

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 4.6	Placement of children by the local authority with foster carers approved/registered by other local authorities or organisations
(i) Policy	
Past	
a)	<p><u>What policies and/or procedures did the local authority have in place in relation to placement of children with foster carers approved/registered by other local authorities or organisations?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>While there are no specific policies or procedures for this period in relation to the placement of children with foster carers approved and registered by other local authorities or organisations, the limited evidence available suggests a policy intention of providing on-going support and supervision. For example, a full Council Minute from 1931 notes that it was council policy not to keep children in the poorhouse, but instead send them to a children's home or board them out with a suitable guardian. It also notes the number of children boarded out with other authorities in Scotland and that they were to be regularly visited by the Assistant Inspector to ensure the children are receiving proper care (Ref SL1/1/381).</p>

There are also several examples of financial support to children in foster care outwith the authority which again suggests a definite policy intention. These are set out below.

A Public Assistance Minute from 1931 notes a request by the County of Kincardine for a bursary for a former boarded out child who was boarded in Stonehaven by Edinburgh Corporation to allow him to attend University. The previous Edinburgh Parish had paid him £20 per year to attend university, but this had stopped. Committee agreed to pay for the remainder of his time at university provided he met certain conditions. (Ref. SL61/1/2).

A Public Assistance Committee minute of 1931/32 noted that a girl boarded out in Aberdeen was to be sent to a home in London as she was too much trouble for her guardian in Aberdeen. She would be maintained and safeguarded in the London home until she could take care of herself. Committee agreed to pay for her travel to London (Ref. SL61/1/3).

There is reference in a Public Assistance Committee minute from 1931/2 of a visit by committee members to a boarded-out girl in Fife, and a recommendation that the Chief Public Assistance Officer finds a party who would be willing to have her in their care (Ref. SL61/1/3).

The Kirkmichael and Tomintoul Nursing Association asked for a financial contribution in relation to 45 boarded out children from Edinburgh who were resident in their area. In this instance, the Public Assistance Committee agreed to contribute £5 in response to their request (Public Assistance Committee Minute Book, 1932-33 (Ref. SL61/1/4).

In addition to financial support, there is evidence of continued concerns around foster care arrangements outwith the local authority area:

A Public Assistance Committee minute of 1942/43 reported that the number of children under the care of the Public Assistance Committee on 6 July 1943 was 146 children who were accommodated both within and outwith the city. It was also reported that it was becoming difficult to find foster homes, but the decision was to continue the practice (SL61/1/14).

The Social Services Officer reported to the Public Assistance Committee in 1944 that several children were boarding in institutions outwith the control of the local 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).

A full Council Minute of 1951/52 includes reference to a report into boarded out children which lists the number of Edinburgh children placed outwith the authority, with reference to the wellbeing and education of the children concerned. (Ref. SL1/1/400). Similar reports can be found in 1954/55 (Ref. SL1/1/404) and 1955/56 (Ref SL1/1/405).

A 1957/58 Children's Committee minute references boarded out children being placed throughout Scotland and beyond, including one girl who was placed in Cornwall (Ref. SL116/1/10). The minutes also references continued councillor visits to boarded out children.

Later in the period there is a definite policy intention around out of authority placements. A Social Work Committee minute of October 1970 notes that while the supervision of children in care would continue from the Social Work Department and that a regular review system was to be established for all children in foster homes, the minute also records that the authority discouraged out of authority placements (Ref. SL118/1/2).

Finally, during this period there is some evidence that the authority participated in national foster care promotion schemes. Within Social Work Committee Minutes from 1970 to 1971, the following is noted:

Counties of Cities Association requested views on a national scheme for fostering "...under the proposed scheme, the Social Work Services Group would be asked to mount a national publicity campaign to attract prospective foster parents. (Ref. SL118/1/2).

This indicates the consideration of participating in a national scheme to try and increase the availability of carers and provide some flexibility in placements given the restriction regarding not placing children beyond 40 miles.

Lothian Regional Council (1975-1996)

During this period, it should be noted that Lothian Regional Council covered an area that now includes the current Council areas of East, Mid and West Lothian Councils and the City of Edinburgh Council. From the limited evidence available, it is clear that there were processes in place concerning the placement of children with foster carers

approved and registered by other local authorities or organisations, as well as an awareness of national policy and guidance in this area. Examples are set out and described below.

A Director of Social Work report from 1975-76 states the following:

This was a matter raised by our own authority and the resultant circular attempts to provide guidelines for 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. (LRC3/8/3/2).

The report also 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).

In December 1976, a Social Work Review report was presented to the Social Work Committee, noting that:

The Boarding out of Children (Scotland) Regulations 1959 lay down minimum standards for approval of foster parents and foster homes and underline the need for careful selection of foster homes. They also lay down the minimum requirements for supervision visits. (LRC 3/8/1/1)

In addition to the requirements around supervision, the review report also covered the requirements on medical care and the keeping of records. (LRC 3/8/1/1).

In a Social Work Department 'Review of Principal Government Circulars relating to Standards' from 1981, there is a brief summary of relevant circulars and legislation, including those on foster care. The review notes amendments to existing Acts and the extension of the Local Authority's duty to the supervision of private foster parents (LRC 3/8/1/1). This is evidence of not only the authority keeping up to date with national regulations and legislation but also that it was aware of its duties and responsibilities in relation to private foster parents under the Children's Act, 1975, including those outwith the local authority's area.

This continued with the implementation of subsequent regulations being noted in a Director of Social Work report of 1985/86, specifically the Boarding Out and Fostering of Children (Scotland) Regulations 1985 and the Foster Children (Private Fostering) Regulations 1985, which tightened the controls of Local Authorities over placements made by parents themselves for their children (LRC3/8/3/11).

The Scottish Office produced a consultation document entitled 'Inspecting Social Work Services in Scotland' which set out the following policy on several placement types and associated powers of inspection. For example, under Section 6 of the Social Work (Scotland) Act 1968 which states:

...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". Ref: LRC 2/1/2/18a/2)

This confirms that the local authority was aware of legislation that related to children placed with voluntary and private organisations.

During the Regional Council period, there are frequent references to payments in relation to funding for other organisations to provide foster care placements based on prior agreements. These are mostly contained within the Director of Social Work Reports which are largely extant for the period 1975-1996. Evidence can also be found that targets and policies set by the Social Work Committee were to be applied to all placements. Examples are listed below:

Two Director of Social Work reports of 1979 and 1981 noting correspondence from Barnardo's on payments to carers, with a financial breakdown and plans for emergency foster placements (LRC3/8/3/5 & LRC 3/8/3/6).

A report by the Director of Social Work (1981-1982) notes previous proposals to establish this emergency fostering scheme and enhanced boarding out allowances for foster parents caring for children with additional needs, and that both these elements are 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. Despite the investment of these considerable resources the report notes that there were 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 establish a New Families Project with Dr Barnardo's (LRC3/8/3/7).

In the same year, the Social Work Committee agreed to 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. This target was to also cover the new contract with Barnardo's on the New Families Project in the Lothian region (LRC2/1/1/20/8). This demonstrates the continuing commitment to maintain the same standards and policies on fostering, whether directly provisioned by the authority or via other organisations.

In 1986-87 the Director of Social Work recommended an increase in payments to the Barnardo's Special Families Unit (Ref. LRC3/8/3/12).

COSLA's (Convention of Scottish Local Authorities) role in the relationship with voluntary organisations was also key during this period, with evidence of setting national allowances and brokering arrangements. For example, in 1979 the Director of Social Work noted in a report a letter from COSLA outlining the payments to be made to inter agency arrangements (Ref: LRC3/8/3/5). Moreover, a Director of Social Work report (1982/83) recommended an increase in boarded out allowances by COSLA, including increased payments to the Barnardo's Special Families project. (LRC3/8/3/8).

City of Edinburgh Council (1996 – 2014)

There is more defined documentation and evidence for this period, particularly around agreements between the authority and other organisations providing foster placements. For example, defined and expected standards are set out in Schedule 5 of the authority's Foster Care Services Framework Agreement. (This is a lengthy document and is provided as an appendix to our response document - see Appendix 1). This agreement and procurement framework provide a service agreement

between the local authority and a number of independent organisations, such as Barnardo's and the Jane Moore Trust. This was aimed at providing consistency and oversight and ensuring quality of provision and placement over a number of fostering agencies not directly provided by the local authority. In addition, the authority also has a dedicated Commissioning Team with responsibility for financial and contractual arrangements with respective agencies.

Since 2000, under/over 12s Intake Panels have been introduced. These consist of representatives from Children and Families Residential Services, Family Based Care and, more recently, Throughcare and Aftercare Services and other resource providers such as Dean & Cauvin Trust.

A Private Fostering Procedure was also introduced in 2010. The purpose of this procedure was to ensure and sustain consistent and best practice in monitoring the safety and well-being of children and young people in private fostering arrangements. The procedure has been revised and is still in use.

Further anecdotal evidence suggests that there was an increase in the number of foster carers transferring to the Local Authority from independent fostering agencies. In response, the department developed the 'Independent Agency Transfer' Policy in 2011, which states:

- *Standard process followed for completing initial screening call.*
- *In addition to standard process, Fosterline worker will inform enquirer about next steps. ie Carer to advise current agency of intention to transfer. Consideration of whether carer needs to attend Preparation course i.e if they completed a Preparation course which was different from the current Skills to Foster Training.*
- *Following a successful screening of the transfer request, the enquiry form is passed to Recruitment Team Leader (RTL) allocation folder*
- *RTL makes contact with the carers to introduce themselves and advise that they will be the link person between two agencies. A visit can be arranged if necessary, to explore expectations and discuss options.*
- *Once carer has advised their agency of their intention to transfer RTL makes initial contact with the agency and has discussions on suitability of transfer.*
- *If it is felt that a transfer is appropriate, best practice meeting will be arranged involving the carer; current agency; CEC assessor and if necessary PTSW of any LAAC children.*

- *Best Practice Meeting will be chaired by RTL or another Team Leader within FBC who will complete the relevant minutes. Please refer Document 16 for Best Practice Transfer Meeting Agenda.*
- *Transfer assessment is allocated to a worker (either in-house or independently). Some agencies will share the original Form F assessment, which often makes for quicker timescales for completing the home study assessment.*
- *Transfer home study assessments should focus on evidencing what experiences the carers have gained in actively meeting children's needs since their approval (as their original Form F would have been written before they began caring). It should also provide an update, assessment and analysis of any changes in family and/or historical circumstances.*
- *The expectation is that transfer assessments will be completed within 3 – 6 months depending on what is shared by Independent Agencies. Updated checks and references are required and should be progressed at the earliest opportunity.*
- *If home study assessment information is able to be used from the current agency, a statement relating to this should be noted on the Form F, making it clear what information if used from the previous assessment and what is the update from the current assessing social worker.*

Expenditure on Looked After Children (LAC) increased by an average of £1.8m a year from 2007 to 2013 as a result of increases in the number of LAC and increased use of purchased foster carers. In response, the local authority developed a five-year transformation programme in 2013 to shift the balance of care towards more preventative services that reduced the need for children to come into care. This programme was a five-year programme (Ref. Children's Service Plan 2014-17, Page 14).

b)

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

Edinburgh Corporation (1930 – 1975)

As evidenced above, there was a continuing intention during this period to limit the number of foster placements out with the authority but also to ensure that visits were undertaken to those that did occur. There was also a strong belief that poorhouses and hospitals were not fit places for children to remain in beyond the short term and that placements, even out with the authority, were preferable. This meant that in times of short supply or crisis in demand, such as during the war years, placements beyond Edinburgh were used as a better solution than using unsuitable arrangements that were closer. An example of this can be found in a 1943 report by the City Social Services Officer to the Public Assistance Committee on the requirement for additional

residential establishments for children to meet its obligations. The practice of boarding out was being continued but that the Corporation was finding it difficult to find sufficient suitable homes. (Ref. SL61/1/15).

More broadly, there was an aim to keep children's separation from their parents as short as possible, which was enshrined in the Children's Act, 1948. This created a duty of the local authority to receive children into its care who were "deprived of a normal family life", with the responsibility to return them 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)

Two general policy themes are evident for this period. Firstly, children should, where possible, be placed within the local authority boundary although clearly children were placed outside boundaries at times. Secondly, that where children were placed with private/voluntary arrangements then the policy intention was to provide professional oversight of these placements. Examples are set out above in our response to 4.6(i) a.

City of Edinburgh Council (1996 – 2014)

During this period decisions have ultimately been taken in multi-disciplinary forums, giving full regard to the individual needs of the child. This process is in accordance with one of the main overarching principles of the Children (Scotland) Act 1995, that the child's welfare is paramount.

At the start of the period, the authority's ethos and objectives were set out in the Looked after Children Document 12 1996 Regulations:

- 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 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 families.
- To treat each child, young person and their family with dignity and respect and in a manner, which effects a non-discriminatory practice.
- 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.
- To assess and respond to the changing needs of the 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 provide continuity of care arrangements wherever possible.

The Local Authority’s ‘Looked After Children Manual’ was produced after local government reorganisation in 1996 and covers a period from 1996 to at least 2001. This provided a whole range of policies and processes relating to looked after children, including foster care arrangements with other organisations.

The Edinburgh Inquiry in 1999 noted that the Local Authority’s approach to looked after children was a commitment in principle to “keep under 12’s out of residential care except in exceptional circumstances”.

In January 2000, the Social Work Committee reiterated a preference for family-based care but also determined that for some children under 12, residential care was the best option. It therefore decided to work with Barnardo’s to re-provision two units for children under 12 and recruit specialist carers. The Committee also approved plans to increase fostering and the development of a Family Group Conferencing Service with the aim of increasing the number of children looked after by their extended families. No children under 12 were to be placed in a Young People’s Centre, unless they were part of a sibling group and with service manager agreement. This aspiration was largely realised with only 15 children under the age of 12 being placed in young people’s centres (homes for over 12’s) for the period 2000-15.

	<p>Following a Government initiative to promote a corporate parenting approach across public bodies, a 'Corporate Parenting Action Plan' was approved by the Education, Children and Families Committee in March 2012. The plan had 38 actions points under six key themes: Leadership; Health and Wellbeing; Education; Employment and Training; Support and Protection; and Accommodation. Thereafter, the strategic objective of the Local Authority was to shift the balance of resources from high cost local authority provision to high quality local services which included foster care.</p> <p>In October 2012, the Annual Review of Service Strategy for Children and Young People who are Looked After and Accommodated reported that:</p> <p><i>The increase in the number of children requiring to be looked after away from home has led to a demand for foster placements that the Council was unable to meet through the usual recruitment process in 2012. This resulted in the Council using independent agencies to provide placements. The report notes that a Framework Agreement was in place with 13 fostering agencies to ensure an agreed level of service and cost. At the end of August 2012, 43% of foster placements in Edinburgh were provided by independent fostering agencies. (Annual Review of Service Strategy, Report 21, October 2012)</i></p> <p>From 2012/13 the strategic objective of the local authority was to shift the balance of resources from high cost out of authority provision to high quality local services, including early and intensive intervention approaches. In response, the under/over 12s Intake Panels instigated a process whereby a senior manager had to give permission for an independent or out of authority search.</p> <p>Progress on this strategic shift was noted by the Education, Children & Families Committee in May 2014, with increasing numbers of children and young people being placed with foster carers provided by the City of Edinburgh Council. (Education, Children & Families Children's Service Plan 2014-17).</p>
c)	<p><u>Where were such policies and/or procedures recorded?</u></p> <p>Edinburgh Corporation (1930-1975)</p> <p>As described above, policy intentions were recorded within the authority's full Council minutes, Public Assistance Committee minutes, and Education Committee minutes. Please see our response to 4.1 and 4.6 (i) (a).</p>

	<p>Lothian Regional Council (1975-1996)</p> <p>The policies and procedures were referenced and recorded in Social Work Committee minutes and set out in departmental procedural manuals and documents. Please see our response to 4.1 and 4.6 (i) (a).</p> <p>City of Edinburgh Council (1996-2014)</p> <p>The policies and procedures were referenced in various committee minutes and set out in departmental procedural manuals and documents. Please see our response to 4.1 and 4.6 (i) (a).</p>
<p>d)</p>	<p><u>Who compiled the policies and/or procedures?</u></p> <p>Edinburgh Corporation (1930-1975)</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 some of the early references, the Public City Assistance Officer may also have had input into committee reports and proceedings.</p> <p>Lothian Regional Council (1975-1996)</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 and documents referred to above.</p> <p>City of Edinburgh Council (1996-2014)</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 documents referred to above.</p>
<p>e)</p>	<p><u>When were the policies and/or procedures put in place?</u></p> <p>Edinburgh Corporation (1930-1975)</p> <p>The references set out above in relation to policy intent and practice were put in place at various points in the life-cycle of the authority. For example, the Social Services Officer reported to the Public Assistance Committee in 1944 that several children were boarding in institutions outwith the control of the local authority; a practice of which the Officer did not approve (Ref. SL61/1/16). Our response to 4.6 (i) a provides more examples.</p>

	<p>Lothian Regional Council (1975-1996)</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, a Director of Social Work report from 1979 notes correspondence from Barnardo's on payments to carers (Ref. LRC3/8/3/5). Our response to 4.6 (i) a provides more examples.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>The evidence suggests policies and procedures were put in place throughout the life-cycle of the Local Authority. For example, a Private Fostering Procedure was introduced in 2010 by the authority. Our response to 4.6 (i) a provides more examples.</p>
f)	<p><u>Were such policies and/or practices reviewed?</u></p> <p>Yes.</p>
g)	<p><u>If so, what was the reason for the review?</u></p> <p>Edinburgh Corporation (1930-1975)</p> <p>As stated, there were no specific policies and procedures as such, though there was a clear policy intention. From the evidence available, it is not possible to ascertain if any formal review took place.</p> <p>Lothian Regional Council (1975-1996)</p> <p>In very general terms, the need to review documentation was a response to changes to existing legislation; the introduction of new legislation; and the development of new national guidance and practices. Please see our response to 4.1 and 4.6(i) a for further detail.</p> <p>City of Edinburgh Council (1996-2014)</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; recommendations following external investigations; and new strategic initiatives. Please see our response to 4.1 and 4.6(i) a for further detail.</p>
h)	<p><u>What substantive changes, if any were made to the policies and/or procedures over time?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p> <p>While the policy intention was clear (see our response to 4.6 b), the limited evidence does not suggest that there were substantive changes over this period.</p> <p>Lothian Regional Council (1975 – 1996)</p>

For this period, a preference emerged for foster care over residential care. For example, in 1982 the Social Work Committee developed a policy that children under ten should only be placed in residential care in exceptional circumstances. This was then followed by a major review of children's social work in Edinburgh, which produced a report called a 'Time of Change' in 1983. This report recommended a planned reduction in children's residential homes, by putting more emphasis on family-based care.

In 1992 fostering services were changed from a central, region-wide, service to one based on local district offices. A Residential Care Review was also concluded in 1996 which highlighted a large number of issues to be actioned:

- The need for residential care to be of high quality and a positive choice for a young person;
- The need to value the skills of residential workers;
- To address staff levels in units, staff skills, training and available resources for working with young people who have considerable emotional difficulties;
- To improve educational attainment;
- To extend residential staff roles to outreach, respite care and after-care support; and
- To review further the size of units.

The following three priorities for change were agreed:

1. To seek to have one unit specialising in the care of younger children;
2. To undertake a recruitment drive for foster carers; and
3. To reduce the number of young people in units and to seek to allocate more staff time to outreach work.

City of Edinburgh Council (1996 – 2014)

The Looked After Children (Scotland) Regulations 1996 provided further clarity as to the local authority's main aims and responsibilities with regard to the provision of foster care services, including fostering arrangements with other organisations. These are contained in the 'Fostering Processes – The Fostering of Children (Scotland) Regulations 1996'. These include the local authority's main aims and objectives regarding foster care provision; the responsibilities (as expected by the local authority) of foster carers; the assessment and approval of foster carers; the preparation, training, support and reviews of foster carers; the administration and functioning of fostering panels; the placing of children in foster care placements;

	<p>foster carers prescribed agreements with the local authority; and the processes in place to formally progress complaints and allegations against foster carers.</p> <p>The local authority had an Appendix called 'Allegations of Child Abuse or Complaints Against Departmental Approved Carers' attached to its Foster Care Agreement from the 1990s. The Appendix noted the local authority's powers under statute in Regulation 19 of The Arrangements to Look After Children (Scotland) Regulations 1996 and section 72 of the Children (Scotland) Act 1995.</p> <p>Following government initiatives to promote a corporate parenting approach across public bodies, a 'Corporate Parenting Action Plan' was approved by the Education, Children and Families Committee in March 2012. The plan had 38 actions points under six key themes: Leadership; Health and Wellbeing; Education; Employment and Training; Support and Protection; and Accommodation. This plan reinforced the responsibility of the local authority to act as good corporate parents and put children at the centre of any planning, including arrangements with other organisations.</p> <p>From 2012 onwards, the strategic objective of the local authority was to shift the balance of care towards more preventative services that reduced the need for children to come into care. This programme was a five-year programme (Ref. Children's Service Plan 2014-17, Page 14).</p>
<p>i)</p>	<p><u>Why were changes made?</u></p> <p>Edinburgh Corporation (1930 – 1975) As stated, the evidence does not suggest that any substantive changes took place for this period.</p> <p>Lothian Regional Council (1975 – 1996) In 1982, the authority adopted a policy called a 'Time of Change' to reduce residential care for children (especially younger children), and to develop services to prevent children coming into care and to increase the use of foster care and adoption, including provision with other organisations. In 1982, the authority also adopted a 'Youth Strategy Policy' which placed an emphasis on developing "community-based alternatives to residential placements", (LRC3/8/3/11). The principles laid out in the Youth Strategy policy were that no child or young person should be recommended for residential care unless:</p>

“He/she has no home (including substitute home) in the community which can, with appropriate support, provide an adequate degree of control or care; He/she is a risk to him/herself or others. He/she has medical, psychiatric or special education needs which can only be dealt with in a residential context; It is in the child’s best interest which cannot be met in any other way”. (Ref. LRC3/8/3/11).

In 1992 the authority adopted a document, ‘Our Work and the Way We Do It’ which it sets out the ethos and values which should underpin all social work practice and services. Further procedural change which has relevance to the question is a report by Sheriff Alan Finlayson and Alison Newman – ‘Listen, Take Seriously What They Say’ which review procedural changes that were introduced to the Social Work department. (Ref. LRC3/8/1/1). This was commissioned by the Director of Social Work in 1993.

City of Edinburgh Council (1996 – 2014)

Key changes were made to fostering arrangements following publication of “Edinburgh’s Children” the report produced by the Edinburgh Inquiry. Published in 1999, the report made several recommendations in direct relation to fostering services provided by the local authority, including arrangements with other organisations. These were:

“Recommendation 112: We recommend that investigations into allegations against foster carers be carried out by an independent person with no responsibilities for foster care provision in the area;

Recommendation 113: We recommend that the Director of Social Work evaluate current practice with regard to response to concerns expressed by foster carers about children and young people they have looked after, with a view to ensuring that this takes appropriate account of the valuable insights they may be able to contribute with regard to the welfare of those children;

Recommendation 114: We endorse Kent’s proposal that foster care be brought within the inspection process. All foster care placements should be inspected. We recognise this may need to be phased in;

Recommendation 115: We recommend that field and support social workers should make occasional unannounced visits to foster placements;

Recommendation 116: We recommend that, with a view to diluting concerns they may experience by implied suggestions that they are under suspicion, support workers should take the opportunity to inform foster carers of the substance of this report so far as it relates to fostering, including the observations that the Inquiry has

	<p><i>made about the value of and need for fostering, and its recognition of the importance of their receiving high standards of relevant training and support”</i></p> <p>All of the recommendations contained in the Edinburgh’s Children report were accepted and implemented into practice and policy by the local authority. In particular, the Edinburgh Inquiry drew attention to the vulnerability of foster children and children with disabilities as they were excluded from many of the safeguards afforded to children within residential care.</p>
<p>j)</p>	<p><u>Were changes documented?</u></p> <p>Edinburgh Corporation (1930-1975)</p> <p>Any changes are generally set out in committee minutes. However, as stated there is no real policy change for this period.</p> <p>Lothian Regional Council (1975-1996)</p> <p>Required and proposed changes were generally set out and summarised in accompanying committee reports, related minutes and then recorded in respective policies and procedures. The surviving documentation itself is clearly evidence of any changes that took place. Please also refer to 4.1 and 4.6 (i) (a) for further details on documented changes.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>Required and proposed changes were generally set out and summarised in accompanying committee reports, related minutes and then recorded in respective policies and procedures. The surviving documentation itself is clearly evidence of any changes that took place. Please also refer to 4.1 and 4.6 (i) (a) for further details on documented changes.</p>
<p>k)</p>	<p><u>Was there an audit trail?</u></p> <p>Edinburgh Corporation (1930-1975)</p> <p>In general terms, 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. However, as stated there is no real policy change for this period.</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.</p>

	<p>Audit trails are also generally reflected in new/ revised policies and procedures through document control.</p> <p>City of Edinburgh Council (1996-2014)</p> <p>The minutes of the Local Authority's 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>
Present	
l)	<p><u>With reference to the present position, are the answers to any of the above questions different?</u></p> <p>Yes.</p>
m)	<p><u>If so, please give details.</u></p> <p>The Looked After Children: Transformation Programme referred to in 4.6(i)(a) was reviewed in 2017 with new targets.</p> <p>The local authority is currently reviewing the Scotland Excell Framework agreement which covers agreements with independent foster carers throughout Scotland. This is being replaced by the <i>Edinburgh Fostering and Continuing Care Agreement</i> 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> <p>A process has been introduced since 2014 around independent fostering agency or out of authority searches. In short, an application must be made to a senior manager within the authority, and permission given to instigate such a search.</p>
(ii) Practice	
Past	
a)	<p><u>Did the local authority adhere in practice to its policy/procedures in relation to placement of children with foster carers approved/registered by other local authorities or organisations?</u></p> <p>Edinburgh Corporation (1930 – 1975)</p>

Despite there being surviving children's client files and social work committee minutes for this period, we have not found any surviving specific policy and procedural records relating to the placement of children into foster care for this time. This includes the placement of a child in foster care out with the local authority or with an independent organisation.

However, there is some indirect evidence that the local authority did consider and set policy on foster care, including placements out with the local authority, and that procedures, usually in relation to statutory regulations, were created to manage foster care placements. It can be inferred from committee references which are set out in the response to 4.6(i)a that policy appears to have been followed.

An example can be found in 1933 - 1934, when the Education Committee presented a report on the draft rules and regulations for boarding out children under the Children & Young Persons (Scotland) Act 1932 to Full Council, suggesting that the local authority intended to implement and follow the rules set at the national level (SL1/1/384, p284). These draft rules and regulations were attached to the Council Minutes as an Appendix.

We have found 1 instance of a child transferred to the authority area who was then cared for in line with the same policies and procedures.

Lothian Regional Council (1975 – 1996)

Due to Covid-19 restrictions, the authority has not had sufficient access to surviving records of this period to fully determine if policies and procedures relating to the placement of a child in foster care out with the authority were adhered to in practice during this time. This information, we presume, would be contained within children's client files which we have not had the opportunity to access. We have been able to identify 3 instances of children being transferred from another local authority are to this authority and that they were cared for in line with the council's policies and procedures in relation to child care at that time.

There is some evidence from Council minutes that the regional authority considered and set policies on foster care and established reviews to see that these were followed. For example, in August 1984, the Social Work Committee agreed to formal arrangements for the reviewing and recording of reviews of all children in care every 6 months, as per the requirements of the Children's Act 1975. (LRC2/1/1/20/11).

City of Edinburgh Council (1996 – 2014)

Due to Covid-19 restrictions, the authority has not had sufficient access to surviving records of this period to fully determine if policies and procedures relating to the placement of a child in foster care out with the authority were adhered to in practice

	<p>throughout this time. We have identified no instances of children being transferred to the local authority for this period.</p> <p>For examples of policies in place at that time, please see our response to 4.1 and 4.6(i)a.</p>
b)	<p><u>How was adherence demonstrated?</u></p> <p>Our work to date would suggest that adherence to policy and practice would be demonstrated through the recording of actions and decisions made by social work professionals and other agencies within child client files. However as stated, due to Covid-19 restrictions we have not been able to access these files and cannot provide a definitive response.</p>
c)	<p><u>How can such adherence be demonstrated to the Inquiry?</u></p> <p>Where records survive, adherence in practice to policy and procedure can be demonstrated to the Inquiry through the access of the records and case files mentioned above.</p>
d)	<p><u>Were relevant records kept demonstrating adherence?</u></p> <p>In general - yes. Child client files including the minutes, reports and case notes 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 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>From the very limited records available we are not in a position to state if policy and procedures were adhered to or not due to Covid-19 restrictions.</p>
Present	
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>Please see our response in relation to 4.6(i)(m) There were some major strategic and policy initiatives in relation to the provision of foster care, including children placed outwith the local authority area. However as stated previously we have been unable to access files due to Covid-19 restrictions, which would demonstrate the impact this had in terms of practice. What can be confirmed is that any out of authority child placed with a City of Edinburgh Council foster carer is subject to the same policies and procedures as a City of Edinburgh Council looked after child.</p>
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