

### 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.

4.5	<b><u>Other members of the foster carer’s household</u></b>
<b>(i) Policy</b>	
<b>Past</b>	
a)	<p><u>What policies and/or procedures did the local authority have in place in relation to other members of the foster carer’s household?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>There is very limited information in relation to other members of the foster carer’s household for this period. Set out below are examples and evidence which have been sourced to date. Please note that Covid-19 restrictions have limited access to records which may have provided further details.</p> <p>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’ (Ref. SL164/1/7) set out the following criteria:</p>

*(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. (SL164/17)*

In 1959, the Scottish Home Office issued a Memorandum on the Boarding Out of Children. The memorandum considers and notes that "boarding-out which is not good boarding-out may be seriously damaging to a child's development and may forfeit the goodwill of the foster parent and of others who might otherwise have become foster parent". It specifically notes:

*Where an application is from a married woman, the children's officer should see all the members of the family; it is important to make sure that both the husband and the wife desire to take a child into their home and that there is no apparent unwillingness on the part of any children of the family. Such an interview helps the boarding-out officer to satisfy himself, in accordance with the Boarding-out Regulations, that the applicant can safely be entrusted with the care of a boarded-out child. (Ref. Scottish Home Department, Memorandum on the Boarding Out of Children, 1959)*

The general expectations around a visit by a 'Boarding Out Officer' is also set out in the same memorandum. While it does not specifically mention other members of the household, the expected level of thoroughness is evident:

*A report of the visit should be placed with the child's personal papers kept in the children's department and should be made available at any time to members of the Children's Committee. Such reports should of course be concise but should not become too formal and stereotyped in pattern. The completion of a form with monosyllabic comments or pencilled ticks is no substitute for a written or dictated account of an officer's impressions of a particular child or foster home. At the same time a report on a visit paid to a foster home should set out clearly certain salient points on which members of the children's committee would naturally wish to have information if a particular case came under consideration. Such points would obviously include the general condition of the home visited and in particular the adequacy of the sleeping arrangements and the state of the bed clothes ; the health of both foster parents and child ; the child's appearance and his progress at school ; his general behaviour and the scope of his leisure time activities ; and any particular difficulties discussed in the course of the visit with the child or the foster parents or any other legal person such as the doctor or the head teacher*

*of the school attended by the child.*(Ref. Scottish Home Department, Memorandum on the Boarding Out of Children, 1959)

#### **Lothian Regional Council (1975 – 1996)**

There are references which can be described as 'policy' and 'procedural' for this period. While they relate to foster care provision more generally, some do make specific reference to other members of the foster carer's household. Examples researched to date are set out below.

The Boarding-Out and Fostering of Children (Scotland) Regulations 1985 required the local authority to acquire details of a prospective carer's household, including any children of the prospective carer even if they are not resident in the household (Ref. The Boarding-Out and Fostering of Children (Scotland) Regulations 1985: Schedule 1).

In 1991, the Local Authority had a partnership agreement with foster carers that clearly states that the carer must inform the local authority of any change in the family living arrangements and also to consult with the social worker over any extended babysitting arrangements. (Ref. Lothian Regional Council: Partnership Agreement, 1991)

A Director of Social Work Report in 1993 concerning a Scottish Office consultation document on inspecting social work services in Scotland noted the following in relation to Registration and Inspection:

*Under the powers of inspection under Section 6 of the Social Work (Scotland) Act 1968 the Secretary of State may enter 'any place where children are privately fostered, place for (or maintained pending) adoption or boarded out by a local authority or voluntary organisation, or where any person is boarded out by a local authority or voluntary organisation; in order to examine the state and management of the place, it's facilities and services, and the condition and treatment of the persons in it; and to inspect any records and registers (but excluding medical records), in whatever form they are kept, relating to the place or to any person for whom services have been or are provided here. (LRC 2/1/2/18a/2).*

A further Director of Social Work Report in 1994 concerned with developing a framework for the inspection of childcare and social work services proposed to extend 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:

*...develop and establish a framework to extend the inspection process to all child care services purchased or provided by the department. To undertake within this framework pilot inspections of services against the published standards. To evaluate and report on the framework for and process of undertaking the pilot inspections. (Ref. LRC3/8/3/20).*

The Children & Families Procedures Manual noted the following at this time:

*It is unacceptable behaviour for sexual Intercourse to take place in residential units or other care settings. A young person aged 16 or over an active sexual relationship within the law, but it is not acceptable for such a relationship to be conducted within a care setting were children and young people are emotionally, socially and psychologically vulnerable. (Ref. Children and Families Practice Notes/Guidelines, December 1995)*

More generally, this practice note demonstrates that the local authority was monitoring relationships within foster care settings. (Ref. Children and Families Practice Notes/Guidelines, December 1995)

The policy and procedural aims and intentions relating to pre-approval and registration checks for prospective foster carers were set out in the 'Quality in Caring Standards for Fostering and Adoption Services' which was introduced by the Local Authority in June 1995. The Standards state that police and medical checks must be carried out for all prospective carers before their registration is approved. As well as police and medical checks, the policy states that personal referees, who are nominated by the prospective carer, must be approached by social work professionals when carrying out pre-approval checks. This document also has relevance in relation to other members of the household, including expected standards and behaviors. For example:

- *The child, wherever possible, has a bedroom for her/his own use. Where children share a bedroom, the other child or children are of appropriate age and gender*
- *No child over 10 shares with a child of a different gender*
- *It is recommended that a bedroom is normally shared by no more than 2 children*
- *The child is placed only with a child of compatible age and gender*
- *The views of all children concerned are taken into account before a decision is made to children in care sharing a bedroom with children of the carers family*
- *The development and wellbeing of children and young people is not placed in jeopardy by the life styles of people with whom they live*

- *Members of the household are not involved in illegal activities, including the use of drugs or involvement in offences of dishonesty*
- *The development and wellbeing of children and young people in foster care or adopted is not placed in jeopardy by the lifestyles of people with whom they live*

(Ref. Lothian Regional Council 'Quality in Caring Standards for Fostering and Adoption Services', 1995)

**City of Edinburgh Council (1996 – 2014)**

During this period there are more references and more specific references to the other members of the foster carer's household. These are set out and described below.

The 'Looked After and Accommodated Manual' from 2001 sets out arrangements concerning the review of care placements. This includes a section on the foster family and demonstrates that the Local Authority was interested in all aspects of the carer household at the time of review. The document sets out the following questions:

*How would you describe the child/young person's relationship with you? With other members of your Household at present? What has gone well? Are there any problems? What do you think is wrong?* (Ref. Review of Care Arrangements and Care Plan, Page 298 of the Looked After and Accommodated Manual', 2001)

In 1997, an interim practice note was produced which provides several policy directives and practice notes concerning foster care placements, including reference to other members of the foster carers household. For example:

*The local authority can only arrange to foster a child with either a man and woman living and acting jointly together or with a man or a woman living and acting alone, although if the man or woman living alone has a relative in the household that would not disqualify them so long as the relative is not themselves concerned in undertaking to care for the child. (We need to take a sensible approach to this and where there was, for example, an adult relative in the household then occasional baby-sitting is clearly not going to be counted as undertaking the care of the child in its extensive sense. The authority needs to have discussed this fully with the prospective carer and will have done police checks on the other adult). (Ref. Looked After Children Document 12, Fostering of Children (Scotland) Regulations 1996, Interim Practice Notes, Appendix 6)*

The practice note also sets out responsibilities of foster carers in terms of their household and any changes in circumstances:

- Any change in the carer household.
  - Any change in the composition of the carer household.
  - Any other change in the carers personal circumstances.
  - Any criminal proceedings or convictions or proceedings by the Reporter to the Children's Hearings in respect of any members of the household.
  - Any further request or application s/he/they or any member of the carer household intend/s to make to provide foster care, to adopt children or for registration (under Section 71 of the Children Act 1989).
- (Ref. Looked After Children Document 12, Fostering of Children (Scotland) Regulations 1996, Interim Practice Notes, Appendix 6)

The Local Authority's Child Protection Guidelines (1998) provide clear and extensive processes to follow in respect of alleged abusers living in the same household. They state:

*When agencies receive information that an abuser may be living in the same household as a child the guidelines must be followed. A Child Protection Case Conference should be actively considered if the circumstances are not timeously resolved, that is, the abuser leaves the household and the child is safe. (Ref. City of Edinburgh Council Child Protection Procedure and Practice Guidance (1998), Page 73)*

As part of the Local Authority's Foster Carer Agreement (2004) there is specific reference in the first appendix of that document to other members of the foster carer household concerning prospective foster carers. This section is entitled 'Information as to Prospective Foster Carer and other Members of the Household and Family', and seeks the following information:

*Particulars of the other adult members of the household and their relationship to the prospective foster carer.*

*Particulars of the children in his family, whether or not members of his household, and any other children in his household.*

*His present capacity to care for his own and other children and previous experience of caring for his own and other children and his ability in this respect.*

*Any previous criminal convictions and those of other members of his household (subject to the Rehabilitation of Offenders Act 1974(a)).*

*The outcome of any request or application made by him or any other member of his household to foster or adopt children or for registration under section 71 of the Children Act 1989 (b) or any previous amendment of that section.*

*Particulars of any previous approval under regulation 7, or refusal of approval or termination of such approval, relating to him or any other member of his household. (Ref. City of Edinburgh Social Work Procedures Manual – Foster Carer Agreement, 2004)*

In the same agreement under a section entitled 'Responsibilities of the Carer' (Section 3) it states that the carer must inform the local authority of:

*Any change in the in the composition of the carer household including any change in the suitability of the carer household (including health issues) and any criminal proceedings or convictions. To protect any placed child or young person from avoidable harm or abuse and report any concerns to the Department immediately. (Ref. City of Edinburgh Social Work Procedures Manual – Foster Carer Agreement, 2004)*

The Local Authority also produced a handbook entitled 'Fostering Health & Safety' in 2008. This details advice and information on a range of services available to carers. It includes a section on safe caring in the carer household which notes:

*The purpose of a family safe caring policy is to ensure that everyone who lives in the household and those who visit know what the family rules are. It offers protection to the carers, other adults their children and any child placed. This applies to all carers, including single carers with or without children. It also includes visitors to the household for example extended family members who may visit on a regular or occasional basis. (Ref. City of Edinburgh Council Foster Handbook 2008)*

In relation to the process of reviewing prospective foster families by Foster Panels, the Local Authority around this time produced guidance entitled 'Working with Children & Families'. It noted that "Disclosure Scotland checks are needed, for any adult who is 16 or over who is a member of the household or any regular baby sitter".

In 2012, the British Association of Adoption & Fostering (BAAF) produced a framework for the assessment for prospective foster carers (referred to as 'Form F'). This framework and procedure are still current and used by the Local Authority today. It sets out what kind of assessment/information should be sought on other members of the prospective carer household. Under details of the household this includes:

*Information about family structure within the household and significant members who are 16 or over will be important both in planning the assessment process and also in preparing the applicants and their family and close friends for Disclosure Scotland checks. There is also an emphasis on the dynamic and relationship within the household.*

*For all applicants: who is a part of their household and how does the household currently meet the needs of existing family members, including current lifestyle and exploration of adult relationships, support networks and local community?*

Section C of Form F gives more guidance on the types of information that should be discussed with the prospective carers in relation to their household:

*This details the home study element of the process, especially the number of times that the applicants, any children living at home and other adults within the household were seen by the social worker. Adult children who have left home and other members of the extended family or close friends who may play a part in the proposed fostering should also be included here.*

(References: The British Association of Adoption & Fostering – Form F)

b)

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

**Edinburgh Corporation (1930-1975)**

There are references throughout this period to concerning the general wellbeing and safety of children in placements and foster care. However, the only evidence that can be considered as a procedural aim in the context of other members of the foster carer's household concerns appropriate sleeping arrangements which is discussed in our response above under 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' (Ref. SL164/1/7).

**Lothian Regional Council (1975 – 1996)**

The Local Authority's document 'Quality in Caring Standards for Fostering and Adoption Services', has relevant sections in relation to other members of the household (as set out above). While these relate to expected standards and behaviors, these are set within the overall intention of ensuring:

*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. (Ref. Lothian Regional Council, 'Quality in Caring Standards for Fostering and Adoption Services', 1995)*

**City of Edinburgh Council (1996 – 2014)**

There is a significant amount of evidence relating to the overall policy and strategic aims of the Local Authority in relation to foster care and the welfare of children more generally. However, the evidence is more limited with the specific context of this question. Examples of what's been researched to date are set out below.

The Local Authority produced a procedural handbook entitled 'Fostering Health & Safety' in 2008. In the section on safe caring in the carer household, the purpose and aim around family care and protection is clearly stated:

*The purpose of a family safe caring policy is to ensure that everyone who lives in the household and those who visit know what the family rules are. It offers protection to the carers, other adults their children and any child placed. This applies to all carers, including single carers with or without children. It also includes visitors to the household for example extended family members who may visit on a regular or occasional basis. (Ref. City of Edinburgh Council Foster Handbook 2008)*

The British Association of Adoption & Fostering (BAAF) assessment framework which was adopted by the Council in 2012 sets out the importance of gathering relevant information to inform the assessment process:

*Information about family structure within the household and significant members who are 16 or over will be important both in planning the assessment process and also in preparing the applicants and their family and close friends for Disclosure Scotland checks. (Ref. The British Association of Adoption & Fostering – Form F)*

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

**Edinburgh Corporation (1930 – 1975)**

The procedures were recorded within the Local Authority's committee minutes. See reference above.

**Lothian Regional Council (1975 – 1996)**

	<p>The policies and procedures were referenced and recorded in Social Work Committee minutes and set out in departmental procedural manuals. Please see above references.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>The policies and procedures were referenced in various committee minutes and set out in departmental procedural manuals. Please see references above.</p>
<p>d)</p>	<p><u>Who compiled the policies and/or procedures?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>The evidence suggests that the Children’s Officer usually had input into the procedures which were discussed at the Public Assistance Committee. However, given the early date of the 1933 Regulations referred to above, the Public City Assistance Officer may have had input into this document. The memoranda referenced above were compiled by the Scottish Office.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>The reports (and associated policies and procedures) presented to committee were in the name of the Director of Social Work. However, it is highly likely that senior officers compiled those reports in the director’s name. Likewise, the senior officers would have compiled the departmental records referred to above.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>The reports (and associated policies and procedures) presented to committee(s) were in the name of the departmental director. However, it is highly likely that senior officers compiled those reports in the director’s name. Likewise, the senior officers would have compiled the departmental manuals and best practice notes referred to above. ‘Form F’ was created by the British Association of Adoption &amp; Fostering.</p>
<p>e)</p>	<p><u>When were the policies and/or procedures put in place?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>The 1933 Regulations referred to above were approved by the Local Authority’s Public Assistance Committee in 1933.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>The evidence suggests policies and procedures were put in place at various times in the life-cycle of the Local Authority. For example, ‘Quality in Caring Standards for Fostering and Adoption Services’ was adopted in 1995.</p>

	<p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>The evidence suggests policies and procedures were put in place throughout the life-cycle of the Local Authority. For example: the British Association of Adoption &amp; Fostering (BAAF) assessment framework was adopted by the Council in 2012; 'Fostering Health &amp; Safety' in 2008; City of Edinburgh Social Work Procedures Manual – Foster Carer Agreement in 2004; and City of Edinburgh's Child Protection Guidelines in 1998.</p>
f)	<p><u>Were such policies and/or procedures reviewed?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>It is unclear from the surviving evidence if the 1933 Regulations referred to above were reviewed by committee. However, the evidence suggests that foster care arrangements (more generally) were reviewed and discussed by the Local Authority's Public Assistance and Education committees.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>Committee reports and the documents themselves would suggest that policies and procedures were reviewed. For example, a Director of Social Work Report from 1977 records the departmental implications of implementing the Children's Act 1975, stating "that 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" (Ref. LRC3/8/3/2, Report 92. Implementation of the Childrens Act 1975 Progress Report). While these related to foster care arrangements more generally, they would contain elements concerning the other members of the foster carer's household, particularly in relation to background checks and disclosure.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>Committee reports and the documents themselves would suggest that policies and procedures were reviewed. While these related to foster care arrangements more generally, they would contain elements concerning the other members of the foster carer's household, particularly in relation to background checks and disclosure. For example, the Local Authority's Foster Carer Agreement from 2002 was revised in 2004, with the stipulation that Police record checks should be carried on anyone in the household attaining the age of 16 years and carried out every two years thereafter. (Ref. City of Edinburgh Council, Social Work, Foster Carer Agreement 2004)</p>
g)	<p><u>If so, what was the reason for review?</u></p>

	<p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>From the very limited evidence available, the need to review documentation appears to be a response to new legislation new national guidance and practices. Please see our response to 4.1 and 4.5 (i) (a) for further details.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>In general, the need to review documentation was a response to changes to existing legislation; the introduction of new legislation; the development of new national guidance and practices; and recommendations following external investigations. Please see our response to 4.1 and 4.5 (i) (a) for further details. While these related to foster care arrangements more generally, they contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>In general, the need to review documentation was a response to changes to existing legislation; the introduction of new legislation; the development of new national guidance and practices; and recommendations following external investigations. Please see our response to 4.1 and 4.5 (i) (a) for further details. As set out above, while these related to foster care arrangements more generally, they also contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p>
<p>h)</p>	<p><u>What substantive changes, if any were made to the policies and/or procedures over time?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>Please refer to 4.1 and 4.5 (i) (a) for detail on the substantive changes to policies and procedures at this time. However, as noted elsewhere in this response the evidence is limited for this period.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>Please refer to 4.1 and 4.5 (i) (a) for detail on the substantive changes to policies and procedures. While these related to foster care arrangements more generally, they would contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>Please refer to 4.1 and 4.5 (i) (a) for detail on the substantive changes to policies and procedures. While these related to foster care arrangements more generally, they would contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p>

<p>i)</p>	<p><u>Why were changes made?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>In general, changes were made in response to new or revised legislation, and new or revised national guidance. Please see our response to 4.1 and 4.5 (i) (a) which highlights in more detail the changes made during this period. However, as stated above the evidence is limited for this period.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>In general, changes were made in response to new or revised legislation, and new or revised national guidance. Please see our response to 4.1 and 4.5 (i) (a) which highlights in more detail the changes made during this period. As stated above, while these related to foster care arrangements more generally, they also contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>In general, changes were made in response to new or revised legislation; new or revised national guidance; and inquiry recommendations. Please see our response to 4.1 and 4.5 (i) (a) which highlights in more detail the changes made during this period. As stated above, while these related to foster care arrangements more generally, they do contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p>
<p>j)</p>	<p><u>Were changes documented?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>Required and proposed changes are generally set out in committee minutes. Please see our response to 4.1 and 4.5 (i) (a) for further details.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>Required and proposed changes are set out and summarised in accompanying committee reports, related minutes and then recorded in respective policies and procedures. The surviving documentation itself is also evidence of changes that took place. Please also refer to 4.1 and 4.5 (i) (a) for further details around documented changes to policies and procedures. As already referenced, while these related to foster care arrangements more generally, they do contain elements concerning the other members of the foster carer’s household, particularly in relation to background checks and disclosure.</p>

	<p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>In general, required and proposed changes are set out and summarised in accompanying committee reports, related minutes and then recorded in respective policies and procedures. The surviving documentation itself is also evidence of changes that took place. Please also refer to 4.1 and 4.5 (i) (a) for further details around documented changes to policies and procedures. As already referenced, while these related to foster care arrangements more generally, they do contain elements concerning the other members of the foster carer's household, particularly in relation to background checks and disclosure.</p>
h)	<p><u>Was there an audit trail?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></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><b>Lothian Regional Council (1975 – 1996)</b></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><b>City of Edinburgh Council (1996 – 2014)</b></p> <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.</p>
<b>Present</b>	
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 policy and procedural developments since 2014 with specific relevance to other members of the foster carer household. These are set out and described below:</p> <p>The Looked After Children (Scotland) Amendment Regulations 2014 made an amendment to the Looked After Children (Scotland) Regulations 2009 by the insertion of Regulation 27A. Regulation 27A states that a local authority must not place a child with a foster carer where the placement would result in more than three children being placed with that foster carer at</p>

any one time. The exceptions to this regulation are for where a group of more than three siblings have been placed by a local authority; or, where an emergency placement of a child with a foster carer or a short-term placement of less than 4 weeks would result in more than three children being placed with that foster carer.

A procedural document entitled *End to End Process* was introduced by the Council in 2016 and later amended in 2018. This document sets out the procedures to be followed concerning the recruitment, assessment and approval of foster carers. Of particular relevance are the sections on: initial enquiries and visits; checks and references; assessment reports; and fostering panel recommendations.

There is also a Continuing Care Agreement between City of Edinburgh Council and Foster Carers. Introduced in 2019, continuing care allows young people to stay in placement until the age of 21. This agreement includes disclosure checks if there are other foster children in placement

**(ii) Practice**

**Past**

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

**Edinburgh Corporation (1930 – 1975)**

There is very limited information from this time period that demonstrates adherence in practice to policies and procedures concerning foster carer households. It can only be inferred from the surviving evidence (please see our response to 5.1(i) (a) that visits to foster carer households did take place, and that any issues concerning other members of the foster carer's household would have been addressed.

**Lothian Regional Council (1975 – 1996)**

From the limited information available due to the current Covid-19 restrictions, it is possible to suggest that policies and procedures were adhered to in practice for this period. A file audit of foster carer files evidences background checks and highlights the regular review of those approved as foster carers, including a review of members of the household by senior social work professionals. This took the form of meetings from case conferences and statutory carer reviews. Our response to 5.9 provides further details and evidence, but it is clear that policies and procedures set out in available documentation, such as Lothian Regional Council Foster Carer Agreement (see 5.5(i) (a), were followed in practice.

**City of Edinburgh Council (1996 – 2014)**

	<p>As set out above, a sample of audit of foster carer files (curtailed by Covid-19 restrictions) provides evidence of adherence during this period to policies and practices concerning other members of the foster carer household. This is particularly relevant in relation to background checks regular review of those approved as foster carers. Our response to 5.9 provides further details and evidence, but it is clear that policies and procedures set out in available documentation, such as the City of Edinburgh Council's Child Protection Guidelines and Foster Carer Agreement (see 5.5(i) (a), were followed in practice.</p>
<p>b)</p>	<p><u>How was adherence demonstrated?</u></p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>There is limited evidence for this period in terms of demonstrating adherence. However, as set out in 4.5 (i) (a) there are references in committee minutes to sleeping arrangements and home visits. At the very least, such references demonstrate scrutiny around these issues and foster carer arrangements more generally.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></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 review meeting minutes, child protection case conference meeting minutes, social work reports and case notes. For example, there is correspondence between the Local Authority and Lothian and Borders Police requesting enhanced checks for prospective foster carers, including other members in the household over 16 years old and any potential babysitters and other significant adults. This is evident from our sample audit of foster carer files. Our response to 5.9 provides specific examples.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p> <p>As set out above, 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 carer review panel minutes, home study reports, correspondence and case notes. For example, the review panel minutes set out details around pre-approval checks being carried out. Examples which demonstrate practice are set out in our response to 5.9.</p>
<p>c)</p>	<p><u>How can such adherence be demonstrated to the Inquiry?</u></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.
d)	<p><u>Were the 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>
e)	<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>
f)	<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 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.</p>
<b>Present</b>	
g)	<p><u>With reference to the present position, are the answers to any of the above questions different?</u></p> <p>Yes.</p>
h)	<p><u>If so, please give details.</u></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 other members of the foster carer household. 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>