

### 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.

PART D – ABUSE AND RESPONSE	
5. Abuse	
Question 5.2	Extent
a)	<p><u>What is the local authority's assessment of the scale and extent of abuse of children in foster care?</u></p> <p>The local authority accepts that abuse of children has taken place within foster care. The local authority has not found evidence of systemic or wide spread abuse, on the basis of files audits and analysis of complaints. Individual cases of abuse when discovered have been investigated by the authority and or by external agencies.</p> <p>The circumstances of complaints do not suggest that the abuse of children in foster care was widespread or that the complaints arose as a result of systems failing to protect children cared for in foster care.</p>

<p><b>b)</b></p>	<p><u>What is the basis of that assessment?</u></p> <p>This assessment is based on analysis of complaints made to the local authority, the complaints processes in place, and the foster carer file audit carried out by this local authority.</p> <p><b>Complaints processes:</b></p> <p>The following complaints process has been followed by the local authority over the time period in question. This provides evidence that this local authority over the time period in general had a complaints process in place that would identify and take action against any abuse of children in foster care.</p> <p><b>Edinburgh Corporation (1930 – 1975)</b></p> <p>No documented procedures for complaints within children’s social care have survived for this period.</p> <p><b>Lothian Regional Council (1975 – 1996)</b></p> <p>Prior to 1991, we have no documented complaints procedure for children’s social care, though complaints and issues were brought to and heard at Committee level.</p> <p>In 1992, the Lothian Regional Council Social Work Committee agreed to a ‘Complaints for Service Users’ procedure. It established in detail how complaints were to be handled and recorded, with roles for administrative support staff, the complaints officer, the investigating officer, and the director/senior depute. There were standard forms and templates for capturing initial complaints, acknowledging complaints received, recording decisions made on how to progress a complaint, summaries given to investigating officers and the documenting of the eventual resolution (LRC3/8/3/18).</p> <p>Potential complaints and even initial informal discussions were to be recorded on a client’s case file as a normal case note, if the complainant was a client already. All formal complaints were to be forwarded to the complaints officer for processing and case management, with each stage of the process being logged. Each complaint would also have the complainant’s client file reference number recorded against it. The Complaints Officer was to be responsible for retaining and managing the records of closed complaints files.</p> <p><b>City of Edinburgh Council (1996 – 2014)</b></p>
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The report "Edinburgh's Children" (1999) made several recommendations regarding the recording of complaints and allegations of abuse. These were subject to review by the department and implemented as appropriate.

The 1991 complaints procedure received updates routinely, significantly in 2008, when the complaints management functions of both Children and Families and Health and Social Care were merged together, and again in 2010. In 2013 the social work complaints procedure was brought into line with a Council-wide process. In these revisions, the staged approach to complaints handling and the record keeping responsibilities have broadly remained the same.

#### **Edinburgh Corporation (1930 – 1975)**

There is very little surviving information from this period relating to the extent of abuse in relation to abuse of children in relation to foster care.

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

From the limited information available due to the current Covid-19 restrictions, it is possible to ascertain that, for the most part, policies and procedures were followed in relation to the provision of foster care by the Local Authority during this period. We can infer from this that if the range of policies and procedures that were in place in relation to foster care have been adhered to then this will have a positive impact on the extent of abuse of children and young people in foster care.

A file audit of foster carer files from this period also provides evidence of regular reviews for those approved as foster carers by senior social work professionals in the form of meetings, case conferences and statutory carer reviews. Evidence of accommodation checks, interviews with personal referees, training and induction of prospective and approved foster carers and statutory checks within foster carer case files show that these activities and processes were carried out for the majority of foster carers during this period. These records held within the carer files demonstrates the Local Authority's adherence in practice to its policies and procedures. We can infer from this that in conjunction with the previous paragraph that there is also evidence from the carer file audit that if policy and procedure in relation to foster care were generally followed then this would have a positive effect on the extent of abuse of children in foster care.

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



	<p>Both the child client file sample audit and the foster carer file audit have shown that policies and procedures were followed in relation to the provision of foster care during this period, particularly in relation to pre-approval checks, training of prospective carers and approved foster carers and follow up correspondence with personal referees. The records for these activities held within the foster carer case files show that the Local Authority adhered in practice to the policies and procedures set out relating to the recruitment, management, handling and deregistration of foster carers. Within the restrictions imposed Covid-19 pandemic an audit of complaints made against Foster carers has been completed and analysed. From this we can infer that if generally the file audit reflects that policy and procedure was followed during this period.</p>
c)	<p><u>How many complaints been made in relation to alleged abuse of children in foster care?</u></p> <p>In preparation for the response to this section 21 order, the local authority arranged a file audit on all foster carer files that were available. The local authority audited over 230 files relating to foster care to locate complaints. 174 of the files audited were for approved carers and 161 of these carers' files provided placements for children. The local authority also compiled complaints from other sources, including litigation files, de-registration reports and a complaints list created by the Social Work Department. From the information available, the local authority has located 126 complaints in total relating to the alleged abuse of children in foster care.</p> <p>The complaints have been categorised in relation to the date when the relevant foster carer was approved by the local authority.</p> <p><b><u>Edinburgh Corporation (1930 - 1975)</u></b></p> <p>Of the 126 complaints, 1 complaint was made during the period of the Edinburgh Corporation.</p> <p><b><u>Lothian Regional Council (1975 - 1996)</u></b></p> <p>Of the 126 complaints, 82 were made during the period of the Lothian Regional Council.</p> <p><b><u>City of Edinburgh Council (1996 - 2014)</u></b></p> <p>Of the 126 complaints, 43 were made during the period of the City of Edinburgh Council.</p>
d)	<p><u>Against how many foster carers have the complaints referred to at (c) above been made?</u></p>

	<p>The local authority has located 126 complaints in relation to alleged abuse of children in foster care. There were 60 foster carers against whom complaints of alleged abuse of children in foster care have been made.</p> <p>The complaints made against foster carers had dates of approval ranging from March 1970 during the Edinburgh Corporation period through to the period relating to the City of Edinburgh Council up until December 2014.</p> <p>Further details relating to these specific complaints can be found in Part D, 5.9.</p>
e)	<p><u>How many foster carers have been convicted of, or admitted to, abuse of children?</u></p> <p>The local authority has found information relating to three foster carers who have been convicted of abuse of the children that they cared for. The three foster carers are James Farquhar, Michael Reid and John McCafferty.</p> <p>In June 2012, CELCIS published a document called 'National Confidential Forum for Adult Survivors of Childhood Abuse in Care' which noted the convictions of two former foster carers of the local authority, James Farquhar and John McCafferty.</p> <p>Further details relating to these convictions can be found in Part D, 5.13.</p>
f)	<p><u>How many foster carers have been found by the local authority to have abused children?</u></p> <p>In June 2012, CELCIS published a document called 'National Confidential Forum for Adult Survivors of Childhood Abuse in Care' which noted the convictions of two former foster carers of the local authority, James Farquhar and John McCafferty.</p> <p>In addition, the local authority found Michael Reid to have abused children and de-registered the foster carer in 2010 following his conviction in 2006.</p> <p>Further details of specific abusers or alleged abusers of children in foster care are set out in Part D, 5.8 and 5.13.</p>
g)	<p><u>Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?</u></p> <p>The local authority has located 126 complaints in relation to alleged abuse of children in foster care. Of these complaints, there were 7 family members of foster carers against whom complaints of alleged abuse of children in foster care have been made. In relation to 4 of these complaints, the complaint was made against both a foster carer and a family</p>

	<p>member of the foster carer. The complaints against family members of foster carers relate to allegations made between 1991 and 2015.</p> <p>Further details relating to these specific complaints can be found in Part D, 5.9.</p>
h)	<p><u>How many family members of foster carers have been convicted of, or admitted to abuse of children?</u></p> <p>The local authority has located records relating to one family member of a foster carer who has been convicted of abuse of children in placement. The family member was Kevin Gillan and the related foster carer was [REDACTED]</p> <p>Further details relating to these specific complaints can be found in Part D, 5.13.</p>
i)	<p><u>How many family members of foster carers have been found by the local authority to have abused children?</u></p> <p>The local authority found Kevin Gillan to have abused children and de-registered the foster carer he was a family member of, [REDACTED] following his conviction in June 2015.</p>
j)	<p><u>Against how many other children placed in foster care in the same placements have complaints been made in relation to the alleged abuse of children?</u></p> <p>The local authority has located 3 complaints in relation to alleged abuse of children in foster care by other children placed in foster care in the same placements. These complaints were made between 1986 and 2000.</p> <p>Further details relating to these specific complaints can be found in Part D, 5.9.</p>
k)	<p><u>How many other children placed in foster care in the same placement have been convicted of, or admitted to abuse of children?</u></p> <p>The local authority has found no record of other children placed in foster care being convicted of or admitting to the abuse of children in the same foster placement.</p>
l)	<p><u>How many other children placed in foster care in the same placement have been found by the local authority to have abused children?</u></p> <p>The local authority has found no record of finding other children placed in foster care to have abused children in the same foster placement by the local authority.</p>