue Support grant is paid directly from central government to local authorities. WDC make relevant fostering allowances and discretionary payments based on localised provision. (See response to 1.2 e above)
1.2 g	How were foster carers made aware of any financial support available from the local authority? How was that financial support accessed by foster carers?	Foster carers would have been made aware of the financial support available via the recruitment process, and then from their supervising social worker. Funds would be accessed directly from the locally held budget, and paid in directly to foster carers' bank accounts. Information about allowances was made available to prospective carers through recruitment based literature. This broke down expected allowances and any discretionary payments that could be made available and how this would be enacted. Information pertaining to this is evident in historical information held in files and via archive availability of Glasgow City Archives. During the period that Strathclyde Regional Council was responsible for fostering, carers would expect to gain an approved allowance. This was further developed following developments from 2010 onwards, where a fee based scheme, along with allowances were introduced.
1.2 h	What other sources of funding were available to foster carers in relation to the provision of care for children?	(See response to 1.2 e above) (See response to 1.2 e above re discretionary element of payments provided.) See also 1.2 d – as some carers would have been in receipt of other additional state benefits. In some cases where foster carers were a couple, then one carer may have been in other main employment.
1.2 i	Was the funding adequate to properly care for the children?	As far as we are able to ascertain, the funding met the care needs for the children and young people who were resident with

1.2 j Present 1.2 k	If not, why not? With reference to the present position, are the answers to any of the above questions different? If so, please give details.	their foster carers. For some time during this period, allowances were paid in line with Fostering Network Scotland recommendations and guidance. N/A Yes. In 2015/2016, levels for foster carers were 'graded'. Foster carers would enter the service at a grade 1 level and progress to grade 2 after
		a year. Payments were level at this rate based on the experience of each carer. Following a successful induction year, carers would progress onto full recognised payment. In addition to this in 2017 West Dunbartonshire introduced a 'fee per child' for all foster carers – where previously a fee 'per placement' was paid to foster carers.
1.3 Legal 9 1.3 i) Loca Past	Status al Authority	
1.3 i) a	What was the legal basis which authorised or enabled the local authority to become responsible for the provision of foster care for children in Scotland?	See answer to question 1.1 b
1.3 i) b	Did that legal basis require the local authority to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.	In addition to the requirements of the legislation identified at 1.1 b above the organisation was required to meet the requirements of: Access (Notice of Termination and of Refusal) (Forms) (Scotland)
		Order 1983;

Adoption Agencies (Scotland) Regulations 2009;

Aftercare (Eligible Needs) (Scotland) Order 2015;

Arrangements to Look After Children (Scotland) Regulations 1996;

Boarding-out and Fostering of Children (Scotland) Regulations 1985;

Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland) (Scotland) Regulations 1996;

Children's Hearings (Scotland) Act 2011 (Child Protection Emergency Measures) Regulations 2012;

Children's Hearings (Scotland) Act 2011 (Compulsory Supervision Orders etc. Further Provision) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Transfer of Children to Scotland – Effect of Orders made in England and Wales or Northern Ireland) Regulations 2013;

Emergency Child Protection Measures (Scotland) Regulations 1996;

Fostering of Children (Scotland) Regulations 1996;

Refugees for Children (Scotland) Regulations 1996;

Residential Establishments - Child Care (Scotland) Regulations 1996;

		Looked After Children (Scotland) Regulations 2009;
		Secure Accommodation (Scotland) Regulations 1983;
		Secure Accommodation (Scotland) Regulations 1996;
		Secure Accommodation (Scotland) Regulations 2013;
		Social Work (Representations Procedure) (Scotland) Order 1990;
		Social Work (Representations Establishments-Child Care) (Scotland) Regulations 1987;
		Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003.
1.3 i) c	Did the local authority have a legal duty of care to each child in its care?	The organisation had a legal duty of care to each child in its care.
	its care?	The 1948 Act introduced a duty of care on the local council; prior to this the liabilities lay with the carer in respect of powers and rights.
		This was further evidenced in the Social Work (Scotland) Act 1968.
		Additional legislation through the Children (Scotland) Act 1995 provided the legal framework that we work in today. This is complimented by the Children and Young People (Scotland) Act 2014 and the Children's Hearings (Scotland) Act 2011and other regulatory provision noted above 1.3 i) b.
Present		
1.3 i) d	With reference to the present position, are the answers to any of the above questions different?	No, with reference to the present position the answers to the above questions remain the same.
1.3 i) e	If so, please give details.	Not applicable.

(ii) Foste Past	r Carers	
1.3 ii) a	Did foster carers have a special legal, statutory or other status?	The status of foster carers has changed over time with changes in the relevant legislation and regulations.
		Foster carers are approved within the local authority statutory and regulatory framework, and their status would be as 'approved foster carers'. (See also above legal and regulatory frameworks and the changes to these over time)
1.3 ii) b	If not, how did the local authority classify a foster carer?	N/A
1.3 ii) c	What was the legal basis which authorised, or enabled, a foster carer to become responsible for caring for children?	See response to 1.1a, 1.1b and 1.3 (ii) a.
1.3 ii) 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 - See 1.1a and 1.1b above. The statutory framework has changed over time. Provision has been
		made over time with the following primary legislation:
		1908 Children Act (covering the period 1930 – 48) Children Act 1948 (covering the period 1948 – 1968)
		Social Work (Scot) Act 1968 (covering the period 1968 – 95) Children (Scot) Act 1995 (1995 to present)
		The Children (Boarding Out) (Scotland) Regulations 1947 required foster carers to bring up a child as one of their own and devote the care which good parents gave to their own children.
		The Fostering of Children (Scotland) Regulations 1996 imposed obligations on carers not to administer corporal punishment, to maintain confidentiality, to care for a child in a safe and appropriate manner and as if a child of their own family and to promote his or her welfare with regard to the authority's immediate and long term

		arrangements for the child.
		The Looked After (Scotland) Regulations 2009 restate these obligations as constituent parts of the foster carer agreement.
1.3 ii) e	Did the foster carer have a legal duty of care to each child in his or her care?	The legal duty is retained by the Local Authority. (See response to 1.1a and 1.1b)
		The foster carer would have held duties as per the agreement entered into with the relevant local authority they belonged to, or with the private organisation which had recruited them, in terms of the standards and actions required of them.
Present		
1.3 ii) f	With reference to the present position, are the answers to any of the above questions different?	No.
1.3 ii) g	If so, please give details.	N/A
1.4 Legal I	Responsibility	
(i) Local Au	uthority	
1.4 i) a	Did the local authority have any legal responsibility for the children in its care?	The organisation has a legal duty of care to each child placed within its care.
1.4 i) b	If so, what was the nature and extent of that legal responsibility?	The legal responsibilities are those laid out in the relevant statute and regulations that pertained at the time – see answers to questions 1.1 b
1.4 i) c	Did any other person or organisation have any legal responsibility for the children while they were in the local authority's care?	People with parental responsibilities and rights (herein after referred to as "parents", although not always parents in the ordinary sense of the word) continue to have legal responsibility for their children whilst they were in the care of the organisation albeit their ability to exercise rights

		can be curtailed by the State involvement or where removed or limited by Court Order. Where a child was placed in the care of a third party (private organisation) providing foster care provision, that organisation held the ongoing duty to monitor and review their registered foster carers.
1.4 i) d	If so, what was the nature and extent of that responsibility?	If a child was being accommodated by the local authority under voluntary measures, parents retained full parental responsibilities and rights.
		If a child was accommodated subject to a Supervision Order or a Child Protection Order, parents retained their responsibilities and rights but could not exercise their rights except within the terms of the relevant Order.
		Where a child was accommodated in terms of a Parental Rights Order/Permanence Order some/all parental responsibilities and rights would be removed from the parents and transferred to the organisation with exception of their right to consent to adoption (unless the legal order sought and granted was Permanence Order with Authority to Adopt).
		In terms of a Permanence Order some of the ancillary rights and responsibilities may be shared with foster carers. Sharing of rights and responsibilities was determined on a case by case basis. The mandatory provisions within the Act to determine the child's place of residence and to offer guidance were retained by the organisation.
1.4 i) e	If the local authority had no legal responsibility for children in its care, where or with whom did legal responsibility lie?	Not applicable.
Present		
1.4 i) f	With reference to the present position, are the answers to any of the above questions different?	No.
	1	I.

1.4 i) g	If so, please give details.	Supervision Orders have now been replaced by Compulsory Supervision Orders but have a similar effect to that described. Parental Rights Orders have been replaced by Permanence Orders. A Permanence Order has the effect of extinguishing some/all of the responsibilities and rights previously vested in the parents and vest them with the organisation. As indicated above the remaining parental responsibilities and rights may be removed from the parents and given to the organisation and/or another individual, or remain with some or all of the parents in accordance with the decision of the court.
(ii) Foster (Carers	
1.4 ii) a	Did the foster carer have any separate legal responsibility (separate from the local authority) for children in his or her care?	Yes.
1.4 ii) b	If so, what was the nature of that responsibility?	Foster carers may have had legal responsibilities in relation to their own children and/or adopted children. In addition they may also have had 'relevant person' status via the Children's Hearing system.
		The regulations confirm that the responsibility of carers was to care for a child as if that child was one of their own. Additional statutory details have provided clarity that the carer holds responsibility to care for a placed child in a safe and appropriate manner and as if a child of their own and to promote his or her welfare.
Present		
1.4 ii) c	With reference to the present position, are the answers to either of the above questions different?	No.
1.4 ii) d	If so, please give details.	N/A

1.5 Ethos Past		
1.5 a	What did the local authority see as its function, ethos and/or objective in terms of the foster care service it provided for children?	The function, ethos and mission of the organisation in executing its duties and responsibilities to children and young people in foster care is to ensure that they receive safe, nurturing and inclusive care that enables them to achieve the best outcomes possible.
1.5 b	What did the local authority see as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?	(See response to question 1.1b). (In terms of the Regulations, please also see response to question 1.5a). The local authority had a clear expectation that the foster carers function, ethos and/or objective in execution of their duties and responsibilities to children and young people, was to ensure that they received safe, nurturing and inclusive care that enabled them to achieve the best outcomes possible.
		A Strathclyde Regional Council handbook provided information to carers that children in their care may have missed out on good experiences and that it was noted that carer's role was to make it their business to find out about bad experiences and deliberately set out to provide compensation.
1.5 с	Were there changes over time in terms of what the local authority saw as its function, ethos and/or objective in terms of the foster care service it provided for children?	Yes. Foster care provision has grown significantly over the years. The training function and support provided to carers surrounding the caring task has been built upon over the years based on research knowledge and understanding of the trauma that can in many cases be attributed to our care experienced children/young people. As a consequence, foster carers are viewed as pivotal in the role that surrounds the planning for each child.

1.5 g	With reference to the present position, are the answers to any of the above questions different?	No.
Present		
1.5 f	If so, what were the changes and when and why did they come into effect?	Changes were in respect of the involvement of children and their families in planning for their care, setting appropriate review timescales, mandatory and additional training requirements for carers, evolving views on acceptable discipline standards, changes to the procedure and forum for making decisions in all aspects of the child's life (children's hearing system) and ensuring that we uphold the individual rights of the child amongst others (development of UN Convention Rights). All of these required changes are set out in the previously referred to legislation and regulations at 1.1 b.
1.5 e	Were there changes over time in terms of what the local authority saw as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?	(Please see response for 1.5d).
1.5 d	If so, what were the changes and when and why did they come into effect?	The changes have taken place over a gradual period of time and can be linked to, and described in, the introduction of new and developing legislation, guidance regulations and policies as outlined in 1.1b
		complimented by scrutiny from placing Social Workers as well as their own linked worker. All foster carers are now subject to a formal, structured panel where their ability to continue as foster carers is agreed on a three yearly basis.
		Foster carers are required to undergo a significant amount of training, with an expected level of training required between each formal review. Carers are expected to attend yearly reviews and these are

1.5 h	If so, please give details.	N/A
1.6 Numbers (i) Local Authority Past		
1.6 i) a	How many children did the local authority accommodate at a time in foster care and in how many placements?	The numbers of children accommodated in foster care has fluctuated throughout the years.
1.6 i) b	How many foster carers were approved/registered by the local authority at any given time? How many placements for children did this represent? How many placements were in use at any given time?	The numbers of foster carers approved/registered has also fluctuated throughout the years.
1.6 i) c	If foster carers were approved/registered by the local authority as providing only specific types of care — e.g. respite care, short-term foster care, long-term foster care — please provide details of the categories and the numbers of placements in each.	Provision, in respect of foster care, would have spanned the range of the placement types as described. Again, numbers of children accessing the different types of care placement will have fluctuated throughout the years.
1.6 i) d	Please provide details of any material changes in numbers of children, placements or foster carers, and the reasons for those changes?	As far as we can ascertain, there were no significant material changes during this time period.
1.6 i) e	How many children in total were accommodated by the local authority (whether in foster care or otherwise)?	The numbers of children accommodated for the period of interest to the Inquiry is difficult to ascertain. There are no consistent records of the numbers of children moving in and out of care particularly in the very early stages. (Please see 1.6 i) a).
1.6 i) f	In general terms, was the main service provided by the local authority the provision of residential care for children in establishments, or was it the provision of foster care?	The organisation has and continues to provide residential care for children in establishments as well as the provision of foster care.
		In the early days of Strathclyde Regional Council there was a high level of children residing in residential care settings. This

		trend was reversed in the 80s and 90s, where we witnessed a higher level of early intervention and preventative models, where the need for support was carried out within the family home. Where there was an identified need for care placements they preferred route of care was in a family setting through the model of fostering.
Present	•	•
1.6 i) g	With reference to the present position, are the answers to any of the above questions different?	Yes.
1.6 i) h	If so, please give details.	We have much fewer children accommodated in residential child care settings due to the closure of a number of residential houses in the past.
1.7 Child Past	ren's Background/Experience	
1.7 a	Did the children placed in foster care generally have a shared background and/or shared experiences?	Children were accommodated for a variety of reasons. Most were admitted as a result of one or more concerns relating to their physical safety and wellbeing. In addition some children were admitted on a statutory or voluntary basis where it was assessed their parent(s) was unable or unwilling to meet the children's needs. It was and is recognised that every child admitted into care has an individualised background and personal experience prior to admission however within that for some children their experience of abuse and lack of care had common characteristics.
1.7 b	Were children admitted into the care of the local authority, or were they admitted into the care of particular foster carers?	Children and young people were admitted into the care of the local authority with a named foster carer. This position is ordinarily consolidated within a legal context, with many children being made subject to compulsory supervision via Scottish Children's Reporter Administration (SCRA), Children's Hearings. Within this, the child was placed in the care of the foster carer who was

		required to execute his/her duties and responsibilities under the foster care agreement they were party to either with the LA or the third party organisation they were registered with. Some private fostering will have occurred, however this was not in the range considered. It is known generally speaking that private arrangements would at times seek out support from the local authority for help and support. Within WDC these areas are supported through a formal kinship process.
1.7 c	Who placed children with the local authority?	Children were/are placed with the local authority either on a voluntary basis with parental consent, an emergency order through the court or a statutory order through the Children's Hearing System or by way of a permanence order granted by the Scottish Court System.
1.7 d	From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the local authority receive children mainly through the Children's Hearing system?	As above children were/are placed within the local authority via the children's hearing system or with parental consent. It is difficult to get firm numbers for which route generated more admission due to passage of time and availability of records. This number would have fluctuated.
1.7 e	If not, generally how did children come to be admitted into the care of the local authority?	The legal basis of each child will have varied, depending on the time they were accommodated. This may include family breakdown, relinquished children, parental neglect, parental health and occur by way of voluntary agreement with those holding parental rights and responsibilities or by emergency protection order.
1.7 f	How long did children typically remain in the care of the local authority?	This would fluctuate depending on the child's individual circumstances and in their best interests.
1.7 g	In respect of children who were admitted into the care of the local authority, who made the decision as to whether they	A recommendation on a suitable care placement for a child would be made by the allocated social work team. The decision on whether a

	should be placed in foster care?	child was placed in that recommended care placement — specifically here, in foster care - would be made by a variety of different decision makers including, the court if an emergency protection order was sought, a children's hearing panel if a legal order was sought, or where the child was accommodated on a voluntary basis, the final decision was made by the child care manager in consultation with front line social workers and managers with knowledge of the child's need. Consultation with those holding parental rights and responsibilities for a child would take place.
1.7 h	If the decision was made by the local authority, what criteria were applied?	Assessment of which of the available placements best met the child's assessed needs. The child's assessed needs would be evidenced from assessment by a qualified social work professional and with information ingathered from the wider multiagency/professional network in line with partnership working.
1.7 i	Were children moved between different foster care placements?	Yes
1.7 j	If so, in what circumstances?	This happened infrequently, on occasions when the assessed needs of the child were considered to warrant it, or where a breakdown occurred. A child could experience more than one placement where they were originally placed under emergency circumstances (say overnight) and a further longer term placement is then established at the earliest opportunity, based on the child's best interests. Where a child is assessed as requiring permanent care away from home, the child may require to move from a short term placement to a long term foster care placement. When a child is originally placed, it is not known how long that child will remain away from home.
1.7 k	Generally did children typically stay in one, or more than one, foster care placement?	Yes children typically stayed in one foster care placement, moves occurred infrequently.

1.7 I	What was the process for review of children's continued residence in foster care, in terms of whether they continued to require to be	Pre 1995 the child was reviewed minimum 6 monthly, post 1995 this period of review was 3 monthly.
	(a) in foster care and/or	As above within the Looked After Review
	(b) in that particular placement?	As above but also would be considered at foster carer's annual review.
1.7 m	When children left foster care, what was the process for discharge?	Child Care Review/Looked After Child (LAC) review would make recommendations/decisions; child within the Hearing System normally require a decision by Hearing.
1.7 n	What support was offered to children when they left foster care?	Where assessed as appropriate, a post discharge support package would be formulated and implemented to support the child/young person. Content on package would depend on identified assessed needs for child and family eg: mental health, drug and alcohol support services in addition to ongoing social work support. For those children who are leaving care to move on to independent living, there are positive arrangements in place by our Throughcare and
		Aftercare Service, the frameworks of which were introduced by relevant legislation and regulations. Children are also now able to elect to stay in their home/placement under Continuing Care introduced by the 2014 Act.
1.7 о	What information was sought by the local authority about what children leaving foster care planned to go on to do?	It is not possible to answer this accurately for the period pre 1980 due to a lack of relevant data on this matter, however since early 1980's there has been an established Throughcare team which routinely provided Throughcare and Aftercare to young people when the plan was to move on to independent living. This included encouragement, support services and information, and support including financial support. Specific advice and guidance was, and continues to be, provided in respect of accessing further education.
1.7 p	Was such information retained and updated?	From 1980 the through care team has retained and updated this information.

1.7 q	What was provided in terms of after-care for children/young people once they left foster care?	As 1.7o plus post care accommodation provided if required and requested. This was required by the Children (Scotland) Act 1995.	
Present			
1.7 r	With reference to the present position, are the answers to any of the above questions different?	Support was offered to young people leaving care by the authority before the 1995 Act and then post the 1995 Act they had a legal duty to provide after care support until young people turn 19 and to access any eligible needs for aftercare support until they turn 26 (or beyond in some cases). Other supports have been referenced earlier in this section including the Continuing Care framework and support offered to young people.	
1.7 s	If so, please give details.	As above.	
	1.8 Local Authority Staff and Foster Carers 1.8 i) Local Authority Past		
1.8 i) a	How many people were employed by the local authority who had some responsibility for foster care services for children?	Within the wider children and family services each child would have their own Social Workers, additionally there would be a wide range of services focusing on prevention and return – i.e. Homemakers, Social Work Assistants and IT workers. The child would also have a range of external supports that they could potentially tap into – including, school nurse, CAMHS, teaching staff etc.	
		Within recent years, within the fostering service, staffing generally comprised 4 social workers plus a section head and an Assistant Principal Officer (APO); this changed more recently to 2 Senior Social Workers and 5 social workers.	
1.8 i) b	How many people were employed by the local authority at any one time who had some responsibility for foster care services for children?	As above.	
1.8 i) c	What roles and responsibilities did such staff have? Please specify in which roles staff met with children and foster carers.	Supervising social worker role involved recruiting, training and assessing foster carers, providing ongoing support and supervision of	

		carers, liaising on behalf of carers with other professionals working with children. The social worker will have direct contact with the foster carer and the children in their care. Attending child care review/LAC review. Addressing developmental needs of carer and attending Foster carer reviews. Keeping up to date records in accordance with policy and procedures.
		The APO had responsibility to the fostering panel for providing support and information in relation to foster care reviews. They also supervise the worker assessing and supporting foster carers. They have a duty to ensure they and their staff are up to date on relevant legislation and practice. Identify suitable placements in conjunction with the supervising social worker.
		The section head/The Principal Officer supervised the manager for fostering and adoption, chaired the fostering panel, approved finances for carers, chaired foster carer panels and also foster carer support groups
1.8 i) d	In relation to each role, what experience/qualifications did such staff have?	All workers had to have a relevant social work qualification. Most would have previous child care experience.
		The APO would have a relevant social work qualification minimum and experience would vary however must involve working within child care services.
		The section head/the Principal Officer would have a relevant social work qualification and experience in the child care sector.
1.8 i) e	When were fostering panels set up? What was their purpose and remit?	Information from Glasgow City archives would indicate that fostering panels were set by Strathclyde Region in or around 1986/87. Their key purpose was to make a recommendation and consider assessment of prospective foster carers and make a recommendation regarding their

		suitability to the designated decision maker within the local authority. They made recommendations regarding finance for carers and reviewed carers' registration on an annual basis.
1.8 i) f	How were fostering panels constituted? What skills and experience were the members required to have?	Panels were made up of a chair, who would be a social work manager, community elected councillors who in the past chaired panels. Since 1996 it has been chaired by a designated social work manager. A variety of individuals such as foster carers, a doctor, legal representatives, psychologist, residential managers, Team leaders, Area team managers. Professional staff had relevant knowledge and experience of children and their needs.
Present		
1.8 i) g	With reference to the present position, are the answers to any of the above questions different?	No
1.8 i) h	If so, please give details.	n/a
(ii) Foster Past	(ii) Foster Carers	
1.8 ii) a	How were foster carers identified and approved/registered?	Through advertising campaigns or requesting information about fostering, potential foster carers would be identified following an initial assessment, where a social worker would do a preliminary assessment re their potential suitability, they would then attend preparation training and then they would have a full assessment and consideration for approval by the fostering panel who make a recommendation for registration.
1.8 ii) b	What experience and/or qualifications, if any, did a foster carer require to have?	A foster carer did not have to have qualifications however it would be expected that the assessment would take account of any experience of caring for children or a good understanding of a child's needs and development.

1.8 ii) c	What checks were carried out in relation to a prospective foster carer, including criminal record checks, references and interviews?	We do not have documented evidence regarding checks pre 1968 so we are unable to answer this for that period however post 1968, as far as we can ascertain, all prospective foster carers were subject to criminal records checks, medicals, full references, regular and detailed interviews including referees and potential foster carers, all local authority checks for any other areas they lived within and interdepartmental checks.
1.8 ii) d	What checks were carried out in relation to other persons residing with the prospective foster carer, including criminal record checks, references and interviews?	Criminal record checks were carried out on any other person residing within the foster carer's home and they would be interviewed during the assessment phase. Further checks may be carried out if a need to do so was identified.
1.8 ii) e	What checks were carried out in relation to other family members and friends of a prospective foster carer including criminal record checks, references and interviews?	These checks would only be done if they resided within the home however if the carer identified them as a support and would be actively caring for the child for periods, or if this became apparent to the placing authority in some other way, the same checks would be carried out.
1.8 ii) 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?	Prior to the PVG system, criminal checks were only done on initial approval however this has changed since introduction of PVG. Records are unclear as to how these checks were carried out historically. Since 1968 medicals were annually updated, a full medical initially followed by bi annual full medical and interim update annually. Foster carers had an annual review where any issues would be raised and investigated.
1.8 ii) g	What checks were carried out by the local authority of the available accommodation? How frequently were these carried out? Were they repeated? If so, how frequently? If not, why not?	The social worker would fully assess the accommodation initially regarding suitability and then this would be reviewed at each annual review and also during regular visits. Unannounced visits would be carried out annually.
1.8 ii) 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?	No the gender of the foster carer was not of any relevance however since 1968 as far as we can ascertain approved applicants constituted couples (male and female) or single female carers.

		Historical records indicate that in the past single males were not able to be considered. Same sex male couples were also unable to participate in fostering. This has changed in recent years with the development of legislation that would allow the same opportunities to this group of individuals.
1.8 ii) 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?	In principle no, however practical issues would be assessed such as age, sharing rooms depending on age and gender. Where the child's experiences and circumstances required specific arrangements to be made, that would be considered in the decision making process surrounding identifying a suitable placement.
1.8 ii) j	Were foster carers required to provide any services for children in their care beyond accommodating them? If so, what were they?	Where a child had additional needs sometimes carers were trained to provide appropriate care ie: medical needs, speech and language. Also life story work was often undertaken by foster carers with the appropriate supports from the team around the child.
1.8 ii) 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?	Pre 1968 we are unable to clarify this issue due to availability of records relevant to that period. Post 1968 we are confident that no child would work manually in a placement or externally.
1.8 ii) I	Were fostering agreements entered into? If so, were these in a prescribed form or created on an ad hoc basis?	Pre 1968 we are unable to clarify this issue due to availability of records however post 1968 fostering agreements were in use within this local authority in a prescribed form.
Present		
1.8 ii) m	With reference to the present position, are the answers to any of the above questions different?	The present position with regards gender of foster carers is such that there are more applicants from males than there was historically. Manual labour in foster care placements would not occur.
		Fostering agreements would be entered in to by the relevant parties involved in the provision of foster care for the child.

1.8 ii) n	If so, please give details.	As above the gender of the foster carer was not an official obstacle however there is now more awareness raising and encouragement from local authorities or agencies to recruit all sections of society.
2. Organis 2.1 Culture Past	ational Structure and Oversight	
2.1 a	What was the nature of the culture within the local authority in relation to the provision of foster care?	We have not been able to identify early records to provide accurate information relating to the culture pre 1974. From Strathclyde Regional Council (SRC) records and anecdotal information held within our service, there is little doubt that historically there was a culture in favour of accommodating children who required care within larger children's homes and residential establishments. SRC records throughout the 1980s, 1990s and 2000s, including the present day, indicate there was a major change in culture towards supporting children within their families wherever possible and when necessary to accommodate them with Foster Carers and within smaller children's' houses in their own community.
2.1 b	Was that culture reflected in the local authority's policies, procedures and/or practice in relation the provision of foster care?	Pre SRC we are unable to clarify the culture as there are limited records however SRC records from 1980's indicate that policies and procedures confirm a culture which supported children within a family setting wherever possible.
2.1 c	How can that be demonstrated?	Through policy and procedures which outline the importance of this and also records kept by the fostering team. Records indicate that when required carers have been supported by both procedures and resources such as housing or transport to accommodate larger family groups.
2.1 d	Did the provision of care by foster carers reflect the local authority's culture, policies and procedures?	Yes
2.1 e	If not, please provide a representative range of examples and	n/a

	explain, by reference to those examples, why particular foster carers did not, in material ways, work in accordance with the local authority's then culture, policies and procedures and what, if anything, was done to change that?	
2.1 f	When and why did any changes in the culture of the local authority in relation to the provision of foster care come about?	In line with evolving guidance on child development and best practice for supporting an accommodated child to achieve the best outcomes.
2.1 g	Were any changes in culture driven by internal influences, incidents, experiences or events within the local authority, or any of the foster care placements?	From the 1980's there was a general cultural and policy shift towards maintaining young people and children within their local communities where possible within a family setting wherever possible or within small family group homes to meet the child's needs. Internally this was driven by national research indicating better outcomes for children in family settings within their own communities.
2.1 h	Were there any changes in culture that were driven by abuse, or alleged abuse, of children in foster care?	Yes, in response to instances of abuse of children within foster care and/or residential homes investigations of allegations were brought into line procedurally with CP procedures. In real terms, investigations of any child in line with procedures that operate across the council, including all children in the same processes – with the exception of the need for registration for those children accommodated.
		Fostering developments occurred through training surrounding areas of development, for example in child protection understanding, safer caring principles and the support of local and national advocacy for children and young people.
2.1 i	If so, when did they occur and how did they manifest themselves?	Significant developments have occurred over the years highlighted and services continue to build on this work. Legislation and amendments to policy and procedures have enabled the progression of practice to what we have today. The 1995 Act was pivotal in practice development.
2.1 j	Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?	Yes, each set of national circumstances has led to changes in practice, developments and of course supporting legislation. There is an overarching growth over the years that children should be cared for

		within their own families. The development of national frameworks and a common language in the GIRFEC model have shaped the way that we carry out our business, focussing on the needs of the child being front and centre.
Present	•	
2.1 k	With reference to the present position, are the answers to any of the above questions different?	The principle of the child being at the centre of the work being carried out is considered Nationally as upholding the best interests of the child, ensuring their views are wholly taken into consideration and the planning process is carried out at a pace that has a focus and emphasis on their needs.
2.11	If so, please give details.	The child planning process and work carryout out with PACE programmes ensure that the child's needs are being considered earlier and that early decisions can be reached about the best outcomes of each child.
2.1 m	To what extent, if any, has abuse or alleged abuse of children cared for in foster care caused, or contributed to, the adoption of the current policies, procedures and/or practices of the local authority, in relation to the provision of foster care services for children including the safeguarding and child protection arrangements applying to its current foster care placements?	Carers are robustly supported through the supervisory role, additional unannounced visits are now inspected and recorded. This links to the developing role and expectations in the role of foster carer. The extension of a fee based process and mandatory training for carers. Additionally, there are yearly reviews and a return to the fostering panels to review their position as carers and their developmental needs to undertake such tasks. Such panels are operated in a manner that offers an independent level of scrutiny and are in place to monitor and review registrations, celebrate success and deal with any areas of concern noted in the carer's role.
2.2 Strue Past	cture, Leadership and Accountability	
2.2 a	What was the structure of responsibility within the local authority in relation to foster care?	Pre mid 1980's, foster care was the responsibility of the fostering advisor and the social work assessments and support were given to generic social worker based in the local authority. From the mid 1980's a designated fostering team was established within districts of SRC and this structure has continued to the present day.

		Currently, there are two dedicated teams, one for fostering, while the other looking more specifically looking at permanence/adoption work. These teams are managed independently by a Senior Social Worker, who in turn is managed by the Team Leader for the Family Placement Service.
2.2 b	What were the oversight and supervision arrangements by senior management?	Before 1984 the supervisory role for foster carers would have been managed in a generic way, within the area team model, supported by a divisional advisor at Headquarters level. This progressed onto the development of specialist teams with a sole focus on all fostering activity, including permanence.
2.2 c	What were the lines of accountability?	There was a clear line of accountability from the mid 1980s, as described above.
2.2 d	Within the local authority, who had senior management/corporate/ organisational responsibility for the managers/management teams/leadership teams who had responsibilities in relation to children in foster care?	The responsibility of the childcare plan remained with the area team Social Worker and the planning processes that surrounded these times. District, Regional & Divisional managers would have overview of operations and would direct decision making.
2.2 e	Who, within the local authority, took decisions on matters of policy, procedure and/or practice in relation to foster care?	District, Regional and Divisional managers would manage processes during the SRC years (child and welfare department). There are no records available to provide information in any meaningful detail about how this was managed prior to this time. It is understood that under the old Burgh Councils that similar structures would have been in place to take into cognisance of the level of decision making required about resources.
2.2 f	To whom were foster carers accountable?	Foster carers were accountable to the fostering agency panel and the local authority or where registered with a third party agency, that agency.
2.2 g	Who, within the local authority, was responsible for the implementation of, and compliance with, the local authority's	Section head in conjunction with the APO of the fostering team.

	policies, procedures and/or practices in foster care both by local authority staff and by foster carers?	See also above.
2.2 h	To whom were fostering panels accountable?	They are accountable to the agency decision maker who works on behalf of the local authority as a whole in line with national legislation and regulation.
2.2 i	What were the oversight and supervision arrangements in respect of fostering panels?	There are no specific records that would provide us with information about the direct governance surrounding the fostering panels in the early years. There is operational guidance into how departments reached decision and the agreements reached from panels to departmental heads who had operational, final say on decisions.
Present		
2.2 j	With reference to the present position, are the answers to any of the above questions different?	Yes
2.2 k	If so, please give details	The developments surrounding governance has included the Care Commission developments in 2002 and this has been further championed within the Care Inspectorate and for individual workers in the more recent creation of the Scottish Social Services Council (SSSC) model that enables a consistent level of values and standards.
2.3 Exte	rnal Oversight	
2.3 a	What were the arrangements for external oversight of the local authority's foster care services?	There is no specific recognition of detailed inspection in the early years. In recent years we have had greater scrutiny around governance and scrutiny from the care commission and the regulations prescribed to fostering services and the more recent developments of the SSSC for individual professional workers (as above).
2.3 b	Who visited the local authority's foster care services in an official or statutory capacity and for what purpose?	As noted, there are no records to indicate what scrutiny was available in the early years. This developed as the services began to learn from historical events and practice issues. This enabled the local authorities

2.3 c	How often did this occur?	to develop in house systems, such as unannounced visits to foster carers homes and the developments around the reviewing of placements, both through the looked after and accommodated children (LAAC) process and our own review meetings. The developments of the care commission and SSSC have complemented the inspection and scrutiny around fostering provision. We are not certain about the early years, however the more recent
		developments offer an opportunity for external scrutiny and early response can be made on any deficits recognised within this process.
2.3 d	What did these visits involve in practice?	It is unknown what level of scrutiny was in place, therefore we are unable to contribute towards this question over the early years.
		However, since the developments of the care commission, regulations and SSSC we have been able to benefit from the external inspections that have occurred and build on the learning gained from these interventions.
		Recent years inspections has incorporated visits to the carers homes, discussions with children, other relevant professionals and scrutiny of departmental records, both paper and electronic.
		Additionally, the inspectors have been able to observe practice and processes that enabled them to understand the delivery of our local services.
Present		
2.3 e	With reference to the present position, are the answers to any of the above questions different?	Yes
2.3 f	If so, please give details	The developments over the last 10 to 20 years have allowed an opportunity for fostering services to develop on a professional manner. This has included the development of specialist teams, broader training

and higher levels of scrutiny and support being afforded to the foster care task.
WDC continue to seek new and innovative ways of improving services. This includes the developments of our current team set up where we have broken down the route and support independently to fostering and permanence within two distinct, but linked teams.