

Covering statement

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Covid-19 Restrictions

Due to Covid-19 restrictions, Council staff have been unable to access Council buildings and records. This led to the premature ending of a comprehensive file audit and has limited the research opportunities and materials available to staff in compiling the responses listed below.

Question 4.3	<u>Children</u>
<u>(i) Policy</u>	
Past	
a)	<p><u>What policies and/or procedures did the local authority have in place in relation to the care of children in foster care?</u></p> <p>In general, national legislation and local policy applied to children and young people who were placed in foster care out during the whole time period.</p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>In 1930 the function of the Local Authority was to continue the policy carried out by the Parish Council in 'not keeping children in the Poorhouse'. The Local Authority aimed to place children in a children's home or Craighleith Hospital and from there board them out with suitable guardians, as noted in the Public Assistance Committee minutes. (Ref SL61/1/1).</p>

The Children and Young Persons (Scotland) Act 1932 (Section 19) provided the legal framework from which the authority accepted and introduced, via the Education Authority, the "Regulations and Rules in regard to Boarded out Boys and Girls" in 1933, which laid out a prescriptive criterion in relation to the functions, roles and responsibilities for the Corporation in providing this service, and therefore a policy and procedure which was to be adhered to: *Regulations and Rules in regard to Boarded out Boys and Girls made by The Lord Provost, Magistrates and Council of The City and Royal Burgh Of Edinburgh as Local Education Authority 1933 (Ref. SL164/1/7)*

I. Regulations in Regard To Selection Of Foster Parents.

(1) A register shall be kept of persons who are willing and fitted to act as foster parents and to undertake the care of boys and girls.

(2) Applications to be placed on the register of approved foster parents shall be made in the form prescribed in Appendix 1 to these regulations.

(3) Applicants must be between the ages of 25 and 55 years and must be resident in Scotland.

(4) The register shall contain, in respect of foster parents, all particulars set out on the applications referred to above, together with a record of the boys or girls boarded out with them.

(5) In selecting foster parents, the Education Authority may have regard to the number of approved foster parents in the area concerned.

(6) Before a boy or girl is boarded out, it shall be established that the selected foster parents can provide the necessary and appropriate discipline and training. A foster parent shall also be selected who is of the same religious persuasion as the boy or girl or who gives an undertaking that the boy or girl will be brought up in accordance with his or her religious persuasion.

(7) As far as possible, boys and girls shall be boarded out in country towns, villages and districts, unless they have previously been under guardianship of some person in a large town or city who has been approved by or on behalf of the Education Authority. Before a boy or girl is boarded out, the Education Authority may cause the proposed foster home to be visited and approved by an official on behalf of the Education Authority.

(8) The Education Authority may supply a visit book to the foster parent for the purpose of recording all official visits made to the foster home.

(9) The Education Authority shall have the right to remove any boy or girl from a foster parent at any time without assigning reason therefor.

(10) Each boy or girl, on being boarded out, shall be supplied by the Education Authority with two complete outfits of clothing, and this shall be renewed as required.

(11) A boy or girl, on being committed to the Education Authority, may be conveyed to the Children's home, Crewe Road, Edinburgh, or other suitable place, in order that arrangements may be made to provide the clothing mentioned above, and that the boy or girl may be medically examined by a Medical Officer of the Education Authority. If the medical report is satisfactory, arrangements will thereafter be made to have the boy or girl conveyed to the selected foster home.

(12) When arrangements cannot be made for boarding out a boy or girl immediately after committal, the Education Authority may arrange for the boy or girl to be admitted to the Children's Home or other hospital or institution as the Education Authority may consider most suitable, provided that if such temporary arrangements are to continue beyond one week from the date of the Court Order, intimation thereof shall be made to the Scottish Education Department by the City Education Officer.

(13) Intimation shall be made to the Scottish Education Department by the City Education Officer as undernoted: -

(a) On Form C.A.1 on the committal of a boy or girl to the care of the Education Authority.

(b) On Form C.A.2 on the boarding out of a boy or girl and in respect of the removal of a boy or girl from one foster parent to another.

(c) On Form C.A.3 in regard to any material facts regarding a boarded-out boy or girl, e.g. serious illness, infectious and allied disease, accident or death.

(d) Half yearly reports on visits to boarded out boys and girls.

(14) Intimation shall be made by the City Education Officer to the parents or guardians of boarded out boys and girls in respect of serious illness, infectious disease, accident or death.

II. Rules to Be Observed by Foster Parents.

vi. *General*

- (a) *Foster parents shall be required continually to observe and comply with the following Rules, and any failure shall render foster parents liable to have their names removed from the Register of Foster Parents.*
- (b) *In consideration of such payment as may be agreed upon by the foster parent and the Education Authority, the foster parent shall bring up the boy or girl as one of his or her own children and shall co-operate with the Education Authority and their Official for the boy's or girl's welfare.*
- (c) *The foster parent shall on demand give up possession of the boy or girl to the City Education Officer or to any person duly authorised by the Education Authority.*
- (d) *Communications to the Education Authority shall be addressed to the City Education Officer, Education Offices, Castle Terrace, Edinburgh.*
- (e) *In the case of illness, the doctor to be called if required.*
- (f) *The foster parent shall not incur expense on behalf of the boy or girl without prior permission of the City Education Officer, except for boot repairs. Expenditure in this latter connection should be incurred with discretion.*

vii. *Food.*

Each boy or girl shall be provided with regular meals and the food shall be wholesome, varied and sufficient for good health. The daily dietary shall include a sufficient supply of fresh sweet milk. Where extra nourishment is ordered by a medical attendant the Education Authority shall be informed with a view to its provision.

viii. *Clothing.*

The clothing (including sleeping apparel) and boots of each boy or girl shall be kept clean and in good repair. Each boy or girl shall be provided with a complete change of underclothing each week.

ix. *Sleeping accommodation.*

- (a) *No more persons shall be allowed to occupy a bedroom in which a boy or girl sleeps than may be approved by the Education Authority. The bedroom shall have a window opening to the outside air and not into another apartment.*
- (b) *The bedding for each boy or girl shall be adequate and comfortable and shall be kept clean and well aired.*
- (c) *No boy or girl shall occupy the same bed or bedroom as an invalid or an old infirm person.*
- (d) *Boys and girls over eight years of age shall not occupy the same bedroom; and not more than two shall sleep in one bed.*

x. *Training and discipline.*

(a) *The foster parent shall train each boy or girl in habits of punctuality and thrift, of good manners and language, of cleanliness and neatness, of self-respect, of consideration and respect for others, and of honour and truthfulness in word and act; and shall devote to this duty the care which good parents give to their own children.*

(b) *Each boy or girl shall be brought up in accordance with his or her religious persuasion, and where possible the foster parents shall arrange that the boy or girl shall attend Sunday School or be brought under some religious influence.*

(c) *Where circumstances are suitable, each boy or girl shall be encouraged to join some approved juvenile organisation.*

(d) *A foster parent shall not administer indiscriminate or harsh punishment on any pretext whatever. Any serious act of misconduct on the part of a boy or girl, or any generally unsatisfactory behaviour, shall be reported to the City Education Officer.*

xi. *School attendance.*

Each boy or girl of school age shall, if his or her health permits, be sent regularly to school and shall not be removed from one school to another without the consent of the City Education Officer.

xii. *Prohibition of intoxicants.*

No boy or girl shall be allowed to partake of any intoxicant except upon the order of the medical officer or other doctor, or in case of sickness or other urgent cause.

xiii. *Health.*

(a) *Each boy or girl shall be given adequate opportunity for play and recreation.*

(b) *In the event of any serious accident to, or illness of, a boy or girl the foster parent shall send immediately for a doctor and shall notify the facts to the Education Authority. Where the doctor is of the opinion that the life of the boy or girl is in danger, the foster parent shall notify the parents (or guardians) direct and shall inform the Authority that this has been done.*

These rules remained in force during the 1940's. In 1943, the City Social Services Officer reported to the Public Assistance Committee that the policy of boarding out was being continued however the child's welfare was paramount therefore no child would be placed with a foster parent unless the criteria, as set out in the *Regulations and Rules in regard to Boarded out Boys and Girls*, was met. (Ref. SL61/1/15).

Under the Children Act 1948, local authorities had a duty to receive children into care in certain circumstances, and to keep the child in care for as long as the welfare of the child required it.

Local authorities could also assume parental rights for children in care. The 1948 Act also created a statutory requirement that boarding out with foster carers should be considered for a child before residential care and that children would be returned to the care of their parents, relatives or friends as soon as possible, consistent with the child's welfare.

The 1948 Act contained a power for the Secretary of State to make Regulations relating to the boarding out of children. This was done with the Children (Boarding Out) Etc. (Scotland) Regulations 1959, which contained updated rules for the wellbeing of the accommodated children.

In the 1960's there was a move to developing services and interventions designed to remove the need for children to be received into care. On 9th April 1963, the Children's Committee Homes subcommittee noted new legal duties placed on local authorities to "provide a comprehensive service for the prevention of neglect of children". The subcommittee instructed officers to submit a "coordinated report regarding the arrangements which might be made for the provision of a comprehensive service" (SL116/1/16).

The introduction of the Social Work (Scotland) Act 1968 replaced the 1948 Act and set out duties for the local authority to receive children into care, and the obligations in relation to children in care. It remained the case that local authorities could also assume parental rights for children in care. The 1968 Act also established the Children's Hearing system and the introduction of compulsory supervision of children.

Lothian Regional Council (1975 – 1996)

A report by the Director of Social Work was presented to the Social Work Committee regarding the implementation of the Children's Act 1975 and the implications it would have on the department. The report noted *"The legislation is designed to improve and underline sound child care practice. The effectiveness of this legislation depends not only on Departmental arrangements, but also on the commitment of each member of staff to study the legislation and incorporate this into their everyday practice"* The report notes that the department had produced a document entitled "Your Child in Our Care" which provided detailed information to parents of the related changes to child care policy, procedure and practice as a result of the new provisions contained in the Children's Act 1975. (LRC3/8/3/2 1976 – 1977).

In a subsequent 1979 report to the Social Work Committee the Director of Social Work recommended a number of further steps that would rationalise and improve services for foster children based on work done already on meeting the requirements of the Children's Act 1975.

The Social Work Committee approved of the Director's report and requested he submit a further report into home finding panels (LRC2/1/1/20/6 1979-1980).

In a different report of the same year, it was noted by the Director of Social Work that:

A principle held by the department is that no child should grow up without people whom he can regard as his parents, whether he be at home, in residential care or with a substitute family. This is in accord with the needs of children for emotional security, a sense of identity and some understanding of the setting in which they live. (LRC3/8/3/5)

The Director of Social Work goes on to report on the number of children waiting for placements, and outlines what work was being done with children to prepare them for placement. The Director also refers to the different types of foster care for which recruitment of carers was needed; Adopters; Short term foster parents; Long term foster parents; Community Carers. The report provides a description of each category. (LRC3/8/3/5 1979 – 1980).

'Community Carers' were a new development in the authority, introduced in 1977 to provide homes for children between 14 – 18 where it had been problematic in identifying and securing suitable long-term foster care. Initially set up as a project, with four children placed with four couples, the scheme was expanded after a further 22 children were identified as needing such a placement. This then became an accepted core service of the department during the period. (LRC3/8/3/2 and LRC3/8/3/4)

A report by the Director of Social Work in 1978 sets out the support for foster care that was procedurally in place. The report informs that once a foster carer had been accepted and approved as a LRC foster carer, they were allocated a liaison worker, who would create a relationship with the carer and maintain contact, even during times when there was no child placed with them. The report informs the reasoning for this practice is embedded in the belief that this would assist in the decision-making process with regards to suitable placements for children. The report also informs that the current policies and practice of ongoing support, assessment and proper matching reduces the risk of placement breakdowns. In addition to this, it is noted that one member of staff co-ordinated the 6 monthly reviews of all foster care children, in order to enhance a consistent approach. (LRC3/8/3/3)

Below is a Lothian Regional Council Partnership agreement between the authority and foster carers. While it is for the end of the period, it provides details of the underlying policies and procedures which were in place for most of the period. It also identifies the responsibilities of the authority in relation to the provision of support to the foster care placement, as well as the

responsibilities of the foster carer/s with regards to meeting the needs of the child/young person placed in the foster care placement. (Lothian Regional Council Documents Manual).

Partnership Agreement

The sharing of responsibility between the Department of Social Work and foster carers "to further the best interests of a child in their care and to afford opportunity for his/her proper development" is a serious undertaking and involves certain essential responsibilities some of which are prescribed by law. Lothian Region Department of Social Work fully support the notion of "partnership" between social workers and carers in sharing the care of foster children.

This agreement is intended to provide a detailed description of the respective responsibilities placed upon the Department of Social Work and the foster carers, and to underline the mutuality of the agreement if the partnership is to be successful

The Foster Carer(s) Responsibilities

1. To provide a good standard of emotional and physical care to the foster child(ren) in placement by:
 - giving attention and affection, building self-esteem and developing any special talents;
 - setting consistent limits to manage behaviour without resort to physical punishment;
 - encouraging participation in community activities;
 - instruction and good example in health and hygiene habits;
 - maintaining clothing in clean and good condition.
2. To be aware of and sensitive to the child's cultural and racial background and to positively encourage the child in this respect.
3. To bring the child up according to her religious persuasion (if any).
4. To supervise the child's medical and dental care. This involves consulting the doctor and dentist when necessary and arranging for regular check-ups, to allow the child to be medically examined.
5. To keep a medical record of the child.
6. To be responsible on a day to day basis for encouraging the child's attendance at school and for regular contact with the school staff regarding progress.
7. To promote contact between the child and her own family unless this is agreed not to be in her best interest.
8. To participate together with the child(ren) placed and the parents in planning the programme of care.
9. To discuss with the social workers any emotional and or behavioural factors that may affect the placement or planning for the child.
10. To attend and contribute in writing to Child Care Reviews.

11. To discuss with the social worker before taking the child/young person to extended trips in time or distance; to consult with the social worker about any extended baby-sitting arrangements.
12. To notify the Department immediately if the child suffers serious accident, or illness or dies.
13. To notify the Department immediately if the child runs away, or is taken away from the foster home.
14. To permit any person authorised by the Department to see the child.
15. To keep a record and receipts of clothing purchased, or other items/equipment which require special payments.
16. To notify the Department of any change of address, before actually moving; or of any change in the family living arrangements.
17. To participate in carer reviews; and the training and support opportunities provided by the Department.

Lothian Region Department of Social Work Responsibilities.

1. To provide written information about the child's background, including any other information relevant to the placement when the child/young person is placed.
2. To provide relevant medical information; to arrange a medical assessment at the commencement and termination of placement and at yearly intervals throughout the child's "life in care".
3. To provide a "consent to treatment" form.
4. To arrange with the Education Department for the enrolment of the child at a school appropriate to her needs, and in compliance with the Education Act 1980, in terms of the rights of birth parents.
5. To maintain appropriate contact with school staff regarding the child's progress.
6. To draw up a written agreement for each placement, including the plan of contact between the child and her own family.
7. To facilitate visiting arrangements between the child/young person and her own family as appropriate.
8. To involve the foster carers together with the child and the parents, in planning a programme of care.
9. To involve the carers in the review process for children in care.

10. To provide support and supervision to the carers in implementing the Department's policies in general, and in caring for individual children.

Support and Supervision to be provided by

- a) Regular visiting by the child's social worker.
- b) Consultation and regular support from the carer's Liaison Social Worker, and access to specialist and psychological services if required.
- c) Consultation and support outwith office hours by the Department's Emergency Duty Team.
- d) Provision of training and group support opportunities.
- e) Financial provision as per the letter of acceptance..
- f) A stock of equipment as per type of care provided.
- g) A Regional Insurance Cover/Discretionary Payments Scheme against liability for bodily injury, loss or damage arising out of it's activities, including fostering.

I certify that I have read and understood the foregoing.

Signature:

Foster Carers [Redacted] Date 11/3/97

..... [Redacted] Date 11/3/97

Department of Social Work
Representative [Redacted] Date 17/4/97

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Examples of other policies and procedures that have been identified for the early regional council period are given below.

In 1977 the Director of Social Work report recommended procedures for dealing with cases or suspected cases of child abuse. The Director recommended to the Social Work committee that formal training be provided to allow workers to identify and deal with such cases, as well as the creation of a central register for early identification of children at risk, including what information should be recorded on the register. This proposal included children who were in local authority care and made recommendations as to how these cases should be progressed by the local authority (LRC3/8/3/2).

A report by the Director of Social Work from 1976 noted the introduction or recent guidelines in establishing a basic uniform policy for good fostering practice of children placed outside their home authority, but it acknowledges that the guidelines cannot always be implemented so long as some authorities receive more foster children than they have social work resources with which to cope. The report suggests that placing children out with their home authority should be discouraged and that if that has to happen, then proper agreements are drawn up between the two authorities. The Social Work Committee agreed that the report be approved, and that attention should be paid to the enforcement of all relevant regulations and policies. (LRC3/8/3/2).

Within the Social Work Committee minute of 1978-1979 it was noted that all children received into care were to be medically examined for their physical and mental health under the Boarding Out of Children (Scotland) Regulations 1959. The report notes that the current authority policy and practice was that children received into care only required a 'freedom from infection' certificate. The Social Work Committee agreed that the authority's policy and practice was now to be amended in order to follow the requirements detailed in the legislation, and that a full medical examination for each child, and that financial provision, would now be made available (LRC2/1/1/20/5).

The Director of Social Work Report of 1981 noted previous proposals to establish an emergency fostering scheme and enhanced boarding out allowances for foster parents caring for children with additional needs, and that both these elements were now in place. The report notes the progress made in fostering services with the addition of the Home finding Co-Ordinator, as well as Area teams Child Care Resource workers, whose primary responsibility was to development substitute family homes. The report notes that despite the investment of these considerable resources, there were still around 300 - 400 additional placements required and that the need of children aged 10 years and over, or those children with additional needs, were not being met. In order to address this issue, and to meet this level of demand, the Director of Social Work report informs that the department is negotiating with Dr Barnardo's, in order to establish a 'New Families Project' within Lothian. The report recommends that Committee agree to a seminar on adoption and fostering, a report on the

department's strategy to meet the need for placements, and to establish a New Families Project with Dr Barnardo's (LRC3/8/3/7).

Following on from this, the Director of Social Work discussed at a seminar in 1981, held by the Social Work Committee around fostering and adoption, that one main concern of the Committee was finding homes for children on a permanent basis. The Director estimated that at that time 400 children were affected. A number of solutions to home finding were presented at the seminar, one of which was a contract with Barnardo's on the New Families Project in the Lothian region. The Social Work Committee agreed to implement a target of children under 12 being in care for no longer than 2 years without a firm commitment to either a return to their birth parents or resettlement with a permanent substitute family. (LRC2/1/1/20/8).

In 1984 the Director of Social Work recommended that all children in care have 'review and recording' every 6 months, as per Section 20A of the Social Work (Scotland) Act 1968. This was accepted by the Social Work Committee who also asked for a report into developing a range of community-based care for young people. (LRC2/1/1/20/11).

The 1959 Boarding Out Regulations were eventually replaced by the Boarding Out and Fostering of Children (Scotland) Regulations 1985 and The Foster Children (Private Fostering) (Scotland) Regulations 1985. The Social Work Committee noted the impending legislation relating to child care, specifically to the local authority's involvement in adoption and private fostering and requested a report into the work these would generate. The Committee also noted in 1985 the current policy of placing children who came into the care of the local authority with families in the community. Children under 12 were almost always placed with families, community carers and long-term carers (LRC2/1/1/20/12).

The Committee also approved further changes required for the introduction of new private fostering and boarding out procedures, covered under the new regulations (LRC3/8/3/11 1985 – 1986).

Under the new regulations, the Director of Social Work sought clarity from the Social Work Committee on certain aspects of community placements for children in Edinburgh. The Director of Social Work referred to the department's policy of permanency planning, stating;

...a commitment to work towards removing the need for children to require substitute care; for children to be supported in the care of their families whenever possible and safe to do so; if admitted to substitute care, to work towards returning them safely to their families as soon as possible; if no safe return home is possible to plan for alternative permanent care as soon as appropriate. (LRC3/8/3/11 1985 – 1986)

The report noted that the department continued to pursue the policy of placing young people, who required to come into the care of the Local Authority, with families in the community unless their special needs required a residential unit placement. The report noted that the department's placement policy had been pursued over the years and so were now almost always able to place all children under 12 in substitute family placements at the point of coming into care. For the over 12s, the report noted in the region of 160 places with families, community carers and longer-term carers had been utilised. This represented a very significant change in the balance of children and young people placed in families, as compared with those in residential units from even 5 years previous. It was noted that this placement policy required considerable staff time and resources which were to be maintained if the children were to have their needs met. The report noted issues faced by foster carers in relation to caring and supporting young people who presented with many complex and challenging needs, including how to manage disruptive behaviour. In order to address these issues, the report makes reference to ongoing training and support which will be provided and funded by the department. (LRC3/8/3/11 1985 – 1986).

The Director of Social Work report in 1986, noted that the 6 monthly reviews required under the Social Work (Scotland) 1968 were opportunities for the planning of the child's care to be discussed by relevant staff, and the child and his parents, where appropriate and possible. The report also noted recommendations from these reviews formed the basis of future work with the child. In the cases where permanent care was contemplated, the review would recommend referral to the Adoption Panel. (LRC2/1/1/20/13 1986 – 1987).

In a different report that same year, the Director of Social Work noted that the department had a major emphasis in policy on placing young people with foster parents or community carers ranging from short term emergency fostering to longer term placements. The report noted three categories of foster carers were being used by the department; Emergency Foster Parents; Contract Foster Parents; Community Carers. This demonstrates a continuity of policy on foster carers over the regional council period, even if the system was becoming harder to administer in terms of payments. The Director of Social Work proposed that the fees structure be simplified and be linked. (LRC3/8/3/13 1986 – 1987)

In 1988 the Social Work Committee noted that the 4th edition of the *Lothian Region Child Abuse Guidelines* had come into force on the 12 August 1988. It was noted that these guidelines constituted a substantial rearrangement of, and supplement to, existing sections, which took account of major developments regarding the computerisation of the child protection register in January 1985, the Data Protection Act 1984 and the move towards open access (LRC2/1/1/20/15 1988- 1989).

In 1989, off the back of a COSLA recommendation to increase the allowances for foster carers by 10%, the Social Work Committee requested a report into the rates of pocket money paid to children in care. (LRC2/1/1/20/16 1989 – 1990).

A code of practice for the education of children in care was jointly developed by the Social Work and Education departments and presented by the two directors to the Social Work and Education Committees in 1990. A policy was then introduced that would address the continuity of care and education, sharing responsibilities between the Social Work and the Education Committees, ensuring a child continued their education when received into care, and the wishes of the child be taken into account. (LRC2/1/1/20/17 1990 – 1991).

A further Director of Social Work report was presented into implementing the code of practice for the education of children in care. The report included suggestions on how to support the child, the carer and what additional staffing would be required. The Director of Social Work recommended that the committee noted the action recommended, allocated the required staff and receive further reports on progress by the relevant working group (LRC3/8/3/18 1992 – 1993).

The Committee subsequently agreed to implement the suggestions made by the working group, including taking steps to further their educational development, support parents and carers and provide additional staffing. The Committee also agreed the system should be monitored and reported further on. (LRC2/1/1/20/19 1992 – 1993).

With the introduction of the Social Work (Representations Procedure) (Scotland) Order 1990, the authority introduced a new social work complaints procedure, which is noted as being in operation by December 1991 by the Director of Social Work. The Director stressed the importance of promoting and publicising a proactive approach towards ensuring that children and young people in care were aware of the procedure. The Director noted the need for a further Complaints Officer post, which focused on the needs of children and young people. A key role for the post was to be the development of a system which addressed children's rights and advocacy within the context of the Regional Council's Equal Opportunities Policy. (LRC2/1/1/20/18 1991 – 1992).

Also required to be set up under the Social Work (Representations Procedure) (Scotland) Order 1990 were panels to consider complaints from social work clients. In a report to the Social Work Committee of the following year, the Director set out:

...the Review Committee would consist of three persons, two of whom would be members of the Social Work Committee and the third an independent person. The Chairperson would be one of the two Social Work Committee members. The independent person might be a senior officer nominated by the Director of Social

Work of an adjacent authority; a JP, or an expert advisor, depending on the nature of the complaint. Appropriate fees would be paid to the independent member, to be met from the social work revenue budget. An advisor from the Social Work department would also be present. A procedure for consideration of client complaints, including the terms of reference for the Review Committee was proposed. (LRC2/1/1/20/19 1992 – 1993).

The Director of Social Work recommended in a separate report that the Social Work Committee authorised publication of these proposals as part of publicity given to the Departmental Complaints Procedure. The report included a copy of the procedures for considering client complaints. (LRC3/8/3/18 1992 – 1993).

Work on reviewing and improving the complaints procedure continued, with a 1995 Director of Social Work report agreeing that there was still a need for additional guidelines for those investigating complaints made by Children and Young People in Care. A working group was convened, and those guidelines were noted as nearing completion. (LRC3/8/3/21 1995-1996).

In 1992-1993 the centralised foster care and day care services became part of a district-based approach for children and young people's services across the authority. This was approved by the Social Work Committee on the director's recommendations (LRC2/1/1/20/18 1991 – 1992).

By 1994 this change had been implemented, with a report to the Social Work Committee noting:

The organisation and management of the foster care services, previously centralised in the Family Finding Unit, has since October 1992 been devolved to Districts. The Department's policy is that all children under 12 should be accommodated in foster care, unless they have exceptional needs that can only be met in specialist residential settings. For the majority of teenagers, the preferred option of care is with foster carers in community placements. Foster care in Lothian is seen as, in the first instance, a preventative service which seeks to care for children and work with parents towards speedy rehabilitation. Access and an open approach to parents is vital and foster carers are encouraged, prepared and trained to see foster care as short term. The range of need is accommodated within an overall foster care service which acknowledges that whilst children and young people require to be cared for, their families also need help. It encourages the concept of fostering as a caring job at home and seeks to reinforce this with good support, both financially and in other ways. (LRC3/8/3/20 1994 – 1995)

The report also noted that, as of March 1994, 526 children were in foster care, but that the need is constantly increasing and the majority of these are teenagers who require between one and three years of fostering. The Director of Social Work recommended that the Committee commit to a further 20 foster placements and recruit staff for fostering purposes. (LRC3/8/3/20 1994 – 1995).

In 1994 the Director of Social Work proposed to extend the existing arrangements for the inspection of children's residential and day services to all services for children and families provided by the social work department. It proposed that the department should develop and establish a framework to extend the inspection process to all child care services purchased or provided by the department. It further proposed to undertake pilot inspections of services against the published standards and to evaluate and report on the framework for and process of undertaking the pilot inspections. (LRC3/8/3/20 1994 – 1995).

In 1995 the authority adopted the Quality Standards for Fostering and Adoption, which were based on national and local values. These were used as a basis for policies and procedures within the fostering and adoption services offered by the authority and were also used as a model by other local authorities in terms of policy, procedure and practice. These standards specified the roles and responsibilities for the local authority (LRC) with regards the foster care service provided, as well as that for the foster caring role. The standards included all aspects of the care elements that were to be provided to the child/ren/young person, in order to have their holistic needs met and to ensure their protection and wellbeing. Importantly these standards were used as the basis for the development of the Inspection services in relation to foster care services (LRC3/8/3/21 1995-1996).

LOTHIAN REGIONAL COUNCIL SOCIAL WORK
QUALITY IN CARING

STANDARDS FOR FOSTERING AND ADOPTION
SERVICES

FOREWORD


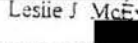
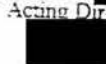
These Standards for Adoption and Fostering Services were adopted by Lothian Regional Council in June 1995. They complete the set of Standards Documents agreed for specific areas of Child Care service offered by Social Work.

The Standards for Adoption and Fostering are based on the experience and knowledge of staff, carers and agencies locally and on nationally agreed values and expertise in this area. A widely based drafting and consultation exercise enabled staff, carers voluntary organisations and others to contribute their views and expertise to the development of this Document.

The existing Quality Standards have been generally welcomed, and are widely used for staff development and training purposes. They have been used as a model by other Local Authorities, and have been favourably received by teaching centres, voluntary organisations and various national groups.

These new Standards will be used as a basis for the inspection of fostering and adoption services offered by our staff, and by those agencies which offer services on our behalf.

They will be a reference tool for staff providing and staff inspecting services and will inform the work of organisations who offer services on our behalf. They will also inform staff training and enhance the development and the management of services. It is our intention that these Standards will safeguard and improve the quality of services offered to children, young people who are fostered or adopted, to their families of origin and to carers who adopt or foster.


Leslie J. McEwan

Acting Director


At the end of the regional council period, the Director of Social Work submitted in 1995 a report to the Social Work Committee that outlined the development of foster care services in Lothian. The report informed that since March 1989, the overall number of children in care had increased by 248 from 1381 to 1629. The majority of the increase was noted to be in

foster care placements. The report also noted there were 46 young people in residential care waiting for placements in foster care. Almost all of these young people were teenagers requiring between 1- and 3-years care. In order to meet this identified need, it was proposed to increase the number of foster placements by 20, at a full year cost of £204,421. The report noted that in order to process this proposal, there would need to be two additional social workers recruited for the Edinburgh and Districts Children and Families Resource Teams. (LRC2/1/1/20/21 1994 – 1995).

At the transition from regional council to unitary authority, the department had the “*Children and Families - Departmental Policies, Procedures and Practice Guidance*” manual, which included documentation between 1993 and 1996. The department also had the ‘Looked After Children manual’, which also held policies and procedures in relation to the specific client group. These policies and procedures are referred to specifically within the section “**CEC**” which is noted below.

City of Edinburgh Council (1996 – 2014)

In the early CEC period, the department had the “*Children and Families - Departmental Policies, Procedures and Practice Guidance*” manual, which included documentation from 1993 to 1998. It provides the authority’s policy and procedural aims of the time, stating:

The Departmental Manual of Policies, Procedures and Practice is the main source of information relating to the work of the Department. The Manual contains policies, procedures and guidelines which enable staff to effectively undertake the tasks/functions for which they have been employed within the Social Work Department.

The department also had the ‘Looked After Children’ manual, which also held policies and procedures in relation to the specific client group.

The authority then introduced in 1998 the “*Index: Social Work, Policies, Procedures and Practice Guidance*” manual, which was prepared by the Administration/Procedures Team, General Services Section. This manual covered all areas of social work practice, which included, Children and Families, Community Care, Criminal Justice, Finance, Human Resources, Technical Services and Directorate. The manual states:

“The Departmental Manual of Policies, Procedures and Practice is the main source of information relating to the work of the Department. The Manual contains policies, procedures and guidelines which enable staff to effectively undertake the tasks/functions for which they

have been employed within the Social Work Department". (Index Policies, Procedures and Practice Guidance 1999).

Within this Index manual, the following policies and procedures were relevant to Children in care:

- *Absconders/Children and Young People (Missing from Placements);*
- *Abuse of Child – Allegations Against Departmental Employees or Approved Carers;*
- *Accidents Involving Injury or Fatality (Looked After Children);*
- *Adoption and Fostering Standards;*
- *Adoption Processes and Procedures;*
- *Adoption Records (Archiving and Microfiching);*
- *Adoption/Permanent Care Panel – Areas of Responsibility;*
- *Adoption/Permanent Substitute Family Placements (Planning of);*
- *Adoptive Placements and Foster Placements Intended to be Permanent – Coordination and Placements;*
- *Adoptive Placements and Foster Placements Intended to be Permanent – Referral and Linking;*
- *Approving Carers (Foster Carers, Day Carers, Adoption etc.);*
- *Assessment and Placement of Children in Out of Council Schools;*
- *Carers for Children and Young People (Employees of SWD who are also);*
- *Case Record/ File and Recording of Information for a Child/Young Person who is Looked After or Not Looked After;*
- *Child Abuse Allegations Against Departmental Employees or Approved Carers;*
- *Child Protection – Urgent Compulsory Measures;*
- *Child Protection Guidelines;*
- *Child Protection Register and Registration Procedure (Edinburgh & The Lothians Child Protection Register);*
- *Children & Young People Standards;*
- *Children & Young People Resource Team User Manual;*
- *Children and Young People Missing From Local Authority Care – Joint Protocol;*
- *Children Looked After by Local Authority (Children (Scotland) Act 1995) Background Notes;*
- *Children Under 16 Sentence, Remanded or to be Detained Following a Court Appearance;*
- *Children's Centres Placements (Notifying SWC of);*
- *Children's Hearing Business Meetings;*
- *Children/Young People Looked After Away From Home;*

- *Children/Young People Looked After Away From Home – Support Services Administrative Arrangements;*
- *Clothing Allowance (Looked After Children) Initial & Ongoing;*
- *Complaints Procedure for Service Users;*
- *Criminal Injuries Compensation (Guidance for SWD staff involved with Eligible Children);*
- *Data Protection Policy and Procedure;*
- *Death of Looked After Child (Reporting of);*
- *Detention of Children;*
- *Dinner/Pocket Money Expenditure (YPCs);*
- *Disabilities (Assessment and Placement of Children with) and Respite Care;*
- *Disabilities (Assessment of Children with);*
- *Disabled Person Act 1986 (S13) Local Authority Responsibilities;*
- *Disruption Process – Permanent Placements;*
- *Emergency Placements with Friends/Relatives/Neighbours - SCRO Checks;*
- *Emergency Transfer of Placement – Section 72(1) Children (Scotland) Act 1995;*
- *Financial Administration Guideline Manual (Children & Young Peoples Centres);*
- *Foster Care Placement (Notification of);*
- *Foster Carer Fees Payments;*
- *Foster Carers of/Paid by other Local Authorities (Placement of Children/YP with);*
- *Foster Carers with Child/Young Person from another Local Authority (Payment & Monitoring Arrangements);*
- *Fostering Arrangements (Private);*
- *Fostering Processes (Fostering of Children (Scotland) Regulations 1996);*
- *Funeral (Social Work Responsibilities);*
- *Grants (Children Leaving Care);*
- *Health and Medical Supervision Arrangements for Children/Young People Looked After Away From Home;*
- *Holiday and Outings (Authorisation of) Looked After Children;*
- *Holidays, Outings and Activities for Children/Young People Residential Homes;*
- *Hospital Practice Teams for Children and Families (Responsibilities of);*
- *Incidents (Units);*
- *Mail (Opening of) Looked After Children/Young People;*
- *Medication (Administration of Non-Prescribed) to Looked After Children /Young People by Carers or Care Staff;*
- *Mothers and Babies who are Looked After/Accommodated by the Council;*
- *Open Access Policy;*
- *Outdoor Activities (Looked After Children/Young People) Authorisation of;*

- *Outdoor Activities Safety Guidelines;*
- *Outings, Holidays, Activities and Emergencies (Looked After Children);*
- *Parental Responsibilities Order;*
- *Permanence for Children – Current Foster Carers Seeking to Claim Children on a Permanent Basis;*
- *Permanency Policy for the City of Edinburgh Council;*
- *Placement of Children in Care in England and Wales;*
- *Placement of Children with Relatives, Friends or Neighbours – Practice and Funding Issues;*
- *Placements in Residential Homes and Residential Schools Run by Voluntary Organisations;*
- *Record of Event/ Change of Circumstance of Child/YP/Family;*
- *Refuges (Short Term) for Young People at Risk of Harm;*
- *Relatives Caring for Children;*
- *Reports Requested by Courts when considering Section 11 or other Orders – Administrative process;*
- *Residential Child Care Standards;*
- *Retention and Archiving of Records (Children/Young People);*
- *Safety and Wellbeing of Service Users (Free Expressions of Staff Concerns about the);*
- *Secure Accommodation Placements;*
- *Sexuality and Young People in Contact with Social Work Department;*
- *Significant Occurrence;*
- *Staying Away Overnight from Carer of Unit;*
- *Supported Accommodation (Young People);*
- *Transport to School for Looked After Children and Placed by the Local Authority;*
- *Transport/Taxis for Looked After Children;*
- *Under Fives (Application for Special Care) – Children’s Centres;*
- *Working Together for Children and Families;*

The authority currently also have numerous online procedures which relate directly to the care of children placed in foster care which include;

- *The Looked After and Accommodated Children Procedure 2009 (Updated 2017);*
- *Achieving Permanence for Looked After Children 2012 (Updated 2018);*
- *Child Protection Procedure;*
- *Edinburgh and The Lothian Inter-Agency Child Protection Procedures;*
- *Children and Young People Missing from Local Authority Care Procedure;*

- *Social Work Standards;*

Further detailed policy and procedural aims and intentions are set out in the Foster Carers Agreement, and so ensures that foster carers are aware of the relevant policies and procedures. The policy and procedural aims and intentions set out the Foster Carer Agreement include:

- *The Council is committed to best value quality care and a professional service for all people receiving services from it, whether provided directly or indirectly. The foster care service has an important contribution to make to this*
- *The Council, mostly through its Social Work Department, has duties and powers to provide advice, guidance and assistance for vulnerable children and young people and their families when they are in need, including, where appropriate, accommodation, care and support*
- *The Council wishes to develop and maintain services which have the following fundamental values:*
 - *To safeguard the rights of children and young people and their families, and to help them exercise these rights where necessary*
 - *To promote the welfare of children and for that to be paramount in all decisions*
 - *To seek and have regard to the views of children and young people and their parents*
 - *To treat each child, young person and their family with dignity and respect and in a manner that effects a non-discriminatory practice*
 - *To assess and respond to the changing needs of children, young people and their families*
 - *To provide for the social and emotional needs of individuals*

To maximise the range of services and care arrangements which can be offered to each child or young person so as to maintain and enhance the possibility of normal development towards adulthood and independence and provide continuity of care arrangements wherever possible

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

Edinburgh Corporation (1930 – 1975)

In 1930 the function of the Local Authority was to continue the policy carried out by the Parish Council in 'not keeping children in the Poorhouse'. The authority aimed to place children in a children's home or Craighleith Hospital and from there board them out with 'suitable guardians,' via the Public Assistance Committee (Ref. SL61/1/1) The Regulations and Rules in regards

to Boarded out Boys and Girls 1933, were superseded by The Boarding Out of Children (Scotland) Regulations 1959, which were then replaced by the Boarding Out and Fostering of Children (Scotland) Regulations 1985.

An example of this aim can be found in 1944 when the Social Services Officer reported to the Public Assistance Committee that several children were boarding in institutions out with the control of the authority; a practice of which the Officer did not approve. In addition, some children were being cared for in hospitals, when they would be more appropriately placed in a children's home (Ref. SL61/1/16).

Under the 1948 Act there was also the aim that that foster care should be as short as feasible, with children being returned to the care of their parents, relatives or friends as soon as possible consistent with the child's welfare. The authority followed these principles and in a 1961 Children's Committee report to the Town Council it was noted that over half the children being received into care at that point were returned home within 3 months. Often children were accommodated due to parental illness. (SL116/1/14)

Lothian Regional Council (1975 – 1996)

In a 1979 report by the Director of Social Work, into the adoption and fostering section of the department, it notes the changes implemented by the Children's Act 1975. In the report it is stated that:

Another principle held by the department is that no child should grow up without people whom he can regard as his parents, whether he be at home, in residential care or with a substitute family. This is in accord with the needs of children for emotional security, a sense of identity and some understanding of the setting in which they live.(LRC3/8/3/5 1979 – 1980).

The authority introduced in 1992 *"The Quality in Caring of Standards for Fostering and Adoption Services"* which specifically noted the standards which the authority was adhering to in policy, procedure and practice with respect to all aspects of the fostering and adoption service. This covered the needs of the child/ren, the responsibilities of the foster carer to the child, and to the department, as well as the responsibilities of the department to the child/ren and to the foster carers.

City of Edinburgh Council (1996 – 2014)

The policy and procedural aims and intentions governing the foster care service for this period are contained within the Policies, Procedures and Practice Guidance Manual. The manual states:

The Departmental Manual of Policies, Procedures and Practice is the main source of information relating to the work of the Department. The Manual contains policies, procedures and guidelines which enable staff to effectively undertake the tasks/functions for which they have been employed within the Social Work Department. (Index Policies, Procedures and Practice Guidance 1999).

Contained within the Foster Carers Agreement from this period are the following points which informs of the aim and intentions of related policies and procedures:

The Council is committed to best value quality care and a professional service for all people receiving services from it whether provided directly or indirectly. The foster care service has an important contribution to make to this.

11. *The Council, mostly through its Social Work Department, has duties and powers to provide advice, guidance and assistance for vulnerable children and young people and their families when they are in need, including, where appropriate, accommodation, care and support.*
12. *The Council wishes to develop and maintain services which have the following fundamental values:*
 - a). *To safeguard the rights of children and young people and their families and help them exercise these rights where necessary.*
 - b). *To promote the welfare of children and for that to be paramount in all decisions*
 - c). *To seek and have regard to the views of children and young people and their parents.*
 - d). *To treat each child, young person and their family with dignity and respect and in a manner which effects a non-discriminatory practice.*
 - e). *To protect the privacy of each service user and create an 'arena of safety' through the promotion and development of appropriate physical arrangements, routines, attitudes and general atmosphere*
 - f). *To assess and respond to the changing needs of the children, young people and their families.*
 - g). *To provide for the social and emotional needs of individuals*
 - h). *To maximise the range of services and care arrangements which can be offered to each child or young person so as to maintain and enhance the*

possibility of normal development toward adulthood and independence and provide continuity of care arrangements wherever possible.

2. Responsibilities of the Social Work Department

21. Preparation, Training, Support and Reviews

2.1.1. To provide the carers with general preparation and; training for their foster care task and an ongoing programme of training and support, including training for special tasks or circumstances where needed.

2.1.2. To provide professional support, consultation and guidance by:

- a) regular visits by a liaison worker specifically allocated to the carer/s*
- b) carer mutual support and training groups*
- c) an out-of-hours service by the Emergency Social Work Services Team*
- d) access to specialist and psychological services if required.*

2.1.3. . To provide carers with information about Departmental policies and procedures with which the carers are required to comply.

2.1.4. To review the care provided by the carers at intervals of no more than one year in accordance with the procedure outlined at Appendix 1.

a. Representations, Complaints and Allegations

1.1.1. To receive representations from carers either individually or collectively about general matters of practice, procedure or policy and to take them into account.

1.1.2. To involve foster carers wherever practicable when significant issues relating to the foster care service are being considered.

1.1.3. To provide foster carers with information about the Department's Child Protection Procedures and about the manner in which concerns about the abuse of children and young people will be dealt with.

*1.1.4. To ensure that the child or young person's welfare is safeguarded and to treat seriously and respond to any **complaints or allegations** that relate to the care, safety and welfare of the child or young people placed there, and, where necessary, to investigate them and to follow the Departmental Procedures extracts of which are attached as Appendix 2 (Complaints)*

	<p><i>and Appendix 3 (Allegations). Where abuse is alleged, the Edinburgh & Lothians Child Protection Guidelines will be followed. Carers may see a copy of these guidelines at any of the Social Work Centres or by asking their liaison social worker.</i></p>
<p>c)</p>	<p><u>Where were such policies and/or procedures recorded?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>The policies and/or procedures for the corporation period were compiled by the relevant officers and departments of the authority and were occasionally noted by the relevant committees. These were broadly:</p> <ul style="list-style-type: none"> - Public Assistance Department / Public Assistance Committee (1930-1948) - Children’s Department / Children’s Committee (1948-1969) - Social Work Department / Social Work Committee (1969-1975) <p>Lothian Regional Council (1975 – 1996)</p> <p>During the regional council period the policies and/or procedures were compiled by the Director of Social Work, routinely noted and sometimes approved by the Social Work Committee. They were held in Social Work policies and procedures manuals by social work teams and units.</p> <p>City of Edinburgh Council (1996 – 2014)</p> <p>During the this period policies and/or procedures have been compiled by respective senior management and Heads of Service, Chief Social Work Officer, Executive Director, Chief Executive and are held and recorded in respective Social Work, Children and Families and Looked After Children policies and Procedures Manuals, as well as being available as online documents via the authority’s intranet system.</p>
<p>d)</p>	<p><u>What did the policies and/or procedures set out in terms of the following:</u></p> <p>Examples of specific policy statements or procedures are provided below. For context, please see the response to 4.3 i) a.</p>

i. Safeguarding

Edinburgh Corporation (1930 – 1975)

The Regulations and Rules in regard to Boarded out Boys and Girls made by The Lord Provost, Magistrates and Council of The City and Royal Burgh Of Edinburgh as Local Education Authority 1933 noted the following in respect of safeguarding;

A boy or girl, on being committed to the Education Authority, may be conveyed to the Children's home, Crewe Road, Edinburgh, or other suitable place, in order that arrangements may be made to provide the clothing mentioned above, and that the boy or girl may be medically examined by a Medical Officer of the Education Authority. If the medical report is satisfactory, arrangements will thereafter be made to have the boy or girl conveyed to the selected foster home. (Ref. SL164/1/7)

The Regulations also go on to note;

No more persons shall be allowed to occupy a bedroom in which a boy or girl sleeps than may be approved by the Education Authority. The bedroom shall have a window opening to the outside air and not into another apartment. The bedding for each boy or girl shall be adequate and comfortable and shall be kept clean and well aired. No boy or girl shall occupy the same bed or bedroom as an invalid or an old infirm person. Boys and girls over eight years of age shall not occupy the same bedroom; and not more than two shall sleep in one bed. No boy or girl shall be allowed to partake of any intoxicant except upon the order of the medical officer or other doctor, or in case of sickness or other urgent cause. (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

Contained within the Local Authority's Children and Families procedures manual, under Children and Families Practice Note/Guidelines 9, was the following procedure dated from December 1995. It includes the policy and procedural aims and intentions in relation to safeguarding:

**SEXUALITY AND YOUNG PEOPLE IN CONTACT WITH THE
SOCIAL WORK DEPARTMENT**

1 VALUES AND PRINCIPLES

- 1.1 Children and young people looked after by, or involved with the City of Edinburgh Council Social Work Department, should be looked after in a safe and nurturing way.
- 1.2 The Social Work Department is committed to working in partnership with young people, taking into account their views, opinions and stage of development, and the views and opinions of significant members of their family of origin.
- 1.3 The interests of the child or young person are central to all discussion and decision-making related to their care or welfare, taking into account the interests of other children and adults.
- 1.4 Young people in contact with the Department may be physically, emotionally and developmentally vulnerable. Their needs require a clear and explicit approach is taken to assisting young people to manage and develop their ability to make and engage in relationships, which are not exploitative, but are positive and enhancing of self-worth and self-esteem.
- 1.5 A major challenge to staff responsible for the day-to-day care of vulnerable young people is the emergence of their sexual identity and their involvement in exploratory sexual activity. This Practice Guideline is intended to assist staff in assessing young people's needs, intervening positively and having realistic expectations of outcome, not as a basis for rejecting vulnerable youngsters who are troubled or troublesome in their approach to matters sexual.
- 1.6 While the Department's managers will not endorse practices or support decisions which ignore or neglect the guidance provided here, they will consistently support practice and decisions taken in line with these principles and policies, and action taken in good faith, recognising the sensitivity and complexity of this area of practice.

2 POLICY STATEMENTS

- 2.1 It is unacceptable behaviour for sexual intercourse to take place between young people resident in residential units or other care settings. A young person aged 16 or over may pursue an active sexual relationship that is within the law, but it is not acceptable for such a relationship to be conducted within a care setting for children and young people who are emotionally, socially and psychologically vulnerable. Young people found to be engaging in a lawful sexual relationship must be told that their behaviour is not acceptable, while living in a residential care setting. Should they choose to remain in the placement, as opposed to considering moving on to a more adult setting then they must cease their sexual relationship. Young people should never be given short notice to leave a placement for this reason.

CHILDREN AND FAMILIES PRACTICE NOTES/GUIDELINES 9

- 2.2 It is to be expected that young people will develop sexual interest during adolescence at their own pace. Staff and carers responsible for full-time care should strike a balance between responsible supervision and guidance, and a measure of discretion in allowing young people to explore and express their emergent sexuality. The unusual situation of a number of non-related adolescents living together exists in group care settings, and care must be taken, to monitor peer group pressure on individuals to become sexually active before they would choose to be. It is also important that staff work hard to keep relationships within the group open and broad, avoiding the development of a narrow culture preoccupied with sex and sexuality.
- 2.3 The Department has the responsibility to advise and assist young people who may become involved in exploratory relationships when they reach the age of 16 and beyond, counselling them that whilst a sexual relationship may not be illegal, it is not generally wise to enter into them too young, too freely, conveying with this message notions of respect and responsibility to the parties involved.
- 2.4 Any sexual contact between a member of staff, carer or volunteer and a young person is strictly prohibited. This represents a betrayal of trust, and in any such situation, disciplinary action will be pursued. The behaviour may well be illegal, and, if this is the case, it will be reported to and investigated by the Police. It is possible that staff will experience some young people as approaching them in a way that appears to invite sexual contact. (It is also possible that staff may find themselves attracted by the emergent sexuality of young people in their care.) It is crucial that staff discuss this as openly as possible with senior staff despite such a topic being very difficult and sensitive. Any such approaches or attraction must be discussed with senior staff and with Practice Team staff responsible for the young person. Any strategy for dealing with sexual approaches by young people must not involve humiliating them, or using inappropriate methods of restraint.
- 2.5 When a young person below the legal age of consent, who is in the care of the Department, appears to be involved in a full sexual relationship, the nature of the relationship and its significance to the young person must be carefully evaluated. The evaluation should be undertaken by a competent member of staff who has an established relationship with the child and can be called upon to deal with the matter in a thorough, but discreet and sensitive manner. Where it is established that a young person below the age of consent is involved in a full sexual relationship, the District Manager for the young person must decide whether it is in the interests of the young person or young people involved to refer the matter formally to the Police, having discussed this fully with Unit Manager and Service Provision Manager C&F.

In coming to a view, they must consider the views and wishes of the young person involved. They must also consider what information, at this stage, should be given to birth parents, how this should be done, and what the birth parents' wishes would be. The age of the participants would also be a significant factor; formal action must be pursued if they are outwith each others peer group (i.e. within 2 years older or younger than each other).

Irrespective of age or peer group involvement, where the circumstances point to an abusive or exploitative relationship, the matter must be reported to the Police within Child Protection procedures.

In situations where an inter-agency referral and joint investigation do take place, the Police or Fiscal may decide to proceed with a criminal charge against a participant in sexual activity with a young person under the age of consent, if evidence suggests that the activity was exploitative, and it is felt it would be in the public interest to prosecute. It is unlikely that this would occur when there is no evidence of exploitation, there is no complaint and the situation involves two young people of around the same age.

CHILDREN AND FAMILIES PRACTICE NOTES/GUIDELINES 9

As part of growing up, staff should ensure that the young person is provided, in a supportive way, with information on safe sex, contraception and self-protection, via Lothian Health or Voluntary Sector resources.

- 2.6 Where a young person is behaving abusively to other young people an initial referral discussion, followed by a multi-disciplinary assessment, if relevant, following the Child Protection Guidelines must be carried out. In all such cases, positive affirmative action must be taken to ensure that other youngsters are not put at risk by the sexual behaviour of others.

3 PRACTICE CONTEXT

- 3.1 It is important that staff develop awareness and confidence in working out explicitly with individual young people what kind of physical touch is mutually acceptable and experienced as positive; some young people in care may experience well-intentioned and apparently harmless physical approaches as aggressive or sexual because of their own past experiences of adults exploiting and abusing their power over children. It is also possible that apparently affectionate touch has been used as part of a grooming process pursued as a precursor to an act of abuse.
- 3.2 Senior Unit and Team staff and senior managers are responsible for ensuring that supervision on these issues takes place; that physical security in the Unit is adequate; and, that staff are aware of, and practice, safe caring measures.
- 3.3 High standards of behaviour and use of language which is non-sexist, non-homophobic and not obscene will be followed by all adults involved with young people. Staff should promote a culture which attempts to challenge such behaviour by young people.
- 3.4 Practice Team and Service Provision staff have a joint responsibility for ensuring that meaningful, age-appropriate and ongoing sex education is provided for individual young people for whom they are responsible. The plan for providing this, and its outcome, should be recorded at Child Care Reviews, avoiding indiscreet discussion which is embarrassing for the young person.
- 3.5 These matters must be made explicit to all staff, young people, carers, volunteers and other professionals resident in or involved in any way with a unit or other setting. This information would include the methods by which concerns should be raised. These issues must be actively pursued and debated in individual supervision and staff group work, as well as in individual planning and direct work with young people. Staff groups should be regularly involved in discussion and training of practical safe caring measures.
- 3.6 The guidance of the British Board of Film Classification should be adhered to in the showing of videos or TV films in care settings. Staff should be aware of the content of TV programmes being watched by young people. It is possible that story-lines in dramas or documentaries which reflect real-life situations, such as sexual abuse, may be either distressing or helpful, or both, in assisting a young person to discuss their own feelings.

Staff should be sensitive to this, and be available as a "listening ear". The same principles apply to other media such as newspapers, books and radio.

A Director of Social Work report noted the changes implemented by the Children's Act 1975 and that more resources were required. The report goes on to note with regards the overall safeguarding of the child/ren/young person:

A principle held by the department is that no child should grow up without people whom he can regard as his parents, whether he be at home, in residential care or with a substitute family. This is in accord with the needs of children for emotional security, a sense of identity and some understanding of the setting in which they live. (LRC3/8/3/5)

City of Edinburgh Council (1996 – 2014)

The Children and Young People Missing from Local Authority Care – Joint Protocol

This procedure and related protocol provide clear guidance for staff and carers of Looked After and Accommodated Children when the children/young people are missing from their place of residence. The protocol provides guidance on the circumstances as to when to report the child/young person as missing, and from there which agencies will be involved and what responsibilities they have. There is also guidance in the protocol for the continued reviewing of the missing status of the young person/child, as well as a clear process explained to be carried out when the young person returns from being missing. This involves a 'Return Interview', which was previously carried out by carer/keyworker/Police, but which is now performed by specific Children 1st workers, commissioned by the authority for this purpose. The Protocol states:

It is hope that this document will aid you in doing this. In this way both the Social Work Department and the Police can jointly and effectively manage situations where children or young people, whatever the circumstances, go missing from their Local Authority parliaments. However, in all such matters the safety and protection of the child/young person, and indeed others, is the most important factor when determining what to do and when to do it (LAAC Document 1, P-3 2001).

ii. Child Protection

Edinburgh Corporation (1930 – 1975)

The Rules and Regulations regarding the Boarding Out of Boys and Girls from 1933 outlines the procedural aims and intentions in relation to child protection for this period. The Regulations state:

A foster parent shall not administer indiscriminate or harsh punishment on any pretext whatever. Any serious act of misconduct on the part of a boy or girl, or any generally unsatisfactory behaviour, shall be reported to the City Education Officer.

No boy or girl shall be allowed to partake of any intoxicant except upon the order of the medical officer or other doctor, or in case of sickness or other urgent cause.

(Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

The Social Work Committee noted that the 4th edition of the *Lothian Region Child Abuse Guidelines* had come into force on the 12 August 1988. It was noted that these guidelines constituted a substantial rearrangement of, and supplement to, existing sections which took account of major developments regarding the computerisation of the Register in January 1985, the Data Protection Act 1984 and the move towards open access." (LRC2/1/1/20/15 1988- 1989). These guidelines were then introduced as *The Edinburgh and The Lothians Inter Agency Child Protection Guidelines*, which were used as a procedural/practice document when dealing with any matter regarded as a child protection concern. The reason for any deviation from these guidelines in practice was only to taken based on a valid professional reason and was to be recorded as such.

FOREWORD

An inter-agency approach is integral to the prevention, investigation and management of child abuse. This underlying principle is reflected throughout these guidelines.

The Edinburgh and the Lothians Child Protection Committee is responsible for setting down, developing, co-ordinating, monitoring and reviewing policies and practices for protecting children from abuse.

These guidelines outline the respective roles and responsibilities of individual agencies.

Status of guidelines

There are no statutory provisions relating to child protection guidelines. These guidelines are a framework for good professional practice and whilst they point to sensible action that might be taken, they cannot substitute for professional judgement.

Some agencies will give these guidelines the force of instruction; however, such is the importance of these guidelines in setting out standards of inter-disciplinary co-operation, collaboration and practice, it is recommended that any practitioner who decides against following clearly recommended courses of action or agreed procedure should have valid professional reasons for this, which should be recorded.

These guidelines incorporate the following developments and issues:

1. *The Children (Scotland) Act 1995.*
2. Scottish Executive guidance.
3. Public inquiries.
4. *The UN Convention on the Rights of the Child*

They also incorporate a Police/Social Work Protocol for Joint Investigative Interviewing of Children and a Health Protocol both of which were introduced in the 5th edition of these guidelines in October 1994.

It is recognised that child protection work is highly stressful for all staff involved. The Edinburgh and the Lothians Child Protection Committee encourages agencies to give support, guidance and training to key staff, particularly those involved in direct contact with abused children and their families.

4 **Child Protection Guidelines** Inter-Agency

City of Edinburgh Council (1996 – 2014)

The *Edinburgh and the Lothians Inter-Agency Child Protection Procedures* 1 June 2008 inform of the process to follow when assessing and addressing a child protection concern. The procedures define what is abuse, categories of abuse, as well as the roles and responsibilities of the three core agencies in the Child Protection process; Social Work, Police and Health. There is also detail provided for the Child Protection process: Inter-Agency Referral Discussion (IRD); Initial Child Protection Case Conferences; Risk Assessments; Outcomes; Child Protection plans; Core group remit and membership; Core Group timescale and frequency; Review Child Protection Case Conferences. The Inter-Agency Procedures also provide a clear description of the remit of Pre-birth Child Protection Case Conference and Transfer Case Conferences and the process to be followed. The *Child Protection - Urgent Compulsory Measures Policy, Practice, Guidance and Procedures* state the process which is to be adhered to once it has been assessed that emergency measures of care need to be applied for in order to address child protection concerns. This procedure details the process to be taken when applying for a Child Protection Order, Child Assessment Order and/or Exclusion Order. The procedure details the role and responsibilities of the Local Authority when applying for such an order; and in evidencing the assessed level of risk to a Sheriff. (Looked After Children Policies and Procedures manual - June 1997). *Abuse of Child – Allegations Against Departmental Employees or Approved Carers*; This procedure detailed the action that was to be taken in response to any allegations of abuse that were made against any Departmental Employee or Approved Carer (Including Foster Care) which was subsequently incorporated within *The Edinburgh and The Lothians Inter Agency Child Protection Procedures* (Index Policies, Procedures and Practice Guidance 1999, The Edinburgh and The Lothians Inter Agency Child Protection Procedures 2008).

iii. Medical Care

Edinburgh Corporation (1930 – 1975)

The Regulations and Rules in regard to Boarded out Boys and Girls from 1933 outlines the policy and procedural aims and intentions in relation to medical care for children in foster placements:

A boy or girl, on being committed to the Education Authority, may be conveyed to the Children's home, Crewe Road, Edinburgh, or other suitable place, in order that arrangements may be made to provide the clothing mentioned above, and that the boy or girl may be medically examined by a Medical Officer of the Education Authority. If the medical report is satisfactory, arrangements will thereafter be made to have the boy or girl conveyed to the selected foster home. (14) Intimation shall be made by the City Education Officer to the parents or guardians of boarded

out boys and girls in respect of serious illness, infectious disease, accident or death. (g) In the case of illness, the doctor to be called if required. Each boy or girl shall be given adequate opportunity for play and recreation. (d) In the event of any serious accident to, or illness of, a boy or girl the foster parent shall send immediately for a doctor and shall notify the facts to the Education Authority. Where the doctor is of the opinion that the life of the boy or girl is in danger, the foster parent shall notify the parents (or guardians) direct and shall inform the Authority that this has been done. (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* (inserted below) provides the detail as to the policy, procedure and practice followed by the authority in relation to medical care of the child/ren/young person placed in a foster care placement;

1. THE CHILD'S EXPERIENCE

Activity 1.3 Health

Standard The health needs of children and young people placed for fostering or adoption are identified and promoted.

Indicators

- Arrangements are made to ensure that medical, dental and optical treatment is made available to meet the needs of the child.
- Children are consulted about their health needs.
- Children and young people are registered with a G.P. and dentist.
- There is regular and sensitive oversight of medical, optical and dental health.
- Healthy attitudes are promoted to sleep, personal hygiene, diet, non smoking, alcohol and drug misuse.
- Attention is paid to gender and to race and cultural issues in making arrangements for the proper health care of a child.
- Advice on sexual development and safe sex is provided as appropriate.
- Smoking (and passive smoking), as a major cause of ill health, is actively discouraged.
- A positive example is set by not smoking in front of children or young people.
- Children and young people develop a comprehensive sense of their medical history.
- Health supervision is integrated with the overall Care Plan for the child.
- Up to date information on health matters is available for Child Care Reviews and is related to the child's individual needs.
- Medical examinations are conducted and reports provided in direct consultation with children and parents, with due regard given to their rights and responsibilities, and to confidentiality.
- The health of children and young people is promoted and assessed with sensitivity and without undue intrusion.
- The trauma and resulting stress of being in care is recognised as a factor affecting health.
- Children report that they are able to talk with significant adults about their health needs, appropriate to their age and understanding.
- Children enjoy regular exercise and participate in open-air activities.

- Basis**
- *Lothian Children's Family Charter (1992)*
 - *Regional Council Smoking Guidelines*

Outcomes

- The health of children and young people is promoted and medical, dental and optical treatment is made available to meet their needs. There is no disadvantage to children in care. Children in care are as healthy as the range of children in the community.

City of Edinburgh Council (1996 – 2014)

Contained within the *Looked After Children – Policies and Procedures* manual is the *Health and Medical Supervision Arrangements For Children And Young People Looked After Away From Home* (Looked After Document 13 June 1998). The Procedure provides practice guidance on process and notes the following areas; *General; Parental Consent to Treatment; Arranging the Initial Medical and Health Assessment; Background Medical Information; Initial Medical; Health Assessment; Update/Review Medical and Health Assessment; Co-ordination of the Health Care Plan; Records and Filing; Appendix 1 - Summary of the Main Responsibilities of the Clinician; Appendix 2 – Summary of the Main Practice Points for Social Work Staff.*

iv. Children’s physical wellbeing**Edinburgh Corporation (1930 – 1975)**

The *Regulations and Rules in regard to Boarding Out Regulations for Boys and Girls* from 1933 outline the policy aims and intentions of the Local Authority in terms of children’s physical wellbeing. The Regulations state:

The clothing (including sleeping apparel) and boots of each boy or girl shall be kept clean and in good repair. Each boy or girl shall be provided with a complete change of underclothing each week. Each boy or girl shall be provided with regular meals and the food shall be wholesome, varied and sufficient for good health. The daily dietary shall include a sufficient supply of fresh sweet milk. Where extra nourishment is ordered by a medical attendant the Education Authority shall be informed with a view to its provision. (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* outline the following policy, procedure and practice guidance in relation to the physical wellbeing of children in foster care:

The health needs of children and young people placed for fostering or adoption are identified and supported. Indicators; Arrangements are made to ensure that medical, dental and optical treatment is made available to meet the needs of the child; Children are consulted about their health needs; Children and young people are registered with a GP and Dentist; There is sensitive and regular oversight of

medical, optical and dental health; Healthy attitudes are promoted to sleep, diet, personal hygiene, non-smoking, alcohol and drug misuse; Attention is paid to gender and to race and to cultural issues in making arrangements for the proper health care of a child; Advice on sexual development and safe sex is provided as appropriate; Smoking (and passive smoking) as a major cause of ill health, is actively discouraged; A positive example is set by not smoking in front of children and young people; Children and young people develop a comprehensive sense of their medical history; Health supervision is integrated with the overall care plan for the child; Up to date information on health matters is available for Child Care reviews and is related to the child's individual needs; Medical examinations are conducted and reports provided in direct consultation with children and parents, with due regard given to their rights and responsibilities and confidentially; The health of children and young people is promoted and assessed with sensitivity and without undue intrusion; The trauma and resulting stress of being in care is recognised as a factor affecting health; Children report that they are able talk with significant adults about their health needs, appropriate to their age and understanding; Children enjoy regular exercise and participate in open air activities. Outcomes – the health of children and young people is promoted and medical, dental and optical treatment is made available to meet their needs. There is no disadvantage to children in care. Children in care are as healthy as the range of children in the community.

City of Edinburgh Council (1996 – 2014)

The *Children and Families Departmental Policies, Procedures and Practice Guidance Manual* contains the *Sexuality and Young People in Contact with The Social Work Department Policy (Children and Families Departmental Policies, Procedures and Practice Guidance Guidelines 9 December 1995)*. The values and principles statement in the policy note the following in relation to the physical wellbeing of children:

- *Children and young people looked after by or involved with the City of Edinburgh Council Social Work Department, should be looked after in safe and nurturing way.*
- *The interests of the child or young person are central to all discussion and decision making related to their care or welfare, taking into account the interests of other children and adults.*

Clothing Allowance (Looked After Children) Initial & Ongoing Procedure provides the procedure, policy and practice for the financial provision of clothing for all Looked after Children. The following provides the procedure, policy and practice for the arranging and authorisation of outdoor activities for all looked after and accommodated children:

- *Outdoor Activities Procedure (Looked After Children/Young People)*
- *Authorisation of; Outdoor Activities Safety Guidelines; Outings, Holidays, Activities and Emergencies (Looked After Children)*

These procedures also incorporate the health and safety issues of the young person to be considered in the planning of such activities to ensure their continued health and wellbeing.

v. Children's emotional and mental wellbeing

Edinburgh Corporation (1930 – 1975)

The Regulations and Rules in regard to Boarded out Boys and Girls from 1933 outlines the policy and procedural aims and intentions in relation to the emotional and mental wellbeing of children. These Regulations state:

The foster parent shall train each boy or girl in habits of punctuality and thrift, of good manners and language, of cleanliness and neatness, of self-respect, of consideration and respect for others, and of honour and truthfulness in word and act; and shall devote to this duty the care which good parents give to their own children. (b) Each boy or girl shall be brought up in accordance with his or her religious persuasion, and where possible the foster parents shall arrange that the boy or girl shall attend Sunday School or be brought under some religious influence. (c) Where circumstances are suitable, each boy or girl shall be encouraged to join some approved juvenile organisation. (6) Before a boy or girl is boarded out, it shall be established that the selected foster parents can provide the necessary and appropriate discipline and training. A foster parent shall also be selected who is of the same religious persuasion as the boy or girl or who gives an undertaking that the boy or girl will be brought up in accordance with his or her religious persuasion. II (1) (b) In consideration of such payment as may be agreed upon by the foster parent and the Education Authority, the foster parent shall bring up the boy or girl as one of his or her own children and shall co-operate with the Education Authority and their Official for the boy's or girl's welfare. (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards for Fostering and Adoption* from 1995 include the procedural aims and intentions relating to the mental and emotional wellbeing of children in foster placements.

A child or young person who is adopted or fostered should have her/his emotional, physical, developmental needs and rights as an individual recognised and effectively addressed.

Indicators; The child or young person: receives love and affection within the family; is well looked after physically; is comfortable and well fed; is protected from harm, including self-harm; has her/his rights respected; is treated with respect and dignity as an individual with her/his own unique relationships, experiences, strengths, needs and future; has her/his origins and ethnicity acknowledged and respected; participates in decisions that affect her/him and those that affect the running of the home, as appropriate to her/his age and understanding; feels safe and secure; has privacy and dignity, with special regard paid to this when she/he needs personal care; has appropriate limits set on her/his behaviour individual attention is paid to her/his health; is actively encouraged in formal education and, as she/he grows older, in further education, vocational training or employment; has new, varied and positive experiences; learns how to look after herself/himself in a practical way and is assisted in developing the common skills required of adults; has the opportunity to work on emotional issues; is admitted to the carer's family in a planned and sensitive way moves on to well-planned situations

Outcomes: A child feels as valued and respected as does a child cared for within her/his family of origin. The emotional, physical and developmental needs and rights of the child as an individual are recognised and effectively addressed.

City of Edinburgh Council (1996 – 2014)

The following policies and procedures in use by the authority during this period outline the policy and procedural aims and intentions relating to the mental and emotional wellbeing of children in foster placements:

- *Health and Medical Supervision Arrangements for Children and Young People Looked After Away from Home*
- *Medication (Administration of Non-Prescribed) to Looked After Children and Young People by Carers or Care Staff*

vi. Schooling/education

Edinburgh Corporation (1930 – 1975)

The Regulations and Rules relating to the Boarding Out of Girls and Boys from 1933 informed the policy and procedural aims and intentions relating to the schooling and education of children in foster care. The Regulations state:

Each boy or girl of school age shall, if his or her health permits, be sent regularly to school and shall not be removed from one school to another without the consent of the City Education Officer (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

Within the *Lothian Regional Council Quality Standards for Fostering and Adoption* from 1995, the policy and procedural aims and intentions relating to the schooling and education of children in foster care is noted:

Children have access to a level of educational provision which meets their assessed needs and requirements; The standard is met in collaboration with Education Department; There is a general ethos amongst staff and carers which values educational experience; There is a recognition on the part of all staff involved with the child that education is a necessary and essential element in her/his healthy development; Educational needs are clearly assessed and identified; There are clear arrangements for obtaining appropriate educational provision; Children/Young people are encouraged to remain at school beyond school leaving age; Children/Young people receive education consistent with the norms of their age group; Educational materials relevant to their needs are provided; There are strong parental type links between care staff and teaching staff; Staff and carers are aware of the school programme and are interested to ask about homework and assist young people; Education trips are supported; Opportunities and space for home study are provided; Home study is encouraged; Carers participate and help. Outcomes - The educational needs of children in are assessed, identified and addressed. There are clear individual plans to meet the needs in respect of each child. Children receive the same educational opportunities as children in the community. The educational achievement of children in care reflects the range of achievements of children in the general community.

City of Edinburgh Council (1996 – 2014)

The Foster Carer's Handbook from 2008 outlined the policy and procedural aims and intentions in relation to the schooling and education of children in foster care for this period.

Children who are cared for by the local authority often do not achieve their full educational potential. This may be because of a lack of encouragement from their family or stress because of home difficulties or disrupted education. Carers have a major role to play in helping children prepare for adult life by ensuring attendance at school and encouraging the child to value learning. Access to good education has a direct impact on a child's wellbeing. It can encourage a sense of being a competent individual and help build positive peer relationships. Decisions about the school the child will attend should be addressed either before or at the start of the placement. If appropriate, the child should continue at the same school in order to maintain continuity in their lives, although this can mean quite lengthy journeys. If a child needs to be enrolled at a local school, the foster carer should only do this after discussion with the child's social worker. The educational needs of the child will be reviewed on a regular basis as part of the care plan. There will be discussions at placement agreement meetings and LAAC reviews about who should receive report cards and other information and who should attend parents' evenings and other meetings. Parents may wish to be involved in these and an agreement needs to be reached about the carer's responsibility and if/how this needs to be shared. Carers should keep in close contact with the school as any other good parent would. They should read to, or with, children and encourage older children to join a library. They should take an active interest in the child's home work. They should encourage and advocate on the child's behalf about any issues or worries the child has about school. The carers should keep the child's social worker informed about the child's progress and consult together if there are any problems. For some children, an educational psychologist may be involved because the child has learning or behavioural difficulties in school. All schools have a nominated teacher who has specific responsibility for looked after children who will be able to help and support both the child and the carers. If a child is excluded from school, there should be immediate, clear communication between the school, the child's social worker and the carers, to ensure that alternative arrangements are in place. Except in an emergency, the child should not be excluded unless their circumstances and alternatives have been discussed at the pupil support group. Carers can give consent for school trips and outings, if the child is placed in permanent care. If the child is placed in temporary care, it is the child's social worker who must give consent. Carers should keep the child's social

worker informed of this and must consult if overnight stays are involved. In some situations, where a child has to travel to school, or to previous activities outwith the immediate area, it is possible that an older child will be issued with a bus pass. This should be discussed with the child's social worker.

The policy and procedural aims and intentions from 1996 onwards are further outlined within the *Assistance with Travel to and from School* procedure, which states:

The Children and Families Department is responsible for arranging transport for 'looked after' pupils except where they also have special needs in which case the Corporate Transport Unit takes on the responsibility. While travel to respite care facilities should be provided by the Support to Children & Young People service area Social Work Children Services, use can be made of home-to-school travel arrangements providing there is no additional cost involved and there is no adverse effect on the normal arrangements associated with the route. The same is true if pupils regularly travel to alternative addresses.

vii. Discipline

Edinburgh Corporation (1930 – 1975)

The policy and procedural aims and intentions in relation to the discipline of children in foster placements is outlined within the *Boarding Out of Children Regulations*, which were produced by the Scottish Home Department in 1959. These Regulations appear to have underpinned the policies and procedures in use by the authority during this period, and state:

Foster parents are expected to bring up the child as a good parent brings up his own child, in habits of neatness and self-respect with consideration for others. The child should be taught good manners and respect for the truth. He should learn how to spend time and money wisely and unselfishly. The child should not be punished harshly or indiscriminately and the threat of removal from his foster home should in no circumstances be used as a punishment for misconduct. Foster parents should report persistent misconduct to the children's officer.

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* from 1995 includes the policy and procedural aims relating to the discipline of children in foster placements. These state:

Children and young people are helped to understand and control their behaviour. Dangerous and unacceptable behaviour which is not controlled is managed by carers in the context of agreed strategies. Children and young people are never shaken, smacked or slapped by carers; Physical force of any kind is only used to safeguard the child or others from a clearly dangerous outcome; Carers are able to help young people to understand and control their behaviour; The department assists carers in defining and reviewing their range of strategies, including sanctions for dealing with behaviours which is wrong and/or dangerous; Children are afforded age and developmentally appropriate explanations for responses to their behaviour including the use of sanctions; Sanctions which reduce a child's sense of dignity or self-worth are not used; Discussion takes place between the department, the carers and the child's family of origin with the purpose of agreeing strategies for individual children; Appropriate professional advice is sought in relation to dangerous self-harm or extreme and apparently inexplicable behaviour; There is a positive culture of praise and encouragement as a way of promoting positive behaviours and achievements; Each child's care plan will address individual care and control issues and will specify any agreed strategies. Outcomes; Children and young people's behaviour is managed in context by carers who operate within agreed strategies for this. Children and young people are helped to internalise a sense of right and wrong through empathetic and rewarding care.

City of Edinburgh Council (1996 – 2014)

The authority have in place the Foster Carers Agreement which details the role and responsibilities of the foster caring role as well as the main policies, procedures and main aims of authority in providing the fostering service. The Foster Carers Agreement notes the following regarding discipline:

To protect any placed child or young person from avoidable harm or abuse and report any concerns to the department immediately; To abide by guidance and instructions from the department about managing behaviour; To agree and ensure that corporal punishment or other demeaning punishments are not used in respect of any child or young person placed; Having regard to the individual care plan and placement agreement and agreement about day to day arrangements and in the manner of a good parent, to care for the child or young person as if s/he were a member of their own family and in a safe and appropriate manner and to promote the child or young person's welfare by; giving attention and affection and

building self-esteem; developing any interests and talents the child or young person may have, and encouraging participation in community activities; supporting and encouraging the child or young person to develop and maintain a positive approach to their own health and wellbeing and, by example and instruction, encouraging in the child or young person hygienic habits and a healthy diet and lifestyle; setting consistent limits to manage behaviour and helping the child or young person to develop controls over their own behaviour; respecting the child's need for privacy when appropriate; providing clean, comfortable and appropriately heated accommodation; maintaining an adequate supply of clothing in good and clean condition; making arrangements for the child or young person's safety in the home or when travelling (through the provision and use of correct safety seats, harnesses or belts) (CEC Foster Carers agreement p.3).

viii. Activities and holidays for children

Edinburgh Corporation (1930 – 1975)

The Boarding Out of Children Regulations from 1959 outline the procedural aims and intentions in relation to activities and holidays for children in foster care. The regulations state:

Foster parents who are going on holiday will normally wish to take with them the child placed in their care, and local authorities are empowered to pay reasonable expenses, where necessary, to make this possible. The boarding out officers should try to arrange for the child, who would not otherwise get a holiday to have a week, at least, away from the foster home. Successful approaches may be made to people who would be willing to take the child or children into their own home for a short holiday. For children for whom no such arrangements can be made camps might be organised and would afford boarding out officers who attend them an invaluable opportunity to for becoming acquainted with children in their care. A child who is a member of a youth organisation should be encouraged to attend camps or holidays arranged by that organisation.

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* from 1995 outline the policy and procedural aims and intentions in relation to activities and holidays for children in foster care: The Standards state:

The needs of children to develop through play and leisure activities are recognised, given importance, and met, having due regard to issues of age appropriateness choices and plans for each child; The constructive use of leisure time is encouraged; Children are included in discussions about choices of activities; The safety of the child is ensured in any pursuit undertaken; Children have opportunities of individual and interactive play or for quiet time, according to individual needs and interests; Children are encouraged to develop or sustain a social network through involvement in leisure activities in the local community or in their community of origin; Full use is made of the cultural diversity of the area in planning outings and activities; Opportunities for outdoor play are provided where appropriate to the age of the child; Opportunities for holidays and outings are provided; There is clarity about what activities require particular experience and qualification; Children are safe and adequately supervised in any activity undertaken; Books and games appropriate to the age of the child or young person are available; Children are enrolled in and make use of the local library; Departmental support and guidance is available to carers and children and young people; Children evidence satisfaction, enjoyment and fulfilment in activities; The needs of children with disabilities for play, outings and holidays are fully met; These issues are addressed within the child's care plan. Outcomes – The needs of children to develop through play and leisure activities are fully met.

City of Edinburgh Council (1996 – 2014)

The authority has in place the following procedure – *Outings, Holidays, Activities and Emergencies (Looked After Children Procedures LAAC Document 19 p.2)*, which outlines the policy and procedural aims and intentions in relation to holidays and activities for children in foster care. The procedure states:

The following is designed to promote good practice with regard to children looked after by the local authority or who are otherwise involved with the department. They augment and reinforce the commitment to a high-quality child-care service as outlined in the various Quality in Caring Standards relating to child care. Guidance contained within the Outdoor Activities Guidelines is also in designed to ensure a commitment to child safety whilst minimising the amount of administration involved. These documents form part of an integrated approach to child care and safety and should be considered as complementary aspects to the shared strategy.

The procedure goes on to inform:

Outings and holidays undertaken with staff and carers are valuable and potentially rewarding memorable experiences for all concerned. They are more likely to be so if each event takes place with adequate thought and organisation. There is potential for developing better relationships, for building confidence and trust, as well as for fun, stimulation and enjoyment. Expectations of behaviour should, however, be made clear to participants, particularly relating to smoking, alcohol and behaviour, and interactions with other groups. Staff and carers should bear in mind the particular vulnerabilities of "looked after" young people and should ensure by appropriate selection of destination, membership of the party and supervision, that they are not exposed to situations which might be difficult for them to cope with or place them under public scrutiny.

ix. Sharing a bedroom

Edinburgh Corporation (1930 – 1975)

The Regulations and Rules in relation to the Boarding Out of Girls and Boys from 1933 outlines the policy and procedural aims and intentions relating to children in foster placements sharing bedrooms. The Regulations state:

Sleeping accommodation (e) No more persons shall be allowed to occupy a bedroom in which a boy or girl sleeps than may be approved by the Education Authority. The bedroom shall have a window opening to the outside air and not into another apartment. (f) The bedding for each boy or girl shall be adequate and comfortable and shall be kept clean and well aired. (g) No boy or girl shall occupy the same bed or bedroom as an invalid or an old infirm person. (h) Boys and girls over eight years of age shall not occupy the same bedroom; and not more than two shall sleep in one bed. (Ref. SL164/1/7)

The Boarding Out of Boys and Girls Regulations from 1959 updated these policy and procedural aims, and note:

Health; Although children differ in the amount of sleep they require, most younger children of school age need at least ten or eleven hours sleep, undisturbed, either by the wireless or members of the family. The child should not be made to share a bed with another person unless this arrangement has been approved by the local authority, and on no account should share the same bed or bedroom as an

invalid or an old person. The children's officer should be informed of any change in the household's sleeping arrangements which affects the child.

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* (p32) inform the following policy, procedure and practice to be followed in relation to the sleeping arrangements for those children and young people being placed in boarding out arrangements:

Sleeping Arrangements; The child, wherever possible, has a bedroom for his/her own use. Where children share a bedroom, the other child or children are of appropriate age and gender; No child over the age of 10 shares a bedroom with a child of different gender; Each child has his own bed; A bedroom is normally shared by no more than two children; There are facilities for sibling groupings to share where applicable; Sharing takes place only with a child of compatible age and gender; Each child has adequate space for storage for his/her own clothes, sleeping and personal belongings; Planned placements give due consideration to the longer term needs of the children placed; While a greater degree of flexibility may be applied to emergency or respite placement, due attention is paid to basic privacy and comfort; Due attention is paid to sibling groups and to emotional and social factors; Views of all children concerned are taken into account before a decision is made to have children in care sharing a bedroom with children of the carer family. Outcomes - The needs and best interests of the child are paramount in decision about physical accommodation.

City of Edinburgh Council (1996 – 2014)

The Foster Carers Handbook from 2008 outlines the policy and procedural aims and intentions in relation to children in foster placements sharing bedrooms. The Handbook states:

Bedtime and Bedrooms – Carers should take care and leave the door open when putting children to bed. Wherever children sleep, there should be clear rules about who can go into which bedrooms. People should knock before they enter a bedroom. Carers may allow their own children into their bedroom to talk, play and listen to stories. However, it can be risky with looked after children and can be

open to misinterpretation. Comfort and affection may be shown more safely outside the bedroom.

x. Contact with family members

Edinburgh Corporation (1930 – 1975)

The Boarding Out of Boys and Girls Regulations from 1959 outline the policy and procedural aims and intentions relating to contact with family members for children in foster placements.

These state:

The relationship of the boarded-out child to the natural parents and relatives will present the boarding out officer and the foster parents with delicate and difficult problems. In the light of the circumstances of the child, agreement will have to be reached between the boarding out officer and the foster parents as to whether regular contact with the natural parents and relatives should be encouraged. It is frequently the impression of foster parents that, if contact is encouraged between the child and the natural parents and relatives, the child is likely to become unsettled and less responsive to their authority. It is vital the foster parent is guided by the boarding out officer on this matter; such guidance could result in an understanding that their relationship to the child need not necessarily be impaired by the natural relationship with parents and relatives, which relationship is fundamental. It is recognised that in many cases it will be undesirable that the child should receive letters from his parents; but wherever there is no reason to prevent this, such communication should be encouraged, and the child trusted to maintain it. The boarding out officer and the foster parent should exercise their discretion in scrutinising letters received and sent. Where the boarding out is likely to be for a comparatively short period, and the return to his own home is almost certain, it is most desirable that regular contact with natural parents and relatives should be maintained.

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* (p20) inform the following policy, procedure and practice to be followed in relation to the contact arrangements for those children and young people being placed in boarding out arrangements:

Links with Family and Community – Relationships with the child’s own family, and with significant persons in their community are developed and maintained when this is in the best interests of the child. Contact between the child, the family and the community is reported and significant and safe relationships are developed; Children’s rights to maintain contact with their immediate and extended family are recognised; A respectful and professional approach with parents and other family members is developed; There is cooperation between care family and birth parents with regards to issues of the child’s care and development; The child experiences partnership between carers and birth parents; The needs of children from overseas, or whose family or significant part of family is overseas, are addressed; Children have positive and meaningful links with their families of origin, and with their home communities.

City of Edinburgh Council (1996 – 2014)

Within the authority’s *Keeping in Touch, Managing Contact for Looked After Children* the following is stated in relation to contact with family members;

When children are no longer living with their family of origin they will have to come to terms with the reasons for the breakdown of their family and make sense of growing up with two families. Key things to consider are: How the contact contributes to the child’s safety and wellbeing; How the contact meets both short term and long-term needs. Well managed contact can make a contribution to helping separated children deal with the conflicting emotions they experience in losing their place in their family and aid their recovery and development. Schofield and Simmons identified three key reasons for maintain links with family: Profound need for individuals to know about their origins, come to terms with loss of relationships as a basis of their identity; To enable children and birth parents face the reality of their past feelings and behaviours towards each other, to help them understand their past and move forward; In recognition that many children will return to live with their parents (Gillian Schofield and John Simmons (ed) 2009). The benefits and risks of contact must be carefully weighted. Contact can be beneficial where; A Child is placed at a young age; A child is not displaying emotional or behavioural problems; Contact is with a relative that did not abuse the child; Foster carers/Adopters are open, respectful and inclusive in incorporating birth family. Contact is an important element in supporting plans for rehabilitation of children to their birth family. Contact, however, can be detrimental to a child if it threatens their sense of safety or security. The long term aim in

successfully managing contact for children separated from their birth families is to build their resilience

xi. Contact with siblings
Edinburgh Corporation (1930 – 1975)

The Boarding out of Boys and Girls Regulations from 1959 outline the policy and procedural aims and intentions relating to contact with siblings for children in foster placements. These Regulations state:

Where more than one member of a family come into care, the children's officer is required by the Boarding-out Regulations, to make every effort to keep the family together by boarding out brothers and sisters in the same home. If in a particular case that would lead to overcrowding in the foster home, it may be possible to board out the family in two foster homes near each other.

In 1959 the Local Authority recommended that:

Where members of a family of deprived children have to be boarded out in different areas, the local authority responsible for them should, if at all possible, make arrangements for periodic visits of the children to each other. It is important that children's officers should do all they can to strengthen family ties by arranging frequent reunions between brothers and sisters. (Ref Boarding Out Regulations 1959)

Lothian Regional Council (1975 – 1996)

The policy and procedural aims and intentions relating to sibling contact for children and young people in foster placements is outlined in the Partnership Agreement document from 1991. This states that the Local Authority must promote contact between the child and their family, unless it is agreed that this will not be in their best interests.

The *Lothian Regional Council Quality Standards in Fostering and Adoption Services* (p20) inform the following policy, procedure and practice to be followed in relation to the contact arrangements for those children and young people being placed in boarding out arrangements:

Links with Family and Community – Relationships with the child's own family, and with significant persons in their community are developed and maintained when this is in the best interests of the child. Contact between the child, the family and the community is reported and significant and safe relationships are developed;

Children's rights to maintain contact with their immediate and extended family are recognised; A respectful and professional approach with parents and other family members is developed; There is cooperation between care family and birth parents with regards to issues of the child's care and development; The child experiences partnership between carers and birth parents; The needs of children from overseas, or whose family or significant part of family is overseas, are addressed; Children have positive and meaningful links with their families of origin, and with their home communities.

City of Edinburgh Council (1996 – 2014)

Make Someone's Day, Make Someone's Life (2012), which was produced by the authority outlines the policy and procedural aims and intentions in relation to contact between siblings:

Contact between children and their family and friends; The local authority has a duty to promote direct contact between children looked after by them and their parents or people with parental responsibilities. They also have a duty to promote contact between siblings if they are living apart. Purpose of contact - to enhance the psychological and developmental progress and wellbeing of children who are away from their families; to increase the likelihood of children returning to live with his or her family and where that is consistent with the child's welfare; to test out parenting capacity. The child's social worker, in consultation with the foster carer, the child and the child's family and friends, co-ordinates contact arrangements. This will include the frequency and location of contact and any supervision required. There are times when carers may make the arrangements directly with birth parents or siblings, in consultation with the child's social worker. Details of all contact arrangements should be contained in the placement agreement and discussed at LAAC reviews.

xii. Celebration of birthdays and other special occasions

Edinburgh Corporation (1930 – 1975)

The Boarding Out of Boys and Girls Regulations from 1933 outlines the policy and procedural aims and intentions of the authority for the celebration of birthdays and special occasions, and states:

In consideration of such payment as may be agreed upon by the foster parent and the Education Authority, the foster parent shall bring up the boy or girl as one of

his or her own children and shall co-operate with the Education Authority and their Official for the boy's or girl's welfare. (Ref. SL164/1/7)

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality in Standards for Fostering and Adoption Services* outlines the policy and procedural aims and intentions in relation to the celebration of birthdays and special occasions for children in foster care:

Children's Relationships; Children and young people are encouraged and helped to form relationships with other children, including other children in placement, the carer's children and children outside the home. Birthdays and other special occasions are celebrated.

City of Edinburgh Council (1996 – 2014)

There has not been any procedure, directly related to the celebration of birthdays and other special occasions, viewed for this period.

xiii. Information sharing by the foster carer with family members

Edinburgh Corporation (1930 – 1975)

There are no surviving policies or procedures relating to information sharing by the foster carer with families from this period. Committee minutes were scoped in order to inform our response to this question, however no evidence was found.

Lothian Regional Council (1975 – 1996)

The *Lothian Regional Council Quality in Standards for Fostering and Adoption Services* from 1995 outline the policy and procedural aims and intentions in relation to information sharing by the foster carer with birth family members. The Standards state:

Relationships with child's parents and extended family; Relationships are developed and maintained with parents and extended family of children in placement; which show respect, understanding and are no judgemental. There is an awareness of the importance of developing respectful and professional relationships with the child's family; Discussion take place with the family regarding the child's progress and development and involvement is sought as

appropriate; There is flexibility and openness to parents' wishes and views; There is encouragement to members of the child's family to feel comfortable in the carer household and to be actively involved in the child's development; Family members are treated in a respectful and professional manner; Extended family members are given appropriate information regarding the child or young person; Care arrangements are consistent with the principle of the best interests of the child; There is a willingness to set boundaries to make clear what behaviour is and is not acceptable; Strategies are for making and maintain links with extended family living overseas; There are strategies for linguistic and cultural barriers to contact; Care plans reflect attention to these matters. Children's contacts and involvements with their extended family are retained and extended family are involved in planning for children.

City of Edinburgh Council (1996 – 2014)

The Foster Carers Agreement in use during this period notes the policy and procedural aims in relation to information sharing by the foster carer with the children's birth family, and states:

Personal Identity, Contact, Health and Education – (3.4.2) To promote contact and good relationships with the child or young person and his/her own family, except where contact has been restricted by a court, children's hearing or the Council.

e) Who compiled the policies and/or procedures?

Edinburgh Corporation (1930 – 1975)

Between 1930 and 1948, the Public Assistance Committee, along with the Education Committee, Education Officer and the Public City Assistance Officer, took decisions on matters of policy, procedure and/or practice in relation to foster care at a local authority level. (Ref. SL61 & SL164). Between 1948 and 1969, the Children's Committee, along with the Children's Officer took decisions on matters of policy, procedure and/or practice in relation to foster care at a local authority level. (Ref. SL116).

Between 1969 and 1975, the Social Work Committee, along with the Director of Social Work took decisions on matters of policy, procedure and/or practice in relation to foster care at a local authority level. (Ref. SL118).

Lothian Regional Council (1975 – 1996)

From 1975 to 1994, the Social Work Committee of the Lothian Regional Council, along with the Director of Social Work took decisions on matters of policy, procedure and/or practice in relation to foster care at a local authority level. (Ref. LRC2)

The Social Work Committee noted that the 4th edition of the *Lothian Region Child Abuse Guidelines* had come into force on the 12 August 1988 and it was the responsibility of The Edinburgh and The Lothians Child Protection Committee to set out, monitor and develop procedures and policies in relation to matters regarding child abuse (Ref. The Edinburgh and The Lothians Child Protection Inter Agency Guidelines). It was noted that these guidelines constituted a substantial rearrangement of, and supplement to, existing sections which took account of major developments regarding the computerisation of the Register in January 1985, the Data Protection Act 1984 and the move towards open access." (LRC2/1/1/20/15 1988- 1989)

There is evidence from the minutes from all of the above-mentioned committees that any new policies, procedures or practices would be noted at committee level, as would any changes required in line with emerging legislation. The Secretary of State was also in contact with the committees on matters relating to any national changes in policy and procedures.

City of Edinburgh Council (1996 – 2014)

In 1996 the leadership structure under the new authority for foster care services was: Director of Social Work, Head of Operations, Operations Manager and Team Manager. This structure was responsible for the implementation and compliance of related policies, procedures and practices

A further re-organisation in 2016 produced the current management structure which holds responsibility for the implementation and compliance of policies, procedures and practices relating to foster care service: Chief Executive, Executive Director for Communities and Families, Head of Service, Service Managers, Family Based Care Manager, Family Based Care Team Leaders.

f)	<p><u>When were the policies and/or procedures put in place?</u></p> <p>Please see response to question 4.3 i) a.</p>
g)	<p><u>Were such policies and /or practices reviewed?</u></p>

	<p>Policies and procedures were reviewed throughout the period of the local authority in accordance with development and introduction of further legislation, national policy and relevant research.</p> <p>For further details, please see response to question 4.3 i) a.</p>
h)	<p><u>If so, what was the reason for review?</u></p> <p>Please see response to 4.3 (i) g.</p>
i)	<p><u>What substantive changes, if any, were made to the policies and/or procedures over time?</u></p> <p>Please see response to question 4.3 i) a.</p> <p>With regards to the CEC period, changes were also made in accordance with the five recommendations contained within the Edinburgh Inquiry report which specifically related to foster care. These changes are detailed in Section 5.5 and 5.6 of this report.</p>
j)	<p><u>Why were changes made?</u></p> <p>Please see response to question 4.3 i) a.</p> <p>With regards to the CEC period, changes were also made in accordance with the five recommendations contained within the Edinburgh Inquiry report which specifically related to foster care. These changes are detailed in Section 5.5 and 5.6 of this report.</p>
k)	<p><u>Were changes documented?</u></p> <p>Yes.</p>
l)	<p><u>Was there an audit trail?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>The Local Authority's committee minutes (Education and Public Assistance Committees) provide evidence of the developments and changes that took place over this period, if not an exact audit trail.</p> <p>Lothian Regional Council (1975 – 1996)</p> <p>The Local Authority's Social Work Committee minutes provide an audit trail and narrative concerning developments and changes that took place over this period. Audit trails are also generally reflected in new/ revised policies and procedures through document control.</p> <p>City of Edinburgh Council (1996 – 2014)</p>

	The minutes of various committees provide an audit trail and narrative concerning developments and changes that took place over this period. Audit trails are also generally reflected in new/ revised policies and procedures through document control.
Present	
m)	<p><u>With reference to the present position, are the answers to any of the above questions different?</u></p> <p>Yes.</p>
n)	<p><u>If so, please give details.</u></p> <p>There have been several strategic and policy developments since 2014 that are designed to strengthen arrangements around foster care provision, and to ensure that procedures and process remain 'fit for purpose'. These are evident in several initiatives and documents which set out and described below.</p> <p>The local authority developed a five-year programme in 2013 to shift the balance of care towards more preventative services that reduce the need for children to come into care. This was known as the 'Looked After Children: Transformation Programme. The programme set several targets, including reducing the percentage of independent foster placements. This was designed to give the local authority clearer oversight and influence over placements. These targets were reviewed again in 2017.</p> <p>Since 2016, three procedures have been introduced to help ensure that children in foster care are properly protected and cared for: Family Based Care (FBC) Recruitment to Approval; FBC Approval to De-Registration; and FBC Continuing Care. These have been developed and continually updated and revised to ensure FBC staff are able to deliver the service from a consistent practice base.</p> <p>All Children's Rights activity is now undertaken by Who Cares Scotland? – an organisation completely independent of the Council. Their function, however, remains the same – to provide an independent advocacy service for any young person in the care of the local authority.</p> <p>The Council's 'Looked After and Accommodated Children Procedure' was reviewed in 2017. The purpose of this key document and procedure is to ensure consistent and best practice in planning for children who are looked after and accommodated.</p> <p>The Council's 'Achieving Permanence for Looked After Children Procedure' was reviewed in 2018. This procedure sets out the process that must be followed when planning permanent</p>

	<p>care for looked after and accommodated children who are not able to return to live with their birth parents.</p> <p>Currently, the local authority is also reviewing the Scotland Excell Framework agreement which covers agreements with independent foster carers throughout Scotland. This is being replaced by the 'Edinburgh Fostering and Continuing Care Agreement' which would establish framework agreements with each independent foster provider (e.g. Barnardo's, Jane Moore Trust etc.). This will facilitate greater flexibility in the provision of foster care and ensure that service expectations are met. It is also designed to provide better of oversight of foster care placements.</p>

(ii) Practice	
Past	
a)	<p><u>Did the organisation/establishment adhere in practice to its policy/procedures relating to the care of children in foster care?</u></p> <p>In general terms the case file evidence that we have reviewed for this response informs that the local authority did adhere to its policies and procedures relating to the care of children in foster care. As a result of coronavirus restrictions, the response to this section has been hampered by lack of access to case files, which has meant we have provided fewer examples than we had intended.</p> <p>Edinburgh Corporation (1930-1975)</p> <p>A case file sample audit of child client files from 1930's – 1970's provides evidence of the authority adhering in practice to certain aspects of its policies and procedures, in general terms, and in the main to the 1933 <i>Regulations and Rules in regards to Boarded Out Boys and Girls</i> mentioned elsewhere (SL164/1/7). Specifically, there is evidence of recruitment checks for foster carers, standardised discipline of boarded out children, and pre-placement medical checks being carried out for children placed in foster care placements.</p>

Lothian Regional Council (1975-1996)

A case file audit of children's client files for the regional council period demonstrates that the authority did adhere to the policies and procedures which related directly to the foster care provision for children and young people. The findings from this audit provides evidence of adherence to specific aspects of these policies and procedures which are answered below (4.3 ii b) and so demonstrates the local authority's adherence in practice to its policies and procedures.

City of Edinburgh Council (1996-2014)

Evidence from both the child client file sample audit and the foster carer file audit has demonstrated that policies and procedures were adhered to in practice in relation to the provision of foster care during the CEC period. The findings from these audits provide evidence of adherence to specific aspects of these policies and procedures which are answered below (4.3 ii b) and so demonstrates the local authority's adherence in practice to its policies and procedures.

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

i. Safeguarding

The term safeguarding has generally been used in Scotland in a much more general context in relation to the holistic promotion of a child's welfare and development, as opposed to primarily being focused on child protection issues. Consequently, there has been much more focus on the development of specifically termed child protection policies and procedures, which are then intrinsically linked to the child's overall wellbeing, however are given specific regard to abuse and risk of abuse, in policies, procedures and practice.

Within the *Child Protection and Safeguarding Policy Education Scotland* document 2018 the following definitions are provided:

Child Protection - Protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect.

Safeguarding - This is a much wider concept than child protection and refers to promoting the welfare of children, young people and protected adults. It encompasses protecting from maltreatment, preventing impairment of their health or development, ensuring that they are growing up in circumstances consistent

with the provision of safe and effective care; and taking action to enable all children, young people and protected adults to have the best outcome. Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm. We have a distinctive approach to safeguarding in Scotland linked to Getting It Right for Every Child (GIRFEC) which promotes action to improve the wellbeing of every child and young person. Safeguarding is a golden thread that runs through the curriculum. The aim is to support the development of learner's knowledge, skills and resilience to keep themselves safe and protect themselves and to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives. As such, it permeates many features of the education experience including leadership, values, vision, the curriculum, learning and teaching, positive relationships, building learner resilience, etc.

Edinburgh Corporation (1930-1975)

As noted above there are no specific policies or procedures which relate to the term safeguarding, with this aspect being covered in more general terms in relation to the child's overall wellbeing and developmental needs. The evidence of adherence is reflected in the meeting of other policy and procedural directives which are intrinsically linked to the safety and holistic wellbeing of children and young people in foster care, which are answered in the remaining sub sections of 4 b (ii) below.

Lothian Regional Council (1975-1996)

As noted above there are no specific policies or procedures which relate to the term safeguarding, with this aspect being covered in more general terms in relation to the child's overall wellbeing and developmental needs. The evidence of adherence is reflected in the meeting of other policy and procedural directives which are intrinsically linked to the safety and holistic wellbeing of children and young people in foster care, which are answered in the remaining sub sections of 4 b (ii) below.

City of Edinburgh Council (1996-2014)

As noted above there are no specific policies or procedures which relate to the term safeguarding, with this aspect being covered in more general terms in relation to the child's overall wellbeing and developmental needs. The evidence of adherence is reflected in the meeting of other policy and procedural directives which are intrinsically linked to the safety and holistic wellbeing of children and young people in foster care, which are answered in the remaining sub sections of 4 b (ii) below.

ii. Child Protection

National Guidance for Child Protection in Scotland is the Scottish Government's national framework for agencies and practitioners at local level to understand and agree processes for working together to safeguard and promote the welfare of children. It sets out expectations for strategic planning of services to protect children and young people and highlights key responsibilities for services and organisations, both individual and shared. It also includes guidance for practitioners on specific areas of practice and key issues in child protection. (Care Inspectorate – Child Protection – 2019).

Edinburgh Corporation (1930-1975):

There is very little evidence, from the corporation period, to support the term child protection being used as an actual formal policy or procedure. However, the aims of the local authority, as stated in the 1933 *Regulations and Rules in regards to Boarded Out Boys and Girls* mentioned elsewhere (SL164/1/7), inform that the intention was to ensure that the child/young person's safety and welfare were to be regarded as paramount. The Children's Committee in 1965 discussed the setting up of an 'at risk' register for children who were deemed to be at risk. This was consequently evolved into the Child Protection Register (SL116/1/8). Surviving Children's Separate Registers also evidence that children were removed from foster care placements due to unsuitable and dangerous conditions (SL611).

Lothian Regional Council (1975-1996)

There are numerous examples of adherence during the regional council period that are presented as evidence in Section 5.9 of this response. Below are a sample of these examples.

As referenced in Section 5.9 of this response, case file recordings note that the LRC followed the policy of inter-agency child protection guidelines when responding to assessed child

protection concerns. As the allegation in the case example was of sexual abuse against the registered Foster carer, adherence was given to the Edinburgh and Lothians Inter-Agency Child Protection Guidelines, Sections 4 and 8. The Senior Social Worker initiated an Initial Referral Discussion (IRD) on 14 July 1987 and progressed a Child Protection Investigation. An Initial Referral Discussion (IRD) was held in order to plan an appropriate multi-agency investigation of the complaint. All care commitments offered by the foster carer were monitored pending Child Protection Investigation. The IRD agreed that the young person should have a Joint Investigative Interview (JII). Following the conclusion of the JII, the outcome for the Child Protection Investigation was that no further action be taken.

Noted in 5.9, one complaint evidences; The local authority response, in relation to an allegation of sexual abuse, was in accordance with Sections 4 and 8 of the Edinburgh and Lothians Inter-Agency Child Protection Guidelines. A Senior Social Worker initiated an Initial Referral Discussion (IRD) and progressed a Child Protection Investigation. All care commitments offered by the foster carer were monitored pending Child Protection Investigation. The IRD agreed that the young person should undertake a Joint Investigative Interview (JII). Following the conclusion of the JII, the outcome was to progress to an Initial Child Protection Case Conference, in accordance with the Edinburgh and Lothians Inter-Agency Child Protection Guidelines, Section 6 & 4.1(c) respectively. The Initial Child Protection Case Conference was held on 9 June 1993 and concluded that, based on the information gathered in the Child Protection Investigation, no further Child Protection action was required. It was also decided that alternative accommodation plans for the children in placement with the foster carer were not needed. A minute of the Child Protection Case Conference was to be included in the foster carer's next annual review.

Noted in 5.9, one complaint evidences; In relation to an allegation of sexual abuse, the local authority's approach to investigating the complaint was based on the Edinburgh and Lothians Inter-Agency Child Protection Guidelines (Sections 4.1 and 8.3). A Senior Social Worker initiated an Initial Referral Discussion (IRD) and progressed a Child Protection Investigation. A Joint Investigative Interview (JII) was also agreed and held. The JII was concluded and the outcome was that the information gathered be utilised as part of an ongoing Police inquiry against [REDACTED]. The Inter-Agency Child Protection Investigation informed safety planning for [REDACTED] FCY and her sibling. [REDACTED] was charged with Lewd and Libidinous behaviour, but these charges were subsequently deserted. [REDACTED] was immediately removed from the home and accommodated within a local authority's children's home. Whilst [REDACTED] was out with the family home, the children in placement eventually transitioned to adoptive placements in 1997. [REDACTED] and his adoptive parents received counselling regarding inappropriate sexualised behaviour which was offered by the Young Peoples Unit.

City of Edinburgh Council (1996-2014)

There are numerous examples of adherence during the CEC period that are presented as evidenced in Section 5.9 of this response. Below are a sample of these examples.

Complaint ; In relation to allegations of physical and emotional abuse the City of Edinburgh Council's process and approach for investigating the complaint followed the Edinburgh and Lothians Inter-Agency Child Protection Procedures. An Inter-Agency Referral Discussion (IRD) was initiated by the Duty Senior Social Worker at Craigentenny Social Work Centre with Amethyst. Lothian and Borders Police (Dalkeith) and Amethyst decided that there should be no joint interview. This decision was based on the lack of indicators to support the allegations: no complaint from the child; no concerns raised from his school; and no other concerns noted. It was decided, based on the information gathered in the IRD, that the child remained in the care of the foster carers. The child protection inquiry progressed with Lothian and Borders Police (Dalkeith/Musselburgh) attempting to gain a formal statement from [REDACTED] (complainant). However, she did not agree to be interviewed. A decision was made by the Police that they could not proceed with the case and consequently there was no follow-on investigation. On 29th February 2008, an agreement was reached to conclude the IRD. This was because [REDACTED] had declined to make a statement to police on four occasions and the child, the family nor professionals involved had raised any other concerns. The carers were informed of the conclusions of the Initial Referral Discussion and the child protection inquiry, in order to support them in their ongoing care of the children placed with them

Complaint; In relation to allegations of physical and emotional abuse the City of Edinburgh Council's had a defined process named the Social Work Complaints Handling Procedure which was in place at this time. However, as the complaint was an allegation of abuse, Sections 7 and 15 of the Edinburgh and Lothians Inter-Agency Child Protection Procedures were followed in this instance. An Inter-Agency Referral Discussion (IRD) was initiated by the Senior Social Worker (SSW) at the respective Social Work Centre (SWC) on receipt of the allegations. This response also adhered to the Looked After Children Regulations Document 12. Following the young person's disclosure, the allocated social worker (SW) contacted [REDACTED] (foster carer) to inform her that the child would not be returning to her care due to a complaint he had raised regarding the care that was being provided by herself and [REDACTED]. The SW made emergency safety and accommodation plans for the child to be cared for by his maternal grandparents. The social worker contacted the senior social worker, and an Inter-Agency Referral Discussion (IRD) was held. The child was jointly interviewed by Police at Amethyst team, and Social Work the following day. It was agreed that the child should not return to [REDACTED] and [REDACTED]'s care and instead remained with his grandparents. [REDACTED] was subsequently interviewed by Dalkeith Police under caution on 26th April 2008. The outcome of this interview

was noted by the Police that [REDACTED] had nothing further to answer. The child was jointly interviewed by Police and Social Work on 20th April 2008, in relation to the allegations that he had made against the foster carers [REDACTED] and [REDACTED]. In the joint interview the child reiterated the allegations that he had made: *"[REDACTED] was packing his bag for respite after being in Livingston, [REDACTED] went into his wardrobe and found dirty pants and she was very angry and slapped him lots on his face and pulled his hair. [REDACTED] told him to wash his dirty pants and he went downstairs and did so; [REDACTED] was about to have their tea and [REDACTED] bumped her head and was upset, [REDACTED] laughed, and [REDACTED] became upset and threw her tea across the room and [REDACTED] got angry and roared at her to sit down and eat her food."* It was agreed that the child should not return to [REDACTED] and [REDACTED]'s care and he remained with his maternal grandparents. As part of the ongoing Child Protection Inquiry, [REDACTED] was interviewed by Dalkeith Police under caution on 26th April 2008. Following this interview, no further criminal investigation was to be pursued, as there was no corroborative evidence gained in order to support the allegations. The IRD was concluded with no charges against any party. The child was not returned to the care of [REDACTED] and [REDACTED]. Given the separate allegations made by two sources, the Service Manager in Family Based Care, requested an investigation into their care standards under sections 17 and 18 of 'Edinburgh's Children – A Guide to Foster Carers and Staff' and Carer's Agreement. This investigation followed on from the allegations made on 19th February and 24th April 2008 relating to both children in their care. A Senior Social Worker was appointed in June 2008 as the lead officer alongside another social worker who was appointed as co-investigator. Neither officer had direct working involvement with either of the carers or children involved. The report was completed, recommending that both [REDACTED] and [REDACTED] be deregistered as foster cares. The report was submitted to an arranged Review of Registration Panel held on 23rd January 2009, where the report content and other matters of care provided by [REDACTED] and [REDACTED] were discussed and considered, with the panel making a unanimous recommendation that the carers were de-registered. This recommendation was ratified by the Agency Decision maker on 27 July 2009. The young person, when they made the disclosure, were listened to and informed the allegations that they were making were being treated as serious and credible. Arrangements for both immediate and longer-term appropriate safety plans for the young person were made, supports for them identified in their transition to further identified care placements, affirming with them that they had made the correct choice in informing involved professionals of the allegations, so that these could be addressed in a formal manner and ensure that the young person was free from any further potential harm.

Complaint; In response to historical allegations of physical and emotional abuse of the young person, by the named foster carers, the local authority's process and approach for investigating the complaint was based on the Edinburgh and Lothians Inter-Agency Child Protection Procedures (Sections 7 and 15), where an Inter-Agency Referral Discussion was held to plan an appropriate multi agency investigation of the complaint. Support was provided

to the young person by the allocated practice team social worker who listened to the allegations and informed the young person of potential options as how to progress these. The allocated practice team social worker then explained the process of video recorded interview (VRI) allowing them to be more confident in the process and to be more able to engage in it. The young person was jointly interviewed on 15 July 2015, where disclosures were made alleging physical and emotional abuse by the carers. The social worker ensured that the carers had no children placed with them, meaning no other LAAC young people were at risk from these allegations. The social worker arranged to hold a planning meeting with the foster carers to make them aware of, and discuss further with them, the allegations that had been made. The social worker also provided notification to the Care Inspectorate of the nature of the complaint made and known details at that time. The social worker carried out a home visit to the foster carers on 22 July 2015 to discuss the allegations and confirm that no further children could be placed with them whilst the investigation was ongoing. A Foster Carers Review Panel was held on 12 August 2016 which acknowledged the allegations and investigation. It agreed changes to the registration status for both foster carers. Following a Police interview with foster carer on 4th August 2015, the local authority was informed of the outcome of the investigation. With no further corroborative evidence, the Police concluded that no further action was to be taken. A Foster Carer Review Panel was held on 12 August 2016, which acknowledged the allegations and the resultant investigation, and agreed changes to the registration status for both foster carers. ■■■

iii. Medical care

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response regarding the corporation period, there is evidence recorded that in all ten of these cases there was a Reception into Care (RIC) medical examination carried out for each child/young person who was placed in a foster care placement.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response regarding the regional council period, there is evidence recorded that the majority of children/young people who were placed in a foster care placement were subject to a Reception into Care (RIC) medical examination.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response regarding the CEC period, there is evidence recorded that the majority of children/young people who were placed in a foster care placement were subject to initial and ongoing medical care. This is evidenced in case recordings concerning LAAC Reviews/reports, Children's Hearing reports, case notes, permanency panel minutes.

iv. Children's physical wellbeing

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response regarding the corporation period, there is evidence recorded that in three out of the ten cases reviewed the young person/child was registered with a GP in order to ensure their physical wellbeing was being monitored and their health needs were being met.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response regarding the regional council period, there is evidence recorded that in four out of the ten cases reviewed the young person/child were subject to medical assessments in order to ensure their physical wellbeing was being monitored and their health needs were being met. There is also evidence that the children/young people in placement were also given opportunities for outdoor activities to promote their physical wellbeing.

City of Edinburgh Council (1996-2014)

Within the case file audit, all thirty-nine cases reviewed for the CEC period demonstrate that the young person/child was subject to medical assessment in order to ensure their physical wellbeing was being monitored and their health needs were being met. There is also evidence that the children/young people in placement were also given opportunities for outdoor activities to promote their physical wellbeing.

v. Children's emotional and mental wellbeing

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response regarding the EC period, there is evidence recorded that in one out of the ten cases reviewed the young person/child's emotional and mental wellbeing was considered.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response regarding the regional council period, there is evidence recorded that in one out of the ten cases reviewed the young person/child's emotional and mental wellbeing was considered.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response regarding the CEC period, there is evidence recorded that twenty eight out of the thirty-nine cases reviewed the young person/child's emotional and mental wellbeing was considered.

vi. Schooling/education

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response regarding the corporation period, there is no recorded evidence from the ten cases reviewed the young person/child's schooling/education was considered.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response regarding the regional council period, there is evidence recorded that in two out of the ten cases reviewed the young person/child's schooling/education was considered.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response regarding the CEC period, there is evidence recorded that in all of the thirty-nine cases reviewed the young person/child's schooling/education was considered.

vii. Discipline

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there was no evidence in the ten cases reviewed for the corporation period, that the issue of discipline for the young person/child was recorded.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response there was no evidence in the ten cases reviewed for the regional council period, that the issue of discipline for the young person/child was considered as a case recording priority.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response regarding the CEC period, there is evidence recorded that in eighteen out of the thirty-nine cases reviewed the issue of discipline for the young person/child was considered.

viii. Activities and holidays for children

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there is evidence recorded that the issue of activities and holidays for the young person/child was considered in one out of the ten cases reviewed for the corporation period.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of activities and holidays for the young person/child was considered in three out of the ten cases reviewed for the regional council period.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of activities and holidays for the young person/child was considered in twenty-seven out of the thirty-nine cases reviewed for the regional council period.

ix. Sharing a bedroom

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there is no recorded evidence from the ten cases reviewed for the corporation period that the issue of sharing a bedroom for the young person/child was considered.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response, there is no recorded evidence from the ten cases reviewed for the regional council period that the issue of sharing a bedroom for the young person/child was considered.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of sharing a bedroom for the young person/child was considered in sixteen of the thirty-nine cases reviewed for the CEC period.

x. Contact with family members

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with family members for the young person/child was considered in three out of the ten cases reviewed for the corporation period.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with family members for the young person/child was considered in two out of the ten cases reviewed for the regional council period.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with family members for the young person/child was considered in thirty out of the thirty-nine cases reviewed for the CEC period.

xi. Contact with siblings

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with siblings for the young person/child was considered, as the siblings were placed together, in four out of the ten cases reviewed for the corporation period.

Lothian Regional Council (1975-1996)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with siblings for the young person/child was considered, as the siblings were placed together, in three out of the ten cases reviewed for the regional council period.

City of Edinburgh Council (1996-2014)

Within the case file audit, carried out for this response, there is evidence recorded that the issue of contact with siblings for the young person/child was considered in twenty two out of the thirty-nine cases reviewed for the CEC period, as the siblings were either placed together or contact was arranged.

xii. Celebration of birthdays and other special occasions

Edinburgh Corporation (1930-1975):

Within the case file audit, carried out for this response, there is evidence recorded that the issue of celebration of birthdays and other special occasions was considered in two out of the ten cases reviewed for the corporation period.

Lothian Regional Council (1975-1996)

	<p>Within the case file audit, carried out for this response, there is no recorded evidence that in any of the ten cases reviewed for the regional council period was the issue of celebration of birthdays and other special occasions considered.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>Within the case file audit, carried out for this response, there is evidence recorded that the issue celebration of birthdays and other special occasions was considered in twenty out of the thirty-nine cases reviewed for the CEC period.</p> <p>xiii. <u>Information sharing by the foster carer with family members</u></p> <p>Edinburgh Corporation (1930-1975):</p> <p>Within the case file audit, carried out for this response, there is evidence recorded that the issue of information sharing by the foster carer with family members was considered in one out of the ten cases reviewed for the corporation period.</p> <p>Lothian Regional Council (1975-1996)</p> <p>Within the case file audit, carried out for this response, there is evidence recorded that the issue of information sharing by the foster carer with family members was considered in one out of the ten cases reviewed for the regional council period.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>Within the case file audit, carried out for this response, there is evidence recorded that the issue of information sharing by the foster carer with family members was considered in twenty seven out of the thirty-nine cases reviewed for the CEC period.</p>
c)	<p><u>How was adherence demonstrated?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>There is limited evidence for this period in terms of demonstrating adherence. However, as set out in 4.7(i) reference to the ‘Boarding Out of Boys and Girls Regulations 1959’ tentatively suggests that the Boarding Out Officer would address any complaints or issues regarding the placement if necessary. (Ref. Boarding Out of Boys and Girls Regulations 1959, Page 19)</p>

	<p>Lothian Regional Council (1975 – 1996)</p> <p>Adherence to policy and procedure can be demonstrated through the recording of actions and decisions by social work professionals (and other agencies) within child client files and foster carer files. Those actions and decisions are recorded in various document types including LAAC review meeting minutes, child protection case conference meeting minutes, social work reports and case notes. Our response to 5.9 provides further details in this area.</p> <p>City of Edinburgh Council (1996 – 2014)</p> <p>Adherence to policy and procedure can be demonstrated through the recording of actions and decisions by social work professionals (and other agencies) within child client files and foster carer files. Those actions and decisions are recorded in various document types including LAAC review meeting minutes, child protection case conference meeting minutes, social work reports and case notes. Our response to 5.9 provides further details in this area.</p>
d)	<p><u>How can such adherence be demonstrated to the Inquiry?</u></p> <p>Adherence in practice to policy and procedure can be demonstrated to the Inquiry through access to the records and case files referenced throughout this response. However, as set out above, the available evidence is much more limited for the period 1930-1975.</p>
e)	<p><u>Were relevant records kept demonstrating adherence?</u></p> <p>In general - yes. Child client files and foster carer files, including the minutes, reports and case notes included in the files have been kept in line with agreed Local Authority record retention periods. Please see our response to Section 4.9 on 'Record Keeping' for further details.</p>
f)	<p><u>Have such records been retained?</u></p> <p>Many records have been retained, such as such as local authority committee minutes, departmental procedures and agreements. Children's client records and foster carer files have also been retained which include meeting minutes, reports and case notes. Retention, however, will vary dependent on the retention rule and record format. Please see our response to Section 4.9 on 'Record Keeping' for further details.</p>
g)	<p><u>If policy/procedure was not adhered to in practice, why not?</u></p> <p>Due to the paucity and availability of evidence for the period 1930-1975, it is not possible to state conclusively if policies and procedures were followed. However, from 1975 onwards the surviving evidence which is available and researched to date suggests a general</p>

	<p>adherence to local authority policies and procedures. Where it was found that policy and procedure was not followed or adhered to in practice, it is not entirely unclear from the records currently available as to why this was the case. Examples of when this occurred are provided in the following answer (h).</p>
<p>h)</p>	<p><u>If policy/procedure was not adhered to in practice, what was the practice?</u></p> <p>Edinburgh Corporation (1930-1975):</p> <p>From the evidence and examples provided in the answer above, for the most part, policy and procedure was adhered to in practice. Where it was found that policy and procedure was not adhered to in practice, it is unclear from the records available as to what the practice was.</p> <p>Lothian Regional Council (1975-1996)</p> <p>A report by the Director of Social Work from 1976 noted the introduction or recent guidelines in establishing a basic uniform policy for good fostering practice of children placed outside their home authority, but it acknowledges that the guidelines cannot always be implemented so long as some authorities receive more foster children than they have social work resources with which to cope. The report suggests that placing children out with their home authority should be discouraged and that if that has to happen, then proper agreements are drawn up between the two authorities. The Social Work Committee agreed that the report be approved, and that attention should be paid to the enforcement of all relevant regulations and policies. (LRC3/8/3/2).</p> <p>Within the Social Work Committee minute of 1978-1979 it was noted that all children received into care were to be medically examined for their physical and mental health under the Boarding Out of Children (Scotland) Regulations 1959. The report notes that the current authority policy and practice was that children received into care only required a 'freedom from infection' certificate. The Social Work Committee agreed that the authority's policy and practice was now to be amended in order to follow the requirements detailed in the legislation, and that a full medical examination for each child, and that financial provision, would now be made available (LRC2/1/1/20/5).</p> <p>From the evidence and examples provided in the answer above, for the most part, policy and procedure was adhered to in practice. Where it was found that policy and procedure was not adhered to in practice it is recorded in the case records as to the reasons for this,</p>

	<p>and indeed what other procedures were followed, therefore related practice carried out. Specific examples of this are contained in Section D 5.9 of this response.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>From the evidence and examples provided in the answer above, for the most part, policy and procedure was adhered to in practice. Where it was found that policy and procedure was not adhered to in practice it is recorded in the case records as to the reasons for this, and indeed what other procedures were followed, therefore related practice carried out. Specific examples of this are contained in Section D 5.9 of this response.</p>
Present	
i)	<p><u>With reference to the present position, are the answers to any of the above questions different?</u></p> <p>Yes.</p>
j)	<p><u>If so, please give details.</u></p> <p>There have been several strategic and policy developments since 2014 that are designed to strengthen arrangements around foster care provision, and to ensure that procedures and process remain 'fit for purpose'. These are evident in several initiatives and documents which set out and described below.</p> <p>As set out in our response to 4.5 (j), there have been policy and procedural developments since 2014 with specific relevance to children and young people placed in foster care. These are designed to ensure that the Local Authority's procedures and practices remain 'fit for purpose' and appropriate to ensure the continued wellbeing and safety of children placed in a foster care setting.</p>