

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 – PREVENTION AND IDENTIFICATION

5. Abuse

Question 5.6	<u>Response to External Inspections/Investigations</u>
a)	<p><u>What was the local authority's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse, of children in foster care?</u></p> <p>Edinburgh Corporation, 1930 - 1975</p> <p>The local authority has not found any evidence relating to the procedure/process in place for dealing with external inspections and/or investigations relating to abuse and/or alleged abuse of children in foster care.</p> <p>Lothian Regional Council, 1975 - 1996</p>

The local authority has not found any evidence from this period relating to the procedure/process in place for dealing with external inspections and/or investigations relating to abuse and/or alleged abuse of children in foster care.

City of Edinburgh Council, 1996 - 2014

External Investigations

The local authority has not located a policy, procedure, process or guidance note that specifically dealt with external investigations relating to abuse and/or alleged abuse of children in foster care. However, the local authority has evidence of the procedure and process taken specifically in response to the Edinburgh Inquiry investigation and subsequent report.

In January 1999, the Edinburgh Inquiry report recommended that ELRIS extend its remit to the inspection of fostering services. The local authority is aware that full Council approved the Edinburgh Inquiry report and an associated Implementation Plan on 4 February 1999. Due to COVID-19 restrictions, the local authority does not currently have access to this Implementation Plan and cannot comment specifically on the implementation of the inspection of fostering services, though all recommendations were met in full (Ref. Report to Council Corporate Team on Scottish Child Abuse Inquiry, dated 9 October 2019).

On 13 December 1999, the Director of Social Work presented a report to the Social Work Committee highlighting progress on the implementation of the recommendations from the Edinburgh Inquiry. The report also noted that an Implementation Officer had been appointed to progress the implementation of the recommendations made by the Edinburgh Inquiry and the associated Implementation Plan/Programme. The Social Work Committee accepted the progress and the timescales provided, as well as the evidence which demonstrated that several recommendations had already been implemented. The Social Work Committee also noted there had been formal and informal briefing sessions across the Local Authority to ensure that the lessons from the Inquiry were being widely circulated.

External Inspections

In relation to external inspections, the local authority has not located a policy, procedure, process or guidance note that specifically dealt with responding to external inspections concerning abuse and/or alleged abuse of children in foster care. However, the local authority has evidence of the process that was followed in relation to an Edinburgh and Lothians Registration and Inspection Service (ELRIS) Fostering Services Inspection Pilot

during 2000 – 2001. Please see our response to 5.4(a) which sets out our rationale concerning the 'independent' status of ELRIS. We also have evidence concerning the process that was followed in relation to Care Inspectorate inspections that were carried out between 2005 and 2014.

The local authority located two reports written by ELRIS as part of its Fostering Services Inspection Pilot in 2000 - 2001. A memorandum was attached to one of the reports located which set out the process followed by the local authority. The pilot inspection report was written in sections to allow cross-reference to the UK Standards for Foster Care. Concluding comments and recommendations were set out at the end of the report. The report was sent to the relevant resource team and the allocated liaison worker was requested to share the content of the report with the foster carer that was inspected. Further details in relation to the inspection reports are contained within the response to Question 5.4.

The Fostering Services Inspection Pilot was intended to inform an open report on fostering services. The open report was due to be approved by the Director of Social Work at the end of March 2001. Due to COVID-19 restrictions, the local authority has been unable to locate or obtain a copy of this open report.

The local authority was registered with the Scottish Commission for the Regulation of Care, now Care Inspectorate, on 12 December 2005 in relation to its fostering services. The Care Inspectorate produced eight inspection reports between 12 December 2005 and 17 December 2014. In addition to this, there was a pilot inspection by the Care Inspectorate into fostering services at the local authority in May 2005. The local authority has found evidence showing that the external inspection reports or the outcomes of these reports were passed to Committee, primarily the Education, Children and Families Committee, to be noted. Examples of this are set out below.

On 14 January 2008, the Sub-Committee on Standards for Children and Families noted the findings from the inspection of Council services by the Care Commission in 2006 - 2007. Later, on 10 September 2008, this Sub-Committee noted the findings of the inspections by the Care Commission for 2007 - 2008.

The Education, Children and Families Committee meeting of November 2010 noted that the 'Children and Families Standards and Quality Report - April 2009 - March 2010' had been presented. This report noted that the total number of Care Commission inspection reports for looked after services, including fostering services, where the average grading was good or above increased from 50% to 81% in 2009/10.

	<p>On 31 January 2012, the Education, Children and Families Committee was presented with the 'Children & Families Achievement Report' which noted the good standards of fostering services in Edinburgh following the Care Inspectorate inspection.</p> <p>The Education, Children and Families Committee Minutes from 8 October 2013 noted the outcome of the statutory inspection on the Family Based Care service by the Care Inspectorate as 'very good' in 2012. The Committee acknowledged that the inspection report had noted the quality of staff and engagement with service users particularly strong areas.</p> <p>The Education, Children and Families Committee Minutes from 20 May 2014 noted the local authority's positive response to its fostering services outcomes from the Care Inspectorate. The local authority received a grade of 'good' or better and that 60% of children placed with the department, including those in foster placements, were in a sustained positive destination in 2011/12.</p>
<p>b)</p>	<p><u>What was the local authority's procedure/process for responding to the outcomes of such external inspections and/or investigations?</u></p> <p>Edinburgh Corporation, 1930 - 1975</p> <p>The local authority has not found any evidence relating to a procedure/process for responding to the outcomes of such external inspections and/or investigations.</p> <p>Lothian Regional Council, 1975 - 1996</p> <p>The local authority has not found any evidence relating to a procedure/process for responding to the outcomes of such external inspections and/or investigations.</p> <p>City of Edinburgh Council, 1996 - 2014</p> <p><u>External Investigations</u></p> <p>In terms of external investigations, the Edinburgh Inquiry report did not set out any specific outcomes. Instead, the Edinburgh Inquiry made 135 recommendations to the local authority. These are dealt with in more detail in the response to Question 5.6 (c).</p> <p><u>External Inspections</u></p> <p>In relation to external inspections, the procedure and process followed by the local authority for responding to outcomes from the ELRIS inspections was set out in the</p>

Memorandum attached to the inspection report. For the inspection report on FZB FZB dated 16 February 2001, it stated:

"The brief report enclosed is a synthesis of specified sources of information about a randomly sampled fostering arrangement. The report is arranged in sections to allow cross-reference to the UK Standards for Foster Care. Concluding comments can be found at the end, and any recommendations are detailed. The report is sent to the relevant resource team. The allocated liaison workers are requested to share the content with the carer mentioned below".

The local authority was registered in relation to its fostering services with the Care Inspectorate on 12 December 2005. The local authority has found evidence showing that the outcomes of external inspections were passed to Committee, primarily the Education, Children and Families Committee, to be noted. Examples of this are set out below.

On 14 January 2008, the Sub-Committee on Standards for Children and Families noted the findings from the inspection of Council services by the Care Commission in 2006 - 2007.

On 10 September 2008, the Sub-Committee on Standards for Children and Families noted the findings of the inspections by the Care Commission for 2007 - 2008. Furthermore, in the Sub-Committee's meeting on 11 December 2008, the Director of Children and Families provided details to the Committee on the progress being made with regard to the outcomes of the Care Commission.

On 9 November 2010, the 'Children and Families Standards and Quality Report - April 2009 - March 2010' was presented to the Education, Children and Families Committee. This report noted that the total number of Care Commission inspection reports for looked after services, including fostering services, where the average grading was good or above increased from 50% to 81% in 2009/10.

On 31 January 2012, the Education, Children and Families Committee was presented with the 'Children & Families Achievement Report' which noted the good standards of fostering services in Edinburgh following the Care Inspectorate inspection.

On 9 October 2012, the 'Children and Families Standards and Quality Report 2012' noted the outcomes of the Care Inspectorate inspection from 31 July 2012. It states that:

"There have been significant developments and improvements in Services for Looked After and Accommodated Children. Family Based Care received grades of 'very good' across all quality statements in the July 2012 Care Inspectorate Inspection. Seven additional staff

	<p><i>have been deployed in the recruitment, fostering and specialist teams, increasing our capacity to provide more placements and better choice for children who need alternative accommodation”.</i></p> <p>The Education, Children and Families Committee Minutes from 8 October 2013 noted the outcome of the statutory inspection on the Family Based Care service by the Care Inspectorate as ‘very good’ in 2012. The Committee acknowledged that the inspection report had noted the quality of staff and engagement with service users particularly strong areas.</p> <p>The Education, Children and Families Committee Minutes from 20 May 2014 noted the local authority’s positive response to its fostering services outcomes from the Care Inspectorate. The local authority received a grade of ‘good’ or better and that 60% of children placed with the department, including those in foster placements, were in a sustained positive destination in 2011/12.</p>
<p>c)</p>	<p><u>What was the local authority’s procedure/process for implementing recommendations which followed from such external inspections and/or investigations?</u></p> <p>Edinburgh Corporation, 1930 - 1975</p> <p>The local authority has not found any evidence from this period which suggests that there was a procedure/process in place for implementing recommendations of such external inspections and/or investigations.</p> <p>Lothian Regional Council, 1975 - 1996</p> <p>The local authority has not found any evidence from this period which suggests that there was a procedure/process in place for implementing recommendations of such external inspections and/or investigations.</p> <p>City of Edinburgh Council, 1996 - 2014</p> <p><u>External Investigations</u></p> <p>The local authority has not found evidence which suggests that there was an overall procedure or process in place for implementing recommendations of external investigations. However, the local authority is aware of the process that was followed in the implementation of the recommendations set out in the Edinburgh Inquiry report.</p>

On 4 February 1999, the full Council approved the Edinburgh Inquiry report and approved an Implementation Plan which aimed to implement all 135 recommendations set out in the report.

On 30 August 1999, the Director of Social Work communicated to the Children Services Strategy Group that all recommendations from Edinburgh Children's report were agreed, accepted and were now incorporated into an Implementation Programme which was now being led by the newly appointed Implementation Officer. The Social Work Committee also noted there had been formal and informal briefing sessions across a range of staff in the council to ensure lessons from the Inquiry were being widely disseminated.

In September 1999, the Implementation Officer produced a report on the Implementation Programme which informed the detail as to which managers had been assigned the tasks of progressing the implementation of specific recommendations. The report also notes that information regarding the ongoing implementation of the recommendations will be shared via Operational and Service managers.

On 15 October 1999, communication was provided by the Assistant Director of Social Work to all senior managers within the local authority's Social Work department in relation to Recommendation 53 on the "involvement of the Child Protection Co-ordinator" where there were allegations of abuse of looked after children, including children in foster care. The aim of this was to ensure an independent element in the consideration of an allegation.

On 28 August 2003, the Director of Social Work and the Senior Children and Young People's Officer gave a presentation to the Children and Young People's Scrutiny Panel on the implementation of the Edinburgh Inquiry. The presentation discussed the background of the inquiry; new policy changes which had been implemented since; recommendations on which action had been taken; and recommendations on which action still had to be finalised. The Minutes of the meeting noted that the Panel asked questions including, a question on the inspection of foster care arrangements.

On 7 April 2005, the Chief Executive presented a report called 'Child Protection in Edinburgh: Annual report' to the full Council. This report provided details on the context in which significant changes had occurred within the child protection processes and procedures. The report stated that the recommendations of the Edinburgh Inquiry were central to the holistic approach to child protection that the Council had agreed in establishing a new Children and Families Department. Consequently, those issues should be dealt with through the strategic planning and direction of that Department's work programme. The report noted that action had been taken on all 135 of the Edinburgh

Inquiry's recommendations, except for Recommendation 135 which proposed an annual report on progress. It was further demonstrated that there were few recommendations on which work continued and that any such minor outstanding work did not warrant a system of annual reports.

The report also noted that the 35 recommendations made in the O'Brien Inquiry had been incorporated into the restructuring of the new departments and related policies and procedures e.g. Pan-Lothian approaches and the introduction of new Edinburgh, Lothian and Borders Child Protection Procedures, Protocols for Children in substance misusing families and Information Systems. Following the establishment of the two new strategic departments and taking the recommendations of the Edinburgh and O'Brien Inquiries into consideration, the Council established a Sub-Committee to provide a focus for Social Work issues and performance. The Special Sub-Committee on Social Work Standards was established in 2004 under an independent chair and was to be held on an eight-weekly cycle. In January 2005, the Council Executive also approved the establishment of a new Sub-Committee on Quality Standards for Children and Families from April 2005 in line with the establishment of the new department.

On 30 October 2005, a report on the Edinburgh Inquiry was presented to the Children and Young People's Scrutiny Panel. This report found that 122 of the 135 recommendations had been fully implemented and that a further 9 recommendations had been partially met. The remaining 4 recommendations had not been implemented. The report set out action points for the 9 recommendations that had been partially met and the 4 recommendations that had not been implemented.

External Inspections

The local authority participated in a pilot inspection scheme by ELRIS relating to its fostering services in 2000 - 2001. Due to COVID-19 restrictions, the local authority is unable to access information relating to the local authority's implementation of any recommendations made by ELRIS.

The local authority had eight inspections carried out by the Care Inspectorate (or Care Commission) between 7 August 2006 and 17 December 2014 in addition to a pilot inspection carried out in May 2005. The pilot inspection report is not publicly available, however, the remaining inspection reports are available on the Care Inspectorate's website and can be found here: <https://www.careinspectorate.com>. Where recommendations and requirements were made, the next inspection report comments on the local authority's implementation of these recommendations and/or requirements.

The inspection report from 7 August 2006 states that there were no requirements made in the previous inspection report, therefore, this report makes no reference to the implementation of requirements.

The inspection report from 19 November 2007 noted that the 2006 report had made seven requirements. The local authority's actions in relation to the implementation of these requirements are set out on pages 5 and 6 of the report.

The inspection report from 12 December 2008 noted on page 5 that there had been four requirements made at the time of the last inspection. The report states that the local authority had met two of these in full and that two remained outstanding. Further information in relation to the requirements and recommendations was available on pages 17 and 18 of the report under the heading 'Other Issues Related to National Care Standards'.

The inspection report from 24 November 2009 noted on page 5 that the local authority had used specialists to progress work in the service, including in the recruitment of foster carers and in quality assurance of reviewing of children. It was also noted that the local authority had made an effort to have consultation with the foster carers and that the service had further developed the tracking system for making sure that plans for children are progressed. Further information was provided on page 17 and 18 on the specific action taken by the local authority to implement requirements and recommendations since the previous inspection. This included ensuring that foster carer reviews took place annually and improving information booklets that were provided to children to assist with their understanding on the processes.

Pages 16 and 17 of the 10 September 2010 inspection report included a summary of the action that had been taken since the last inspection in relation to implementing requirements.

The inspection report from 30 July 2012 set out the actions that the local authority had taken in relation to implementing the recommendations and requirements from the previous inspection. This information is contained on page 11 of the inspection report.

The inspection report from 4 November 2013 stated on page 9 that the local authority had implemented all five of the recommendations from the previous inspection.

	<p>The inspection report from 20 November 2014 set out the actions that the local authority had taken in relation to the recommendations and requirements from the previous inspection on page 10.</p>
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