

Scottish Child Abuse Inquiry

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Mr Lindsay Freeland,
Chief Executive
South Lanarkshire Council
Council Offices
Almada Street
Hamilton ML3 0AA

27 August 2019

Dear Mr Freeland

SCOTTISH CHILD ABUSE INQUIRY SECTION 21 NOTICE FOSTER CARE CASE STUDY

1. Notice is given, in terms of section 21(2)(a) of the Inquiries Act 2005 ("the Act"), that you are required by Rt Hon Lady Smith ("the Chair") to provide at the above address the evidence detailed in the appendix attached to this notice by **27th January 2020**.
2. In terms of section 36 of the Act, where a person fails to comply with, or acts in breach of, this notice, or threatens to do so, the Chair may certify the matter to the Court of Session. The Court, after hearing any evidence or representations, may make such order by way of enforcement or otherwise as it could make if the matter had arisen in proceedings before it.
3. In terms of section 35(1) of the Act, a person is guilty of an offence if he fails without reasonable excuse to do anything that he is required to do by a notice under section 21 of the Act. A person who is guilty of such an offence is liable on summary conviction to a fine not exceeding £1000 or to imprisonment for a term not exceeding six months, or to both.
4. If you wish to make a claim in terms of section 21(4) of the Act:
 - (a) that you are unable to comply with this notice, or
 - (b) that it is not reasonable in all the circumstances to require you to comply with it,

and that it should be revoked or varied,
you should apply in writing to the Chair no later than by the end of the period within
which production is required. When so applying you should:

- (a) identify, so far as possible, any particular document in relation to which the
claim is being made;
- (b) state whether you seek revocation or variation of the notice, and in the
latter case specify the variation sought;
- (c) give reasons for your claim; and
- (d) where it is claimed that it is not reasonable in all the circumstances to
require compliance with the notice, the reasons for the claim should address
the public interest in section 21(5) of the Act.



.....
The Rt Hon Lady Smith
Chair of the Inquiry

APPENDIX

Part A – Background1. Characteristics1.1 History of the Local Authority

- a) Over the period from 1930 to date, please provide details of the predecessor authorities for the local authority area for which the authority is now responsible, and the time periods during which these authorities were the responsible authority for the area, or any part thereof.

Response
In relation to both Education and Social Work functions, South Lanarkshire Council's direct predecessor was Strathclyde Regional Council, which operated between 1975 and 1996, in terms of the Local Government (Scotland) Act 1973. During the period 1930 to 1975, Education and Social Work (or the equivalents) were the responsibility of the County of Lanark, in terms of the Local Government (Scotland) Act 1929. Of that authority, only the Burghs of Lanark, Rutherglen, Hamilton, Biggar and East Kilbride and 1 st , 2 nd , 3 rd , 4 th , 5 th , 6 th and part of the 8th districts are direct predecessors of the current South Lanarkshire Council, the remaining Burghs and Districts now forming part of North Lanarkshire Council and East Renfrewshire Councils.

All subsequent references to "local authority" mean the local authority and its statutory predecessors.

All references to "foster care" include boarding out with private families.

- b) When and how did the local authority become involved in the provision of foster care for children in Scotland?

Response
The legislation listed below led to Local Authorities becoming involved in the provision of foster care for children in Scotland:
The Children Act 1908. This replaced the 1889, the 1894 and the 1904 Acts. It was the first Act to deal with destitute, neglected and offending children. It explained that a "fit person" would have the like control over the child or young person as if he were his parent. Courts could order children to be placed under the supervision of a probation officer while in care of a "fit person" - origin of state supervision of neglected children. Part One aimed at "baby-farming" (private fostering) - any person caring for the child of another for a reward had to notify the

Local Authority. Local Authorities' with a court order could remove a child to a place of safety - powers often delegated to the Poor Law authorities, and child protection visits were often carried out by parish councils. The Act allowed the Secretary of State to order inspection of "voluntary homes" (those run by religious organisations etc). It classified industrial and reformatory schools as "residential schools". Schools could be "certified" as fit for the reception of child offenders, and Central and local government paid for the maintenance of children therein.

The Children and Young Persons (Scotland) Acts 1932 and 1937. The 1932 and 1937 Acts sought to strengthen the powers of juvenile courts which was given jurisdiction over: juvenile crime; school attendance; care and protection and adoption orders. Three categories of child were identified, a) child or young person 'having no parent or guardian, or a parent or guardian who is unfit to exercise care and guardianship or is not exercising proper care and guardianship, is falling into bad associations or is exposed to moral danger or is beyond control, b) child or young person in respect of whom certain specified crimes had been committed, or was a member of the same household as the victim or perpetrator of such offence or, being female, was a member of the same household as a female in respect of whom an offence of incest has been committed by a member of that household, and c), children of vagrants who were not receiving efficient elementary education. If the child fell into any of these categories, then they could be sent to an approved school, committed to the care of any fit person, whether a relative or not or made subject to the supervision of a probation officer.

In relation to the child being committed to the care of any fit person, the 1932 Act moved committal to the care of a fit person from kinship care, into fostering as a major component of state care. It allowed the juvenile court to commit a far wider group of children and young persons than had been possible previously to the care of an Education Authority: instead of only victims of an offence under The Children Act 1908, committal to a fit person was possible for any child or young person who was in need of care and protection or who had committed an offence. Every Education Authority was deemed a 'fit person' for the purpose, with the Treasury bearing the cost.

The person with whom the child or young person was boarded out was to be of the same religious persuasion, or willing to give an undertaking that the child or young person who would be brought up in accordance with that religious persuasion.

The 1937 Act recommended that each County and Burgh should have a Children's Care Committee which would administer the whole of the field, and that the "boarding out" authority should have ultimate responsibility for the child and that the children should be visited 6-monthly. The Act saw the primary solution to lack of parental care as State provision of substitute families, preferring foster care over institutions. (Source: Pages 37 to 40, 40 to 42, 55 to 56 of Prof K Norrie's report for the SCAI, Legislative Background to the Treatment of Children and Young People Living Apart from their Parents, November 2017 and Appendix Legal JW)

The Children and Young Person (Scotland) Care and Training Regulations 1993. Used the words "foster parent" and "foster home". Listed persons with

whom a child could not be boarded out. No mechanism to assess fitness. Set out expectations of foster parents including children not to be seen as source of income-generation. Mandated visiting by officials. Provided guidelines for corporal punishment in approved schools.

Poor Law (Scotland) Act 1934. Public Assistance Authorities (not local authorities) could make arrangements for the lodging etc. of abandoned or orphaned children in places other than a poor house. The Public Assistance Authority was not a "fit person" with whom a child could be placed, but an Education Authority was. Education Authority tended to delegate task to Public Assistance Authority. Could board child out with anyone deemed suitable?

Children (Boarding-out) (Scotland) Rules and Regulations 1947. Households were to be positively vetted and approved for fostering. Supervision officer appointed, to ensure continuing suitability and to report regularly. Where children were placed in a voluntary home by a local authority, they had responsibility to monitor home and the progress of the child, but no "throughcare" duties.

The 1948 Children's Act provided that a "local authority shall discharge their duty to provide accommodation and maintenance for a child in their care – (a) by boarding him out, or (b) where it is not practicable or desirable for the time being to make arrangement for boarding out, by maintaining the child in a home provided under this part of the Act or by placing him in a voluntary home the manager of which are willing to receive him".

This Act obliged the Councils of Counties and Burghs to establish a Children's Committee responsible for infant life protection, offences and approved schools, remand homes and committal to care. It also appointed Children's Officer to each authority. Money was made available for local authorities carrying out child care functions. Duty to exercise powers in furtherance of child's best interests. Paramountcy of welfare in local authority decision making. Parental rights and responsibilities could be passed to a Local Authority on the making of a resolution. It allowed Local Authorities to create Children's Homes. Allowed Local Authorities to have Parental Rights and Responsibilities. (Source, Page 57 of Prof Norrie's report to the SCAI, November 2017).

The Children Act 1958. This act covered the definition of a foster child. A child below the upper limit of the compulsory school age whose care and maintenance are undertaken for reward for a period not exceeding one month by a person who is not a relative or guardian.

The Social Work (Scotland) Act 1968 – Work of Children's Committees became part of statutory work of Social Work Departments, and Children's Officers became Directors of Social Work. Created Children's Hearings System, working with families. Clarified and enhanced role of Local Authority. Passed responsibility of vetting/monitoring approved schools and voluntary homes to local government from central government. Made approved schools into residential establishments and abolished remand homes.

The Children Act 1975. Gave title to foster parents to apply for custody of children in their care. Allowed Local Authorities to pass a resolution vesting parental rights

and responsibilities in voluntary organisation. Empowered the Secretary of State to cause enquiries regarding any Local Authority function, with power to compel witnesses (response to inquiry into the death of a child in the care of a step-parent under Local Authority supervision. First use of secure accommodation.

Fostering of Children (Scotland) Act 1984. Regulation of private fostering.

The Children (Scotland) Act 1995, Sect 26, Local Authorities are required to provide accommodation for children and young people whom they are looking after and who are not able to live with their birth parents for whatever reasons and whether for short or long periods of time. One of the ways in which accommodation may be provided is foster care, s.26(1)(a)(iii).

The Regulation of Care (Scotland) Act 2001, states fostering services have to be registered with, and inspected by the Care Commission under the 2001 Act. Registration for public fostering services operated by local authorities is under Part 2 of the 2001 Act. It is important to distinguish between the public fostering service and the Council's duties under private fostering legislation, the Foster Children (Scotland) Act 1984 and the Foster Children (Private Fostering (Scotland) Regulations 1985).

The 1995 and 2001 Acts are very important for the legal background to the service, but there are other Acts and regulations which are important too, along with Guidance and National Care Standards, listed below:

The Children (Scotland) Act 1995, particularly ss.17, 19, 20, 25, 26, 31 and 86 to 89.

The Adoption and Children (Scotland) Act 2007

The Looked After Children (Scotland) Regulations 2009.

Guidance on Looked After Children (Scotland) Regulations 2009, and the Adoption and Children (Scotland) Act 2007.

Adoption Agencies (Scotland) Regulations 2009

Human Rights Act 1998.

Anti-discrimination legislation:

The Equality Act – October 2010.

Information legislation:

Data Protection Act 1998;

Freedom of Information (Scotland) Act 2002 (only applies to public authorities and their services).

Regulation of Care (Scotland) Act 2001, Parts I and 2, ss.1 – 42.

National Care Standards – Foster Care and Family Placement Services, revised March 2005, particularly Standard 13.

Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002, S.S.I. 2002/114, particularly regs. 9 and 13.

Regulation of Care (Requirements as to Care Services) (Scotland) Amendment Regulations 2004, S.S.I. 2004/94.

Scottish Social Service Council: Code of Practice for Social Service Workers and Code of Practice for Employers of Social Service Workers, both 2005.

Changes in fostering also arose from:

Equality Act (Sexual Orientation) Regulations 2007, (S.I. 2007/1263) made under the Equality Act 2006;
 Adoption and Children (Scotland) Act 2007 and the regulations etc. to be made under it;
 National Fostering and Kinship Care Strategy; and
 Protection of Vulnerable Groups (Scotland) Act 2007, which largely replaced the Protection of Children (Scotland) Act 2003 (POCSA) when it comes into force.
 Looked After Children (Scotland) Regulations 2009.
 Guidance on Looked After Children (Scotland) Regulations 2009
 The Adoption and Children (Scotland) Act 2007.
 Adoption Agencies (Scotland) Regulations 2009

(Please refer to Appendix 1.)

- c) How has the involvement of the local authority in the provision of foster care changed/developed over time?

Response

The involvement of Local Authorities in the provision of foster care change/developed over time due to the following legislation:

Period 1930 to 1975

The Children Act 1937 was followed by the Children Act 1948. The 1948 Act states where children could be accommodated:

- State provided institutions
- Voluntary homes
- Foster homes

The Act also established Children's Committee's and a children officer. "Boarding-out with foster parents had, as we have already seen, long been the most common means of accommodating children and young people whose care fell to the state, though until the 1948 Act there had never been a statutory requirement that this be treated as the preferred option." (Norrie, report to SCAI, November 2017).

The 1948 Act provide that "a local authority shall discharge their duty to provide accommodation and maintenance for a child in their care – a) by boarding him out.

The 1948 Act furthers stated, "all foster households were to be positively vetted" unlike before, when it had been merely stated the types of person with whom a child could not be boarded-out". (Norrie).

("four visits a year to each boarded out child should not be necessary" if the foster parents "have been wisely chosen in the first place". (Norrie)).

The Boarding-out of Children (Scotland) Regulations 1959.

(Please refer to Appendix 1.)

Period 1975 to 1996

Strathclyde Region's stated prime objective in 1975 was to tackle the problems of multiple deprivation in its area and central to its vision was child-care.

A major and immediate challenge was bringing together Children's Services across what was the largest local authority of its kind in Europe. Its first priority was Foster Care.

In 1975 the Director of Social Work set out his report on Fostering Care and laid down priorities for achieving a good fostering service which included:

- Stem wastage rate of foster-parents by providing adequate support services: Supervision by social workers; group support; provision of factual information for foster-parents; back-up services; financial support.
- Encourage recruitment of all types of foster-parent
- Identify the needs for foster care
- Dealing with limitations, including inadequacy of social work staff resources; recruiting sufficient numbers of suitable foster-parents

In 1976 the Director issued to Officers dealing with fostering and children in care a 'package' aimed at raising the standard of practice and meeting the Martin Committee requirements.

In the same year the Social Work Department established a major initiative in Glasgow to establish sound and competent levels of service for children. This initiative included:

- concentration on in-service training
- development of sound child-care expertise in all area teams, and
- maximising the resources of major child-care agencies like the National Children Bureau.

As a first step a regional child-care Resources Team was established, with a main focus on children in residential care or boarded-out. There was close links between this venture and the Member/Officer Group (see below) on Child-Care which added great strength to this development

Strathclyde Region's vision of tackling the problems of multiple deprivation in its area and in particular its vision on child care was articulated in its strategic vision to transform the West of Scotland in a policy document - 'Social Strategy for the Eighties'. Central to the review was child-care and the recognition that some young people would require to be helped, supported and treated in a residential setting. This was followed by a review which spelled out the detailed policy implications for services, including child care. These were supported by various implementation strategies.

Central to the review was child-care and the Social Strategy was preceded by a 'Member/Officer' report on Child Care (1978) which considered the methods by which children in care are assessed as eligible for substitute family care; examine arrangements for the recruitment, assessment, support and deployment of foster parents.

The Officer and Member report led to a new strategy 'Home or Away': Residential Child Care for the Eighties' which highlighted the broad aims of residential care emphasising the rights of children 'to the best possible quality of care while in residential care'. The report looked at residential care within the context of a coherent set of values upon which all child-care facilities rely.

The values included a 'Homefinding' strategy which was based on the right of all children to family life – if not in their own family then with another.

The Home and Away strategy was followed by supporting and implementation plans. These included:

- Guidelines for the long-term planning of children in care, 1986. A practice document to be used as an aid to social workers who are involved in the long-term planning of children in care provided a guide round the various pieces of legislation which could be used to secure a child's future in care. Every Social Worker to have a copy of the document as a basis for discussion in in area teams or as a training aid.
- Young People in Trouble: Report by the Directors of Education, Social Work and Reporter to the Children's Panel, April 1988
- Charter of Rights for Children, 1988s, with clear procedural and practice guidelines and training for staff on their implication
- Current Issues in Child Protection – report by the Director of Social Work, 1 April 1993
- Child Care Strategies and Priorities – report by the Director of Social Work, 3 March 1993
- Inspection of Social Work Services – Joint report by Chief Executive and Director of Social Work, June 1993
- Young people In Trouble – Joint report by Directors of Social Work and the Reporter to the Children's Panel, 29 June 1993.

In 1995 the Director of Social Work Report to the Social Work (Childcare) Committee, included:

- Outline of forthcoming presentation on the number and needs of Strathclyde Regional Council, including:
 - foster carers and the children in their care

- Social Work Department's work in recruiting, supporting and retaining carers, and the concerns of foster carers
- Report on draft Child Care Plan to form the basis of discussion and debate within the Department, with other statutory and voluntary agencies; with the consumers of departmental child care services and with elected members. Two main aims were to set a template for the identification of need and the development of services, and to provide an agreed set of criteria for the measurement of the quality of child care services. The need for services is looked at in four main areas
 - Support for children and families
 - Children and young people in care
 - Young people leaving care or supervision
 - Child protection

(Information provided and held by the Mitchell Library).

Period 1996 to 2014

By 1996, South Lanarkshire required to consider the following:

The Boarding-out and Fostering of Children (Scotland) Regulations 1985 apply where a local authority foster a child or if a supervision requirement is made under Sect 44 (1) (a) of the Social Work (Scotland) Act 1968 imposing a condition that the child is to reside in a place where he is to be under the care of a person who is not his parent or guardian. In respect of the approval of foster parents, part 2 of the regulations states that a local authority will appoint a panel – known as a 'fostering panel'. A foster panel shall consider every person referred to it by the care authority as to whether the person is suitable. The local authority will have an agreement with the foster carer in relation to financial support and provide policies and practice for the welfare of the child placed.

Following on from Strathclyde Regional Council, South Lanarkshire Council approach to fostering developed and changed in respect of the issues below:

Payment for Skills (See Appendix 2.)
 Smoking: carers of under 5s (See Appendix 3.) (BAAF, Carers' Handbook, Business Panel)
 National Care Standards 2006 Fostering Agencies
 Limiting numbers of children in placement,
 Continuing Care,
 Placement Descriptors reflecting type of care
 Participation Strategy
 Inspections (Care Inspectorate): more accountability
 Increase in Resources (Committee Papers)
 Training became more comprehensive (Training Plans)
 Assessments more robust (BAAF templates))
 Safer Caring approaches (The Fostering Network)
 Preparation groups (carers) and materials developed

Short Breaks service development (Business Panel)
 Permanency process (PACT) drift: (Business Panel)
 Level 4- new level for intensive carers
 Foster care review processes have been developed
 Foster carer agreements
 Confidentiality/ Data protection
 Newsletters have been developed
 Consultation and participation approaches
 LAAC paperwork
 Buddy scheme introduction
 GIRFEC outcome centred approaches

1.2 Funding of Foster Care

Past

- a) How were the local authority's operations and activities, so far as relating to the provision of foster care, funded?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Prof K Norrie's report to the Scottish Child Abuse Inquiry notes that under the Children's (Scotland) Acts 1932 and 37, every Education Authority was deemed a 'fit person' for the purposes of fostering as a component of state care, with the Treasury bearing the cost.

(Source: Page 38 of Prof K Norrie's report to the SCAI, November 2017.)

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to materials used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

The funds utilised were all sources available to South Lanarkshire Council, including central government grant and local taxation.

- b) To what extent, if any, did the local authority provide funding to other organisations for the purposes of provision of foster care?

Response		
Period 1930 to 1975		
The County Council signed minutes of Lanark 1953, notes the children in care of other local authorities for whom the County Council of Lanark is financially responsible, however, the minutes give no indication of the extent of the spending on these children or where the funds originated from.		
Period 1975 to 1996		
In April 1976 the Social Work Committee of Strathclyde Regional Council approved recommendations of the Convention of Scottish Local Authorities (COSLA) regarding supervision of children placed in other regions. Due to the lack of staff resources, it is noted that many authorities were unable at the present time to accept responsibility for supervision of Strathclyde Regional Council children. The Western Isles Council offered to do it for a fee of £100 a year. It was agreed these same arrangements were to be made with other receiving authorities when they were in a position to accept similar responsibilities. Due to the lack of staff resources, many authorities were unable at the present time to accept responsibility for supervision of Strathclyde Regional Council children. In 1985 a report on the Emergency Foster Care Scheme records that the Department currently spends £360,000 of the Fostering Budget on Special Fostering Placements with voluntary bodies. (Information provided and held by the Mitchell Library, Glasgow).		
Period 1996 to 2014		
South Lanarkshire Council purchased numerous placements for children on a foster care basis, when it was deemed that the need of the child/children merited this. The table below outlines the organisation that funding was provided to and the amount:		
Organisation	Dates	Amount
Barnardo Services Ltd	Jul 1999- Sep 2007	£181,989.09
Falkirk Council	Nov 2007-Mar 2011	£25,134.13
Barnardos	Aug 2002-Nov 2014	£707,234.23
Aberlour Child Care Trust	Sep 2007-Nov 2014	£569,328.96
Barnardos Child Care	Sep 2003-Sep 2003	£5,641.81
NCH	Apr 2005- Jul 2005	£32,318.75
NCH Children's Services Ltd	Apr 2002-Jan 2005	£22,240.22
The Jane Moor Trust	Jan 2002-Jul 2009	£584,529.29
Christine M Boyle	Apr 2003	£653.40
Families First S West LLP	Nov 2002-May2006	£265,258.82
Fosterplus (Fostercare) Ltd	May 2005-Nov 2014	£172,691.78
Foster Care Assoc Scotland Ltd	Dec 2004-Feb 2013	£1,236,518.27
Families First (SW) Ltd	Jun 2006-Jul 2009	£208,870.42
Aberlour Hotel	Mar 2011	£6,420.10

The Nat Fostering Agency Scot Ltd	Aug 2007-Dec 2012	£248,123.09
Action for Children	Jan 2008-Oct 2014	£288,774.37
The Adolescent & Children's Trust	Apr 2014-May2014	£2,568.00
JMT Care Services	Oct 2009-Jan 2014	£389,809.92
Action for Children Services Ltd	Apr 2014	£18,886.80
Regional Foster Placements	May 2012	£4,774.00
SWIIS Foster Care Scotland Ltd	Aug 2012-Nov 2014	£291,689.51
Core Assets Scotland Ltd	Mar 2013-Oct 2013	£23,090.60

- c) If funding was provided by the local authority to other organisations for the provision of foster care, to whom was it provided, when was it provided and what criteria were applicable to its provision?

Response			
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to materials used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1930 to 1975</p> <p>In April 1976 the Social Work Committee of Strathclyde Regional (SRC) approved recommendations of COSLA regarding supervision of children placed in other regions. It was agreed that SRC would continue to be responsible for fostering allowances for children outwith their area, paying it either directly or on an agency basis per the receiving authority.</p> <p>The arrangements for supervision were that:</p> <ul style="list-style-type: none"> the receiving authority should accept responsibility for the effective supervision of children received within their area social workers from both care and receiving authorities should meet at least annually to review the progress of the child and continually plan for his/her long-term future; and should exchange quarterly reports to cover the development and wellbeing of the child and the changing circumstance of his/her own home situation. <p>(Information provided and held by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014</p> <p>Information on the provision of funding for other organisations is only available from 1 April 1999.</p> <p>Funding was provided to the following organisation over the specified period:</p> <table border="1"> <thead> <tr> <th>Organisation</th><th>Period covered</th></tr> </thead> </table>		Organisation	Period covered
Organisation	Period covered		

Aberlour Child Care Trust	Sept 07 – Nov 14
NCH Children's Services	Apr 02 – Jul 05
Action for Children	Jan 08 – Oct 14
Barnardos Services Ltd	Jul 99 – Sep 07
Barnardos	Aug 02 – Nov 14
Core Asset Scotland	Mar 13 – Oct 13
Falkirk Council	Nov 07 – Mar 11
Families First Ltd	Nov 02 – Jul 09
Foster Care Association Scotland	Dec 04 – Feb 13
Fosterplus (Fostercare) Ltd	May 04 – Nov 14
JMT Care Services Ltd	Oct 09 – Jan 14
Regional Foster Placements	May 12
SWIIS Foster Care Scotland Ltd	Aug 12 – Nov 14
The Adolescent & Children's Trust	Apr 14 – May 14
The Jane Moore Trust	Jan02 – Jul 09
The National Fostering Agency (Scot) Ltd	Aug 07 – Dec 12

The criteria applied to organisations providing this was based on individual placement agreements.

- d) To what extent was financial state support available to foster carers? How were foster carers made aware of that state support? How was that state support accessed by foster carers (e.g. directly or via the local authority)?

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Advice was given by Social Work to Foster Carers on all financial options. Carers could access state benefits where appropriate and would access this directly via relevant agency.</p> <p>Period 1996 to 2014</p> <p>Carers could access state benefits where appropriate and would access this directly via the relevant agency.</p>

- e) To what extent was financial support from the local authority available to foster carers?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The foster care handbook, 1976 stated that foster parents have the right to a weekly maintenance allowance for children in their care, and other financial help to minimise out of pocket expenses.

The child's social worker was to explain the procedure for receiving extra help where appropriate. This might be in the form of enhanced allowance for difficult children or in special circumstance. There were also discretionary payments which are paid on application. Allowances to which foster parents had a right include payment for school uniforms, extraordinary travelling expenses for attending a hospital, and allowances which help the child develop any special interests or talent. An example of the latter was documented in 1975/6 when it was agreed that a boarded-out/foster child was awarded a place at the London School of Ballet. The fees of £12000 were paid by the Education Department.

Other grants include Christmas; birthdays, holiday grant, also other costs; travel to hospital; provision of tools for work; playgroup fees, sports or youth club.

Foster guidelines 1985/6 confirm details of allowances:

- standard fostering allowances are all inclusive, and as well as maintenance, they include a sum for clothing, holidays, birthdays and Christmas expenditure
- enhanced allowances, Director of Social Work has authority to pay up to double the weekly fostering allowance for children with special needs
- discretionary allowances for special purchases, e.g. music lessons or instruments, dancing lessons, horse riding club uniforms (e.g. Girl Guides)

(Information held and provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Financial supports provided by South Lanarkshire Council the to foster carers are outlined in the Committee and Business Panel meeting reports mentioned below:

South Lanarkshire Council Social Work Committee 13 November 1996. The Children (Scotland) Act 1995 is reported on and as well as the financial implications of implementing the requirements of the act. This report includes reference to extra payments to those additional people who will require to be assessed as foster carers and in relation to the increased use of safeguarders. (Appendix 3, a.)

Social Work Committee 21 May 1997. Report dated 25 May 1997 on Fostering Allowances. (Appendix 4.)

Social Work Committee 8 April 1998. Report dated 20 March 1998 on Foster Care Allowances. (Appendix 5.)

Social Work Committee 28 June 2000. Report dated 19 May 2000 on Foster Care Allowances. (Appendix 6.)

Report to Business Panels during August 2004 to July 2005. This reports on a payment for skills scheme for foster carers which was introduced to enhance the lives of looked after and accommodated children and increase the payment to foster carers in recognition of the complex tasks which they undertake. The Council requires to build on a flexible, skilled, foster care resource who can meet the needs of local children, to reduce the need to place children out with the authority. (Appendix 2.)

Social Work Resources Committee 19 October 2005. Report dated 31 August 2005 with a focus on South Lanarkshire Council Adoption and Fostering Panel Report on activity of fostering and adoption panel, payment for skills scheme and recruitment of permanent carers. This also includes a review of South Lanarkshire Council's Foster Care Scheme Report dated 31 August 2005. Additional category of allowance approved. (Appendix 7.)

Payment for Skills Policy and Procedures: 2006 onwards. (Appendix 8.)

2006. Enhanced foster care payments – Payment for Skills scheme. (respite paid 28 days) (Appendix 8.)

Equipment start up (see equipment list) ongoing individual support dependant on needs (Appendix 8.)

Payment for Skills approved committee June 2005, effective from 2006. (Appendix 9.) Prior to this the payments were significantly lower, standard dependant on age of children. Based on paper produced by Fostering Network in 1996.

Social Work Committee 8 December 2010. Report dated 5 November 2010 on the Implications of Adoption and Children (Scotland) Act 2007 including Financial Implications. (Appendix 10)

Report to Resource Management Team dated 7 September 2011. To consider and approve the recommendation to increase fostering allowances and adoption allowances by 3/5%. (Appendix 11.)

Report to Business Panels April 2011 to March 2012. Fees and allowances. In 2011, the Council agreed to increase allowances by 2.5% rather than by 5.1% as recommended by the Fostering Network. This was in line with a number of other councils in Scotland who felt, because of economic constraints, unable to meet recommended Fostering Network rates. (Appendix 12.).

Social Work Committee 20 June 2012. Report dated 15 May 2012 Allowances for Fostering, Adoption and Kinship Care. (Appendix 12.).

Report to Business Panels April 2012 to March 2013. Fees and allowances. In June 2012, the Social Work Committee agreed to increases to both fees and allowances of 2.3% for 2012-2013. A further report was being prepared for discussion at the Resource Management Team requesting an increase of 2% for both fees and allowances for foster carers for 2013/2014. (Appendix 13.)

Reports to Business Panel April 2013 to March 2014. Fees and allowances have been increased by 2.3% for 2014-2015. (Appendix 14.)

- f) If financial support was available, what was the source of those funds (i.e. from local or central government)? What criteria did the local authority apply to the distribution of such funds?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The funds utilised were all sources available to the Council, including central government grant and local taxation.

Period 1996 to 2014

The funds utilised were all sources available to the Council, including central government grant and local taxation.

- g) How were foster carers made aware of any financial support available from the local authority? How was that financial support accessed by foster carers?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Foster carers were made aware of financial support through: application/recruitment processes; publicity campaigns; foster care handbook. A

leaflet on fostering allowances scheme was sent out at every change in range or levels or levels of allowances.

(Information provided and held by The Mitchell Library, Glasgow).

Period 1996 to 2014

Information Packs were provided to foster carers and outlined various aspects of the expectation of foster care within South Lanarkshire as well as providing information on the level of payments.

Service Agreements were signed by foster carers and representatives of Social Work Resources which outlined the expectations of each party towards the foster caring role taken on by the carers.

- h) What other sources of funding were available to foster carers in relation to the provision of care for children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as referenced to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The foster carer could access discretionary funding.

(Information provided and held by The Mitchell Library, Glasgow).

Period 1996 to 2014

Foster carers, as well as their allocated link social worker, were able to apply for grants from local and national charities, on behalf of the children they were looking after. Applications could also be made for state benefits for those children with disabilities.

- i) Was the funding adequate to properly care for the children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The trend was to support the recommendation for funding levels from the Convention of Scottish Local Authorities.

(Information provided and held by The Mitchell Library, Glasgow).

Period 1996 to 1975

In South Lanarkshire Council funding was deemed to be enough at that time, however, improvements have continued to be made in respect of financial arrangements. Skills levels have been introduced to recognise the experience that foster carers bring to their roles. Foster carers payments are reviewed on a regular basis and increased in respect of the cost of living.

j) If not, why not?

Response

<p>Period 1930 to 1975</p>

<p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p>

<p>Period 1975 to 1996</p>

<p>Not applicable (Please see answer in i).</p>

<p>Period 1996 to 2014</p>

<p>Not applicable. (Please see answer in question i).</p>

Present

k) With reference to the present position, are the answers to any of the above questions different?

Response

<p>Yes.</p>

l) If so, please give details.

Response

<p>There are now additional funds available including The Scottish Attainment Fund.</p>

1.3 Legal Status

(i) Local authority

Past

- a) What was the legal basis which authorised or enabled the local authority to become responsible for the provision of foster care for children in Scotland?

Response

Periods 1930 to 1975, 1975 to 1996 and 1996 to 2014

The concept of “foster care” evolved significantly by way of an expanding statutory framework during the identified period (see below).

Children Act 1908

Children and Young Persons (Scotland) Act 1932

Children and Young Persons (Scotland) Care and Training Regulations 1933

Poor Law (Scotland) Act 1934

Children and Young Persons (Scotland) Act 1937

Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947

Children Act 1948

Children Act 1958

Boarding -out of Children (Scotland) Regulations 1959

Children and Young Persons Act 1963

Social Work (Scotland) Act 1968

Children Act 1975

Fostering of Children (Scotland) Act 1984

Boarding -Out and Fostering of Children (Scotland) Regulations 1985

Social Work (Residential Establishments) - Child Care (Scotland) Regulations 1987

Local Government etc (Scotland) Act 1994

Children (Scotland) Act 1995

Arrangements to Look After Children (Scotland) Regulations 1996

Fostering of Children (Scotland) Regulations 1996

Regulation of Care (Scotland) Act 2001

Protection of Vulnerable Groups (Scotland) Act 2007

Looked After Children (Scotland) Regulations 2009

Adoption and Children (Scotland) Act 2009

- b) Did that legal basis require the local authority to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.

Response

As the legal basis authorising the local authority's responsibility for foster care developed, so did the legal and regulatory requirements in respect of children in foster care. In the infancy of foster care, there was no mechanism to assess fitness, however there were checks and balances to ensure that children should be placed with families of the same faith and should not be used as a means of income generation.

In the early 1930's the "fit person" with whom a child was boarded out was given the same rights, powers and responsibilities as if he were the parent. The Education Authority was deemed to be a "fit person" with who a child could be boarded out.

Throughout the 1940s, the concept of "welfare" developed, and the local authority had responsibility to ensure a household was suitable for the placement of children. The Children Act 1948 introduced Children's Committees, Children's Officers, and the concept of paramountcy of children's welfare in Local Authority decision making.

With the Social Work (Scotland) Act 1968, Children's Committees became part of the statutory work of Social Work Departments, and Children's Officers became Directors of Social Work. The recommendations of the Kilbrandon report were adopted almost entirely and the Children's Hearings System was created.

The Children (Scotland) Act 1995 increased participation for children in decision making. The concept of Looked After children (rather than "children in care") was introduced. The Child Protection Order and the Parental Responsibilities Order were created.

The Arrangements to Look After Children (Scotland) Regulations 1996 provided for the local authority to arrange regular reviews in respect of what were now termed Looked After and Accommodated children.

Period 1930 to 1975

Mental Deficiency and Lunacy (Scotland) Act (Secretary for Scotland's) Regulations 1914

Mental Deficiency and Lunacy (Scotland) Act (General Board's) Regulations 1914

Juvenile Courts (Constitution) (Scotland) Rules 1933

Juvenile Courts (Procedure) Rules

Children and Young Persons, Scotland (Transfer of Power) Order 1933

Care and Training Regulations, 1933

Poor Relief Regulations (Scotland) 1934

Remand Home (Scotland) Rules 1946

Children (Boarding-Out etc.) (Scotland) Rules and Regulations 1947

Administration of Children's Homes (Scotland) Regulations 1959

Approved Schools (Scotland) Rules 1961

Approved Schools (Scotland) Rules 1961

Approved Schools (Scotland) Rules Amendment 1963

Period 1975 to 1996

Access (Notice of Termination and of Refusal) (Forms) (Scotland) Order 1983

Boarding—Out and Fostering of Children (Scotland) Regulations 1985

Emergency Child Protection Measures (Scotland) Regulations 1996

Fostering of Children (Scotland) Regulations 1996

Refuges for Children (Scotland) Regulations 1996

Secure Accommodation (Scotland) Regulations 1983

Secure Accommodation (Scotland) Regulations 1996
 Social Work (Representations Procedures) (Scotland) Order 1990
 Social Work (Residential Establishments-Child Care) (Scotland) Regulations 1987

Period 1996 to 2014

Aftercare (Eligible Needs) (Scotland) Order 2015,
 Arrangements to Look After Children (Scotland) Regulations 1996,
 Boarding-out and Fostering of Children (Scotland) Regulations 1985,
 Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland)) (Scotland) Regulations 1996,
 Children's Hearings (Scotland) Act 2011 (Child Protection Emergency Measures) Regulations 2012,
 Children's Hearings (Scotland) Act 2011 (Compulsory Supervision Orders etc.: Further Provision) Regulations 2013,
 Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013,
 Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013,
 Children's Hearings (Scotland) Act 2011 (Transfer of Children to Scotland - Effect of Orders made in England and Wales or Northern Ireland) Regulations 2013,
 Emergency Child Protection Measures (Scotland) Regulations 1996,
 Fostering of Children (Scotland) Regulations 1996,
 Refuges for Children (Scotland) Regulations 1996,
 Residential Establishments - Child Care (Scotland) Regulations 1996,
 Looked After Children (Scotland) Regulations 2009,
 Secure Accommodation (Scotland) Regulations 1983,
 Secure Accommodation (Scotland) Regulations 1996,
 Secure Accommodation (Scotland) Regulations 2013,
 Social Work (Representations Procedure) (Scotland) Order 1990,
 Social Work (Residential Establishments-Child Care) (Scotland) Regulations 1987,
 Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003.

c) Did the local authority have a legal duty of care to each child in its care?

Response

Period 1930 to 1975

Yes, to the extent laid out in the relevant statutory provisions pertaining at the relevant time.

Period 1975 to 1996

Yes, to the extent laid out in the relevant statutory provisions pertaining at the relevant time.

Period 1996 to 2014

Yes, to the extent laid out in the relevant statutory provisions pertaining at the relevant time.

Present

- d) With reference to the present position, are the answers to any of the above questions different?

Response
Yes.

- e) If so, please give details.

Response
<p>(a) What is the legal basis authorising or enabling the local authority to become responsible for the provision of foster care for children in Scotland?</p> <p>The legal basis authorising/enabling the local authority to become responsible for the provision of foster care for children in Scotland is, as follows:</p> <p>The Children (Scotland) Act 1995, s22 provides the overarching duty upon the local authority to safeguard and promote the welfare of children in their area. Sometimes a child's welfare will require its removal from its family.</p> <p>The Children (Scotland) Act 1995, s25 provides the basis for providing accommodation for children in a local authority area. Local Authorities are required to provide accommodation for children and young people whom they are looking after and who are not able to live with their birth parents for whatever reasons and whether for short or long periods of time</p> <p>The Children (Scotland) Act 1995, s26 (1)(a)(iii) details that accommodation may be provided by any other suitable person.</p> <p>Looked after and Accommodated Children (Scotland) Regulations 2009, regulation 21 specifies that a local authority may make a decision to approve a person as a suitable carer for a child which carer shall be known as a "foster carer".</p> <p>(b) Does the legal basis require the local authority to meet or fulfil any legal and/or regulatory requirements in respect of children in its care? If so, provide details.</p> <p>The Children (Scotland) Act 1995, Section 20 requires local authorities to prepare and publish, about the provision of relevant services for or in respect of children in their area.</p> <p>The Looked After and Accommodated Children (Scotland) Regulations 2009: requires that</p> <p>the local authority make a care plan to address the immediate and longer-term needs of the child. The local authority is required to review the case of each child being looked after by them, within six weeks of the placement, then three months thereafter and then at six-monthly intervals. Appropriate records have to be kept,</p>

until the child aged 75 (under the 1996 Regulations) or 100 (under the 2009 Regulations) or the twenty-fifth anniversary of his or her death before the age of 18 and confidentiality has to be maintained.

When a child is placed with a foster carer the local authority has to ensure that the child is visited on its behalf (i) within one week of the placement, (ii) thereafter at three monthly intervals, (iii) on such other occasions as the local authority considers necessary or appropriate in order to safeguard or promote the child's and (iv) where reasonably requested to do so by the child or any foster carer; written reports of these visits have to be produced and considered at any review of the child's case. Where for any reason it appears to the local authority that it is no longer in the child's best interests to remain in the placement the local authority has to make arrangements to terminate the placement as soon as is practicable in the interests of the child.

Before making any decision in respect of a child they are looking after, the local authority must, so far as reasonably practicable, ascertain the views of the child, the child's parents, any other person who has parental rights, and any other person whose views the authority considers relevant; in coming to its decision, the local authority must have regard to these views, and to the child's religious persuasion, racial origin and cultural and linguistic background.

(c) Does the local authority have a legal duty of care to each child in its care?
Yes.

The Children (Scotland) Act 1995, Section 17(1) sets out the duties that local authorities have towards children looked after by them: they must (a) safeguard and promote the child's welfare (including preparing the child for the time when he or she is no longer a looked after child, (b) make use of such services available for children cared for by their own parents as appears reasonable, and (c) take steps to promote, on a regular basis, personal relations and direct contact between the child and any person with parental responsibilities and parental rights.

The Children and Young People (Scotland) Act 2014, s66 & The Children (Scotland) Act 1995, s29 & 30 provides that local authorities must continue to advise, guide and assist (in cash or in kind) young people who were looked after by a local authority at the time they ceased to be of school age (or, later, reached the age of 16) until the age of 19 and until 26 should the person request advice, guidance and assistance. There is also a duty to provide accommodation and other assistance known as continuing care stipulated in s26A of the Children (Scotland) Act 1995.

(Info from legal).

(ii) Foster carers

Past

a) Did foster carers have a special legal, statutory or other status?

Response
<p>Period 1930 to 1975</p> <p>Legal responsibilities are those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.</p> <p>The earliest foster carers were "fit persons" with whom a child was boarded out. They were given the same rights, powers and responsibilities as if they were the parent, but there was no mechanism by which to assess that fitness beyond the Children and Young Persons (Scotland) Care and Training Regulations 1933, which set out expectations of foster carers.</p> <p>The Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947 provided for vetting and approval of fostering households.</p> <p>Period 1975 to 1996</p> <p>Legal responsibilities are those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.</p> <p>The Boarding -Out and Fostering of Children (Scotland) Regulations 1985 required the creation of Fostering Panels (re-stated by Looked After Children (Scotland) Regulations 2009), and anticipated individual agreement with foster carers, which included the requirement for the foster carers to provide financial details.</p> <p>The Children (Scotland) Act 1995 allowed a person having care and control of a child for whom he has no parental responsibilities or parental rights to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.</p> <p>Period 1996 to 2014</p> <p>Legal responsibilities are those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.</p> <p>With the creation of the more flexible permanence orders, the Adoption and Children (Scotland) Act 2009 allowed the local authority to share some parental rights and responsibility for those caring for children. These tend to be foster carers who have undergone a particular assessment.</p>

b) If not, how did the local authority classify a foster carer?

Response
<p>Period 1930 to 1975</p> <p>The earliest foster carers were "fit persons" with whom a child was boarded out. They were given the same rights, powers and responsibilities as if they were the parent, but there was no mechanism by which to assess that fitness beyond the Children and Young Persons (Scotland) Care and Training Regulations 1933, which set out expectations of foster carers.</p>

The Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947 provided for vetting and approval of fostering households.

The ranges of permanent and temporary placements would differ across the time of the Inquiry.

Period 1975 to 1996

In Strathclyde Regional Council fostering placements were divided into two main groups – temporary and permanent - but within each of these, there was a range of placements with families having different qualities and resources to offer to meet the needs of children in care

A temporary placement was one where the decision to foster was taken with the objective that the child would be cared for temporarily in a family setting , and when the placement was a definite plan either to return the child to his family or to an alternative The range of temporary placements included:

- Emergency placement
- Pre-adoption placement
- Respite Holiday placement
- Task-centred placement

A permanent placement was one where the decision to place included a definite plan that the child would remain in that placement until reaching independence, leaving care, or moving on to adoption by the foster parents, particularly if when placed, the child was under 12 . The range of permanent placements included:

- Fostering with family contact
- Fostering without family contact
- Fostering with view to adoption
- Fostering by relatives

(Information provided and held by The Mitchell Library, Glasgow).

The Boarding -Out and Fostering of Children (Scotland) Regulations 1985 required the creation of Fostering Panels (re-stated by Looked After Children (Scotland) Regulations 2009), and anticipated individual agreement with foster carers, which included the requirement for the foster carers to provide financial details.

Period 1996 to 2014

The Children (Scotland) Act 1995 allowed a person having care and control of a child for whom he has no parental responsibilities or parental rights to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.

With the creation of the more flexible permanence orders, the Adoption and Children (Scotland) Act 2009 allowed the local authority to share some parental rights and responsibility for those caring for children. These tend to be foster carers who have undergone a particular assessment.

- c) What was the legal basis which authorised, or enabled, a foster carer to become responsible for caring for children?

Response

Period 1930 to 1975

Legal responsibilities were those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.

The earliest foster carers were "fit persons" with whom a child was boarded out. They were given the same rights, powers and responsibilities as if they were the parent, but there was no mechanism by which to assess that fitness beyond the Children and Young Persons (Scotland) Care and Training Regulations 1933, which set out expectations of foster carers.

The Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947 provided for vetting and approval of fostering households.

Period 1975 to 1996

Legal responsibilities were those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.

The Boarding -Out and Fostering of Children (Scotland) Regulations 1985 required the creation of Fostering Panels (re-stated by Looked After Children (Scotland) Regulations 2009), and anticipated individual agreement with foster carers, which included the requirement for the foster carers to provide financial details.

Period 1996 to 2014

Legal responsibilities were those laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.

The Children (Scotland) Act 1995 allowed a person having care and control of a child for whom he has no parental responsibilities or parental rights to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.

With the creation of the more flexible permanence orders, the Adoption and Children (Scotland) Act 2009 allowed the local authority to share some parental rights and responsibility for those caring for children. These tend to be foster carers who have undergone a particular assessment.

- d) Did that legal basis require a foster carer to meet, or fulfil, any legal and/or regulatory requirements in respect of children in his or her care? If so, please give details.

Response
<p>The earliest foster carers were "fit persons" with whom a child was boarded out. They were given the same rights, powers and responsibilities as if they were the parent, but there was no mechanism by which to assess that fitness beyond the Children and Young Persons (Scotland) Care and Training Regulations 1933, which set out expectations of foster carers.</p> <p>The Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947 provided for vetting and approval of fostering households.</p> <p>The Boarding -Out and Fostering of Children (Scotland) Regulations 1985 required the creation of Fostering Panels (re-stated by Looked After Children (Scotland) Regulations 2009), and anticipated individual agreement with foster carers, which included the requirement for the foster carers to provide financial details.</p> <p>The Children (Scotland) Act 1995 allowed a person having care and control of a child for whom he has no parental responsibilities or parental rights to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.</p> <p>With the creation of the more flexible permanence orders, the Adoption and Children (Scotland) Act 2009 allowed the local authority to share some parental rights and responsibility for those caring for children. These tend to be foster carers who have undergone a particular assessment.</p>

- e) Did the foster carer have a legal duty of care to each child in his or her care?

Response
<p>The earliest foster carers were "fit persons" with whom a child was boarded out. They were given the same rights, powers and responsibilities as if they were the parent, but there was no mechanism by which to assess that fitness beyond the Children and Young Persons (Scotland) Care and Training Regulations 1933, which set out expectations of foster carers.</p> <p>The Children (Boarding-out, etc) (Scotland) Rules and Regulations 1947 provided for vetting and approval of fostering households.</p> <p>The Boarding -Out and Fostering of Children (Scotland) Regulations 1985 required the creation of Fostering Panels (re-stated by Looked After Children (Scotland) Regulations 2009), and anticipated individual agreement with foster carers, which included the requirement for the foster carers to provide financial details.</p> <p>The Children (Scotland) Act 1995 allowed a person having care and control of a child for whom he has no parental responsibilities or parental rights to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare.</p>

With the creation of the more flexible permanence orders, the Adoption and Children (Scotland) Act 2009 allowed the local authority to share some parental rights and responsibility for those caring for children. These tend to be foster carers who have undergone a particular assessment.

Present

- f) With reference to the present position, are the answers to any of the above questions different?

Response

Yes.

- g) If so, please give details.

Response

- (a) Do foster carers have a special legal, statutory or other status?

No.

- (b) If not, how do the local authorities classify a foster carer?

Local Authorities classify a foster carer as a person who has been approved to care for children in accordance with process outlined in Part VII of the Looked After Children (Scotland) Regulations 2009 (hereafter "the 2009 Regulations"). Foster carers fall into 5 categories permanent, long term, interim, emergency and short break as specified by the Scottish Government publication "Foster Care: Glossary of Placement Descriptions".

- (c) What is the legal basis which authorises/enables a foster carer to become responsible for caring for children?

The legal basis is outlined in the 2009 Regulations. The process for approval, review and termination of foster carers is contained within these regulations and supplemented by the Guidance on the Looked After Children (Scotland) Regulations 2009 and the Adoption and Children (Scotland) Act 2007. Part VII of the 2009 Regulations specifies the process for becoming a foster carer.

Foster carers are responsible for caring with children per the written agreement (containing prescribed information in terms of schedule 4 & 6 of the 2009 regulations) with the local authority, in terms of s5 of the Children (Scotland) Act 1995 and generally in terms of the civil and criminal law.

- (d) Does the foster carer have a legal duty of care to each child in his or her care?
Yes.

1.4 Legal Responsibility

- (i) Local authority

Past

- a) Did the local authority have any legal responsibility for the children in its care?

Response

The concept of local authority care developed throughout the period in question. Specific statutory responsibilities emerged later and have developed and expanded in subsequent legislation.

- b) If so, what was the nature and extent of that legal responsibility?

Response

With reference to the legislative provisions detailed above, in the early part of the period the local authority was responsible for vetting foster carers/fit persons in terms of boarding out. In 1948 a specific duty to receive a child into care, to provide accommodation and maintenance, and for such children to further their best interests and to afford opportunities for development of character and abilities and was enacted. This was expanded in 1963 and 1968. In 1975 duty to safeguard and promote welfare, and those responsibilities were expanded further in the 1995 Act, for example section 17.

- c) Did any other person or organisation have any legal responsibility for the children while they were in the local authority's care?

Response

Yes.

- d) If so, what was the nature and extent of that responsibility?

Response

Depending on the child's status and point in time, any or all of parents, foster carers, fit persons, approved schools would have either exclusive or shared legal responsibility. The precise nature and extent of that responsibility was as detailed in the relevant legislation.

- e) If the local authority had no legal responsibility for children in its care, where or with whom did legal responsibility lie?

Response

As stated above, parents, fit persons, industrial/reformatory/approved schools as well as public health and education authorities all had legal responsibilities at different times.

Present

- f) With reference to the present position, are the answers to any of the above questions different?

Response

Yes.

- g) If so, please give details.

Response

(a) Does the local authority have any legal responsibility for the children in its care?

Yes.

(b) If so, what is the nature and extent of that legal responsibility?

As stated at 1.3.

The local authority has legal duties and responsibilities for children its care as specified in the following legislation:

The Children (Scotland) Act 1995;

Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland)) (Scotland) Regulations 1996;

Refuges for Children (Scotland) Regulations 1996;

Residential Establishments - Child Care (Scotland) Regulations 1996;

The Regulation of Care (Scotland) Act 2001;

The Children (Scotland) Act 2001;

Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003.

The Adoption and Children (Scotland) Act 2007;

The Looked After Children (Scotland) Regulations 2009;

The Children's Hearing (Scotland) Act 2011;

Children's Hearings (Scotland) Act 2011 (Child Protection Emergency Measures) Regulations 2012;

Children's Hearings (Scotland) Act 2011 (Compulsory Supervision Orders etc.: Further Provision) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013;

Children's Hearings (Scotland) Act 2011 (Transfer of Children to Scotland - Effect of Orders made in England and Wales or Northern Ireland) Regulations 2013;

Secure Accommodation (Scotland) Regulations 2013;
 The Children and Young People (Scotland) Act 2014;
 Aftercare (Eligible Needs) (Scotland) Order 2015;
 Support and Assistance of Young People Leaving Care (Scotland) Amendment Regulations 2015.

(c) Does any other person or organisation have any legal responsibility for children whilst they are in local authority care?

The local authority has legal responsibility for looked after children. Other parties (e.g. parent/kinship carer/foster carer/fostering service/voluntary organisations) could also have legal responsibilities in relation to a child in local authority care.

(d) If so, what was the nature and extent of that responsibility?

The nature and extent of the responsibility owed by third parties would vary depending upon the party and the situation. It would be speculative to comment further.

(e) If the local authority has no legal responsibility for children in its care where or with whom does legal responsibility lie?

Not applicable. The local authority has legal responsibility for the children in its care.

(ii) Foster carers

Past

a) Did the foster carer have any separate legal responsibility (separate from the local authority) for children in his or her care?

Response
Yes.

b) If so, what was the nature of that responsibility?

Response
A Foster Carer is likely to have been treated as having the same duties at common law as anyone looking after child in loco parentis.

Present

- c) With reference to the present position, are the answers to either of the above questions different?

Response
Yes.

- d) If so, please give details.

Response
Foster carers are responsible for caring for children per the written agreement (containing prescribed information in terms of schedule 4 & 6 of the 2009 regulations) with the local authority, in terms of s5 of the Children (Scotland) Act 1995 and generally in terms of the civil and criminal law.

1.5 Ethos

Past

- a) What did the local authority see as its function, ethos and/or objective in terms of the foster care service it provided for children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council Fostering Procedure and Practice Guide 2007 advises that Social Work Resources, in taking on the role of parent, and whatever the legislative basis for placements, must provide a safe environment and one which helps children and young people have their educational, emotional and developmental needs met and which takes account of their traumatic/damaging life experiences and missed opportunities. There must be opportunities for children and young people to maintain appropriate contact with their birth families, provided it is in their interests, in terms of s.17(1)(c) of the 1995 Act. In placing a child or young person, the Council must take account of religious, cultural and</p>

ethnic factors in children and young people's backgrounds, in terms of s.17(4)(c) of the 1995 Act. And the views of children and young people, and of their families, must be taken account of in terms of s.17 (3) and (4) of the 1995 Act.

(Fostering Procedures and Practice Guide 2007/revised February 2013 – Appendix 15.)

- b) What did the local authority see as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's Fostering and Practice Guide state that children and young people placed in foster care have a lot of specific and individual needs. All will experience loss, trauma, disruption and dislocation of, and from, everything that is familiar. This will be so, even if there are aspects of their home circumstances which have been very detrimental and traumatic.

Some will have had experience of physical, emotional and sexual abuse and neglect. They will have experienced a combination of trauma and inconsistency in the provision of positive experiences. These experiences will often be seen in their behaviours.

It is important that foster carers understand the very special tasks that are involved in caring for a child with these experiences.

In recruiting, assessing, supporting, monitoring and training foster carers to undertake this role, Councils must be mindful of the need for safety and to keep children and young people safe from harm and abuse.

(Extract from Fostering Procedures and Practice Guide 2007/revised February 2013 – Appendix 15.)

- c) Were there changes over time in terms of what the local authority saw as its function, ethos and/or objective in terms of the foster care service it provided for children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes.</p>

- d) If so, what were the changes and when and why did they come into effect?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Social Work Resources became aware of the need to seek Permanence in children's lives to ensure stability for a child. Although it was recognised that achieving adoption for a child may be the best means of achieving permanence, it was also recognised that gaining Parental Responsibilities Orders and placing a child long term with a foster carer was also a means of proving long term stability and a family life for a child.</p>

- e) Were there changes over time in terms of what the local authority saw as the foster carer's function, ethos and/or objective in terms of the service that the foster carer provided to children placed with him or her?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to materials used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Not known. Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to materials used form previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes</p>

- f) If so, what were the changes and when and why did they come into effect?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Enhanced training calendar led to increased professionalism from foster carers. Review and monitoring of performance, including carers returning to panel for independent scrutiny. National Care Standards, Fostering Agencies 2006 Care Commission commenced regulatory responsibility.</p>

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Response
Yes

h) If so, please give details.

Response
In South Lanarkshire Council, Placement Descriptors gave a clearer definition of a child's experience of previous placements. There was also a limit in the numbers of unrelated children in placement with carers to 3. These changes were introduced following amendments to the 2009 Act and a subsequent Care Review.

1.6 Numbers

(i) Local authority

Past

- a) How many children did the local authority accommodate at a time in foster care and in how many placements?

Response

Period 1930 to 1975
Inspection of the signed minutes of the County Council of the County of Lanark for 1952, 1953 and for 1963, gives the following figures for children boarded out:

Nov 1952. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	63	46	109
With other than relatives	72	58	130
Total	135	104	239

Dec 1952. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	65	45	110
With other than relatives	68	62	130
Total	133	107	240

Jan 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	64	45	109

With other than relatives	67	60	127
	131	105	136

Feb 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	66	44	110
With other than relatives	66	60	126
	132	104	136

Mar 1953. Children boarded out in private dwellings:

	Boy	Girls	Total
With relatives	73	50	123
With other than relatives	62	60	122
	135	110	245

Apr 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	71	53	124
With other than relatives	60	60	120
	131	113	244

May 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	70	52	122
With other than relatives	60	60	122
Total	130	112	242

June 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	68	51	119
With others than relatives	60	59	119
Total	128	110	238

July 1953. Children boarded out in private dwellings:

	Boys	Girls	Total
With relatives	66	52	118
With others than relatives	59	58	117
Total	125	110	235

By the time we read the signed minutes of the County Council of Lanark committee reports from the 1960's there is mention of reports by the Children's

Officers, but no specific figures are given in relation to the children committed and admitted to the care of the County Council.

(Source: County Council of the County of Lanark 1953, Volumes 1&2 and County Council of the County of Lanark 1963, Volumes 1&2. These documents are held and are the property of the Mitchel Library, Glasgow.)

Period 1975 to 1996

Please see information provided by the Mitchell Library, Glasgow. (Appendix 16.)

Period 1996 to 2014

The table below give the number of children in foster care as per South Lanarkshire Council's Scottish Government return information since 2010. We are unable to identify how many different placements this would be due to recording limitations.

Year	SLC
2010	156
2011	192
2012	159
2013	181
2014	191

Fostering Statistics from Business Panel reports

Year	Children temporary placements in foster
2006	93
2007	104
2008	105
2009	98
2010	117
2011	125
2012	147
2011	125
2012	147
2013	156
2014	148

Year	Children permanent placements in foster
2006	-
2007	-
2008	13
2009	16
2010	14

2011	19
2012	20
2013	25
2014	42

Year	Children in respite/short break placements
2006	-
2007	-
2008	14
2009	15
2010	26
2011	26
2012	27
2013	25
2014	16

Year	Children in pre-adoptive placements
2006	6
2007	8
2008	13
2009	15
2010	12
2011	13
2012	16
2013	12
2014	11

- b) How many foster carers were approved/registered by the local authority at any given time? How many placements for children did this represent? How many placements were in use at any given time?

Response
<p>Period 1930 to 1975</p> <p>No detailed information available. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.</p> <p>The County Council of the County of Lanark signed minutes 1953, Vol 1 make mention to foster aunts for the children homes run by the County Council. – “Reference having been made by Mr Sherry to the question of foster aunts for the children in the Council’s homes, it was agreed after discussion, that the Children’s Officer should submit a report on this matter for consideration at the next meeting”.</p>

The Children's Committee Meeting of the 26th March 1953 has a report from the Children's Officer in which the foster aunt's scheme is agreed for children in residential homes. It was noted that the scheme was introduced by Bothwell Woman's Voluntary Service to Wooddean House and that representatives from the Strathaven Woman's Voluntary Service were hopeful of introducing a foster aunt scheme in Dunavon House. (Appendix 17).

During the period 1949/50-1968/9, the records show the following averages:

- 1509 fostered over the year
- 436 accommodated in homes at year end
- 704 admitted during the year

(Information provided by The Mitchell Library, Glasgow.)

Period 1975 to 1996

Appendix16 provides a breakdown of foster parent's numbers for 1977 in Strathclyde Regional Council.

Period 1996 to 2014

The table below gives the number of foster carers who were approved by South Lanarkshire Council since 2010 and the number of places these carers were able to provide. We are not in a position to advise how many places were in use at a time.

Year	No of Foster Carers	No of registered placements
2010	171	437
2011	160	396
2012	182	440
2013	196	468
2014	222	511

Fostering Statistics from Business Panel Reports.

Year	Foster carer households
2006	43
2007	46
2008	59
2009	63
2010	62
2011	69
2012	73
2013	87
2014	88

Fostering Statistics from Business Panel Reports

Year	Respite households	Carer
2006	-	
2007	-	
2008	3	
2009	-	
2010	10	
2011	8	
2012	10	
2013	10	
2014	10	

- c) If foster carers were approved/registered by the local authority as providing only specific types of care – e.g. respite care, short-term foster care, long-term foster care – please provide details of the categories and the numbers of placements in each.

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>The figures for 1975-1977 for Permanent/Temporary placements are available at Appendix 17.</p> <p>The ranges of permanent and temporary placements would differ across the time of the Inquiry.</p> <p>In Strathclyde fostering placements were divided into two main groups – temporary and permanent - but within each of these, there is a range of placements with families having different qualities and resources to offer to meet the needs of children in care</p> <p>A temporary placement was one where the decision to foster was taken with the objective that the child will be cared for temporarily in a family setting, and when the placement is a definite plan either to return the child to his family or to an alternative. The range of temporary placements included:</p> <ul style="list-style-type: none"> • Emergency placement • Pre-adoption placement • Respite Holiday placement • Task-centred placement

A permanent placement was one where the decision to place includes a definite plan that the child will remain in that placement until reaching independence , leaving care, or moving on to adoption by the foster parents, particularly if when placed, the child is under 12 . The range of permanent placements will include:

- Fostering with family contact
- Fostering without family contact
- Fostering with view to adoption
- Fostering by relatives

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the number and categories of foster carer placements was as indicated below:

2006/07: 80 temporary, 13 permanent, 8 respite

2007/08: 105 temporary, 13 permanent, 14 respite

2008/09: 98 temporary, 16 permanent, 12 respite, 15 shared care

2009/10: 117 temporary, 14 permanent, 26 respite, 15 shared care,

2010/11: 125 temporary, 19 permanent, 26 respite, 17 shared care

2011/12: 147 temporary, 20 permanent, 27 respite, 19 shared care

2012/13: 156 temporary, 25 permanent, 25 respite, 14 shared care

2013/14: 148 temporary, 42 permanent, 16 respite, 12 shared care

2014/15: 143 temporary, 37 permanent, 15 respite, 11 shared care

- d) Please provide details of any material changes in numbers of children, placements or foster carers, and the reasons for those changes?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The number of children accommodated by Strathclyde Regional Council/Glasgow City Council would vary daily dependent on Courts and Children's Hearing System.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the number of permanent carers increased over the latter part of this period due to a drive to secure children's futures. There was also an increase in shared care following a recognition that short breaks for families

could prevent children being accommodated longer term. The number of foster carers in general also rose, possibly due to improved recruitment approaches.

- e) How many children in total were accommodated by the local authority (whether in foster care or otherwise)?

Response

Period 1930 to 1975

Within the signed minutes of the County Council of Lanark 1953, an indication is given of the total number of children accommodated at specific months in 1952 and in 1953. This information is contained in the Children's Committee minute: date 24 June 1953:

Nov 1952: Number of children coming under the supervision of the Children's Committee:

	Boys	Girls	Total
Total number in care	240	190	430
Children in care of other local authority for whom the County Council of Lanark is financially responsible	19	13	32
Children boarded out by other authorities in the County Council of Lanark	91	98	189
	350	301	651

June 1953: Number of children coming under supervision of the Children's Committee:

	Boys	Girls	Total
Total number in care	233	191	424
Children in care of other local authorities for whom the County Council of Lanark is financially responsible	16	8	24
Children boarded out by other authorities in the County Council of Lanark	107	110	217
Total	356	309	665

The Royal Burgh of Rutherglen Children's Committee minutes from 28/3/1960 to the 28/9/1965 indicate that the Committee met on a monthly basis and reported on the number of children in care of the Burgh each month as required by the Children Act 1948, on those children who had been accommodated in the last month, those discharged from care as well as an update from the Children's Officer on visits to establishments and foster placements that had taken place

within the month. The table below gives a snapshot of children in care at a specific date:

**Royal Burgh of Rutherglen
Children's Committee
Monday 24th April 1961**

Children boarded out with Guardian	10
Children in Homes and other Institutions	14
Children in Homes and Supervised on behalf of other Authority	3
Children on Life Protection Register	1
Children in employment but still in care of Town Council	10
Children placed in pre-adoption	8
Total	46

(Source: The handwritten minutes of the Royal Burgh of Rutherglen's Children's Committee minutes from 28/3/1960 to 28/9/1965. Ref: RU 3/4/111, held by the Mitchell Library, Glasgow.)

Period 1975 to 1996

No comprehensive list of numbers of individuals has been identified. Appendix 17 gives numbers of children in foster care each year.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

The table below give the total looked after population as per our Scottish Government returns since 2010.

Year	SLC
2010	491
2011	547
2012	617
2013	597
2014	595

- f) In general terms, was the main service provided by the local authority the provision of residential care for children in establishments, or was it the provision of foster care?

Response

Period 1930 to 1975

The information gathered from the review of Lanark County Council minutes would indicate the Council placed children within foster families and their own children's houses and voluntary homes. On the 4th February 1953, the Children's

Department of the County Council reported that 191 children were placed in its children's houses and other voluntary homes. The table below indicates the numbers of boys and girls and the houses they lived in:

Home	Boys	Girls	Total
Dunavon House	31	28	59
Ridge Park House	11	4	15
Woodean House	7	6	13
Flemington House	4	6	10
Beechfield House	1	3	4
Voluntary Homes	53	37	90
Total	107	84	191

No definitive picture could be gathered on the main service provided by the local authority.

(Source: The County Council of the County of Lanark, signed minutes – 1953 – Volume 1. The volume is maintained by the Mitchell Library, Glasgow).

Period 1975 to 1996

Glasgow Corporation/Strathclyde Regional Council/Glasgow City Council provided both Residential Care and Foster Care. Over the period of inquiry, the balance of provision moved from Residential Care to Foster Care. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Since its inception in 1996, South Lanarkshire Council's Social Work Resources has used internal foster placements, external foster placements, internal children's houses, external children's houses, external residential schools and secure units to care for children and young people in its care, no matter what legislation they have been placed under.

The model of internal children's house has changed over the years, with South Lanarkshire having initially 10 children's houses, with each house able to accommodate upwards of 20 children, to the present-day format where we have five children's homes which can accommodate between 4-6 children. In general, the main provision of South Lanarkshire Council was the provision of foster placements.

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Response

Yes.

h) If so, please give details.

Response

How many children did the local authority accommodate in foster care and in how many placements?

The table below give the number of children in foster care as per our Scottish Government return information since 2015. We are unable to identify how many different placements this would be due to recording limitations.

Year	SLC
2015	172
2016	211
2017	214
2018	210

Fostering Statistics from Business Panel reports

Year	Children in temporary foster placements
2015	143
2016	124
2017	155
2018	129
2019	123

Year	Children in permanent foster placements
2015	37
2016	51
2017	42
2018	43
2019	42

Year	Children in respite/short break placements
2015	15
2016	40
2017	23

2018	15
2019	10

Year	Children in pre-adoptive placements
2015	16
2016	20
2017	24
2018	9
2019	12

Year	Children in external foster care placements
2015	10
2016	17
2017	20
2018	31
2019	43

**How many foster carers were approved/registered by the local authority at any given time? How many placements for children did this represent?
How many placements were in use at any given time?**

The table below gives the number of foster carers who were approved by South Lanarkshire Council and the number of places these carers were able to provide. We are not in a position to advise how many places were in use at a time.

Year	No of Foster Carers	No of registered placements
2015	240	533
2016	267	570
2017	268	568
2018	281	587

Fostering Statistics from Business Panel Reports.

Year	Foster carer households
2015	92
2016	100
2017	113

2018	95
2019	107

Fostering Statistics from Business Panel Reports

Year	Respite Carer households
2015	12
2016	15
2017	17
2018	20
2019	27

How many children in total were accommodated by the local authority (whether in foster care or otherwise)?

The table below give the total looked after population as per our Scottish Government returns.

Year	SLC
2015	548
2016	563
2017	549
2018	654

1.7 Children's Background/Experience

Past

- a) Did the children placed in foster care generally have a shared background and/or shared experiences?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p>

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used in previous Section 21 Notices, did not uncover information on this matter.

The Strathclyde Regional Minutes 1981, Social Work (Development) Sub Committee, 23rd April 1981 provides the following background to children in foster care:

Report on reception of children into care.

There was submitted a report of 6th April by Social Work Department research staff, a copy of which had previously been issued to each member, a research study of children received into care between May 1978 and May 1979.

The report:

- (1) Had intimated that the research had been undertaken in response to a request from the Member/Officer Group on Child Care that a study be undertaken to establish the personal, social and environmental factors associated with the reception into Local Authority care: and
- (2) Had summarised the findings of research, as detailed below, which were presented the Sub-Committee by Mrs E. Wildman, Principle Research Officer, Social Work Department (in attendance for this item only):-
 - (a) 2,283 children from 1,390 families had been received into care in the 13-month period of the study:
 - (b) There had been approximately 3.1 admissions into care per 1,000 children per year in Strathclyde as a whole and 5.1 admissions per 1,000 per year in Glasgow
 - (c) Approximately 3% of all children in Strathclyde had passed through Council care at some point, whereas in Glasgow the figure had been 4.25%
 - (d) 43% of the admissions had been children who had previously been in care; and
 - (e) Approximately one-third of the admissions in the 0-4 age group and about half the admissions aged 5 years and over had been in care before.

K. Moore, Research Officer, Chief Executive Department (in attendance for this item only) pointed out the following factors on the relationship between deprivation and the receptions of children into care:-

- (i) that 70% of the children came from single-parent families;
- (ii) that 70% came from households where the head was not in work;
- (iii) that 17% came from families with six or more children;
- (iv) that 88% suffered from at least one of the three deprivation indicators outline above;
- (v) that one per 1,000 of child population in the more affluent districts were received into care as against 7 per 1,000 from the Areas of Priority Treatment; and
- (vi) that 60% of the children in care from the more affluent Districts were fostered as against 10% from the Areas of Priority Treatment.

Mrs Wildman presented the remainder of the finding as follows:-

- (A) Approximately 60% of the of the 0-4 age group and less than 20% of the over 5 age group had been fostered;
- (B) a number of districts, particularly in Glasgow, had less than 20% of the admissions fostered;
- (C) almost one-sixth of the admissions had had no recommendations and no record of actual placement;
- (D) children from single, unmarried parent homes had appeared to have the best chance of being fostered, possibly due to the fact that this had tended to involve young children;
- (E) children from families where the household head had been unemployed had seemed less likely to be fostered than children from homes where the head of the house had been in work. This might be particularly due to the fact that a high proportion of very large families had been admitted from homes where the head had not been in work;
- (F) the larger the size of sibling group, the less likelihood there had been of the group being fostered, 18% of the children had come in with three or more siblings;
- (G) a previous admission to care might have decreased the chance of fostering;
- (H) 50% of cases had been admitted for unspecified duration of care. Approximately 8% had been expected to be in care for more than 6 months, most of whom were aged 11 years or over;
- (I) Children with married, divorced or separated parents had seemed most likely to return home quickly i.e. within two months. Children with one or both parents dead had been most likely to be admitted for a long stay. A large number of children from single unmarried parent homes had been admitted for an intermediate-duration of stay of 2 to 6 months;
- (J) Large groups of children had tended to be admitted in circumstances where the expected duration of care was very short. Most of those admitted for a very long period had been admitted alone;
- (K) Only about 20% of the long-stay and unspecified-durations case had been found foster homes;
- (L) Only 155 of the cases had a review time specified;
- (M) Only 11.6% of the families, from which children had been received into care, had scored on none of the deprivation indicators. 52% of children coming from families with a deprivation score of 3, had been in care before, whilst 37% of those families with a nil deprivation score, had had previous period of foster care; and
- (N) 62% of families with a deprivation score of 3 had experienced no extended family involvement, compared with 44% of those with a nil score. 80% of children who scored on 3 of the deprivation indicators, had been placed in residential care. This was 3 times the population of children from families with a nil deprivation score.

Mr Bates, Principle Officer Child Care, Social Work Department (in attendance for this item only), indicated,

- (i) That, although a definite relationship between deprivation and the reception of children into care had been demonstrated, it was at a time when disadvantaged family had been exposed to a crisis situation that they were more susceptible to having their children placed in care;
- (ii) That, in the past, it had been apparent that Social Work had failed to discriminate in favour of children from deprived areas when they had

been received into care, but that steps were now being taken to have this trend reversed:

- (iii) That a package of guidelines would be published in the near future which would make six monthly reviews of each case mandatory; and
- (iv) That a computerised form would be introduced listing a number of possible reasons for the reception of children into care to be completed by the Social Worker in each case.

After considerable discussion, the Sub-Committee agreed to note the position. (The Strathclyde Regional Minutes are held by the Mitchell Library Glasgow).

Period 1996 to 2014

South Lanarkshire Social Work Resources does not maintain a central record on the background experiences of children accommodated. Individual case files detail the background experiences of children placed in foster care.

- b) Were children admitted into the care of the local authority, or were they admitted into the care of particular foster carers?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes. Children and young people would have been placed into the care of the local authority.

Period 1996 to 2014

Yes. Children and young people would have been placed into the care of the local authority.

- c) Who placed children with the local authority?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Through our searches we have been unable identify the referral sources of children who were placed with the local authorities.

- d) From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the local authority receive children mainly through the Children's Hearing system?

Response

No.

- e) If not, generally how did children come to be admitted into the care of the local authority?

Response

From 15 April 1971, South Lanarkshire Council received children into their care via voluntary receptions, Child Protection Orders and Permanence Orders sanctioned by Courts.

Also, from 1971, Children have been placed in the care of the Local Authorities by Children's Hearings via Section 44(1) (a) and (b) Orders, Home and Residential Supervision Requirements and then by Compulsory Supervision Orders with measures.

- f) How long did children typically remain in the care of the local authority?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

According to available historical records this information is not generally available but the Social Work Committee Officer/Member Group on Child Care (1978) suggest that one half had been in care for more than three year.
(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Through our searches we have been unable to establish typically how long children remained in the care of South Lanarkshire Council.

- g) In respect of children who were admitted into the care of the local authority, who made the decision as to whether they should be placed in foster care?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 1975

Children will have been received into care at the request of parents or legal guardians, the Children's Hearing or by Court Orders including Child Protection Orders.

- h) If the decision was made by the local authority, what criteria were applied?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Any decision to place a child in local authority care would be based on the relevant legislation: The Social Work (Scotland) Act 1968, The Children (Scotland) Act

1995 and The Children's Hearing (Scotland) Act 2011. Reference will also have been made to South Lanarkshire Councils Looked After and Accommodated Guidance/revised edition referred to as South Lanarkshire Council Social Work Guidance for Corporate Parenting.
(Appendix 18.)

i) Were children moved between different foster care placements?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 1975

Yes.

j) If so, in what circumstances?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, there was significant support given to carers to maintain placements and in general we are confident that most children received consistent care. However, in some cases, children will have moved between foster placements when their carers were unable to meet their needs. This may have been the result of behaviours presented by the child which the foster carer could not manage. There were sometimes matching issues, with the children presenting risks in relation to other children in placement and we learned that children required sole placements or placed with older children.

On occasions we moved children to be reunited with siblings who were in other placements.

On occasions, due to demands on the fostering service, children may have been placed with a foster carer on a temporary basis until a suitable foster placement was identified and then moved when the placement became available.

Children were sometimes moved from a foster carer due to the carer becoming ill, retiring or resigning from South Lanarkshire Council.

Children on occasions moved from a foster carer due to an allegation of abuse made by children or others about the foster carer and we needed to safeguard children.

As we offered carers respite, children did stay with other carers to allow their carers to have breaks. However, we encouraged family and friends to be approved as support carers to reduce the impact of this. Where children stayed with other carers during this time, we tried to ensure the children stayed with carers they knew.

k) Generally did children typically stay in one, or more than one, foster care placement?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, we are unable to give specific information for this period, although performance since this time and records available suggest in general, children stayed in one placement. The aim was to maintain children's placements with support.

- l) What was the process for review of children's continued residence in foster care, in terms of whether they continued to require to be (a) in foster care and/or (b) in that particular placement?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

As stated earlier in 1.7 a), The Social Work (Development) Sub-Committee meeting of the 23rd April, 1981 indicated that plans were being put in place for six monthly reviews of children in care.

Both the 1976 and 1986 Foster guidelines laid down processes for review.

The guidelines outline areas of interest in the review, including:

- Physical, intellectual and emotional development of the child
- Any changes relating to the family, the foster family or other important persons in their life
- Child's legal situation and whether any changes need to be made in it
- Relationship between the foster parent and Social Work Department

It was Strathclyde Regional Council's policy to invite everyone interested in the care of the child to a review. Foster children and natural parents were also encouraged to attend. Social Worker and Senior Social Worker will also attend. Sometimes a school teacher, doctor or child psychologist.

The timetable for reviews was:

- First full review no later than 4 weeks after date of admission into care
- Subsequent reviews to be held as appropriate but not less than at six-monthly intervals

Foster parents may also be invited to attend case conferences on a foster child in their care.

The 1986 guidelines detail the main function is to review the child, their circumstances and needs, and will include the following:

- Review of the original plan, monitoring how effectively the recommendations of any former reviews have been

implemented and reassessing the appropriateness of any decisions

- Exchanging and coordinating information on the child's physical, emotional, intellectual and social development for all with all invitees
- Child's legal situation and whether this continues to be appropriate to present needs
- Agreeing a plan for the future, for example rehabilitation, permanent care, and detailing tasks to promote its implementation
- Formal recording of decisions regarding child's future care, which would become an integral part of the child's case file

Composition of review team would vary depending on needs of the child, but the following must always be invited;

- District Manager's representative, who will act as Chair
- Supervising Social Worker
- Senior Social Worker
- Foster parents
- Natural parents (unless their parental rights have been removed)
- Child if age and understanding allows
- Divisional Adoption and Fostering Adviser who may attend, or send a representative

Other participants might include the link worker (in temporary placements), health visitor, teacher, or education psychologist

Timings of Review; decision meeting prior to reception; initial review held within 4 weeks in care; child's progress must be reviewed 3 months later and then at 6 monthly intervals.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Children and young people who were placed in foster care in South Lanarkshire Council would have a six monthly Looked After and Accommodated Review chaired by a Social Work Team Leader and attended by the child/young person, their family/carers, social worker, foster carers and any health, education and other relevant staff. This meeting would review the care the child/young person was receiving and consider if the placement was meeting the needs of the child and if any further supports were required. Although six monthly meeting were the minimum, earlier meeting could be arranged if circumstance required this.

The Family Placement Team within South Lanarkshire also held Foster Care Review meetings on an annual basis to ensure that Foster Carers were fit and able to provide placements to children and young people in South Lanarkshire. After 2009, the minutes of these reviews were presented to the Fostering Panel every three years, or earlier, if there required to be a change in registration or if an allegation or complaint had been against the foster carer.

m) When children left foster care, what was the process for discharge?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Discharge process was determined by individual Care Plans, the Children's Hearing System or the Courts.
(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Discharge was and is dependent on the path the child's life was taking.

If a child returned to their parent's care, this would be decided by a Looked After and Accommodated Review, with a plan for rehabilitation to the parent's/carers care.

If the child was subject to a legal order, and the plan was to return the child's to the parents care, this would be decided at a Looked After and Accommodated Review, however, the decision would require to be legally confirmed by the Children's Hearing. Once agreed at the Children's Hearing, a rehabilitation plan would be put in place.

If a child in foster care was not in a position to return to their parents care, a kinship placement may have been sought. This could be achieved through a Children's Hearing and then requesting that the kinship carers apply for a residence order (kinship Care Order).

If the child could not return to their parents care, and no kinship placement was available, consideration would be given to placing the child for adoption or achieving a permanence order.

If the young person remained in foster care past the age of 16 years and it was deemed by them and at their Looked After and Accommodated Review that they could not return to family/carers, then the young person would be assisted to move to their own accommodation through South Lanarkshire's Throughcare and Aftercare procedures.

n) What support was offered to children when they left foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Support would vary and be determined by individual circumstances. Examples of support would include Leaving Care Services, Housing, Education and Employment Services.

In 1995, young people leaving care or supervision was one of the 4 target areas in Strathclyde Regional Council's Child Care Plan.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

When a child or young person returned to their family or carers, continued social work involvement would be offered or if the child was on a statutory order, this would be mandatory. The same would apply to children moved to a kinship placement. Kinship placements would also be supported financially. Children and young people placed in adoptive placements could receive post adoption support, depending in the needs of the child or young person.

Once a child achieved maturity in foster care, Pathways Planning would be undertaken to support the young person to move into their own tenancy with the support of social work. The process involved supporting the young person to seek employment or further education, advice and guidance on maintaining a house, maintaining relationships, support with money and any other issue identified by the young person.

- o) What information was sought by the local authority about what children leaving foster care planned to go on to do?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

If a child or young person under the age of 16 years left foster care and returned to their parents or carers, no information would be sought by South Lanarkshire on what they planned to go on and do. This would be similar to children moving from foster care to kinship care or an adoption placement.

The young people leaving foster care after reaching 16 year would be involved in Pathway Planning and the local authority would be key in assisting them to seek employment or further education, however, no central register would be kept monitoring this groups as a whole.

p) Was such information retained and updated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

This information would be retained and updated through Looked After and Accommodated Meeting minutes and Pathways Meetings.

q) What was provided in terms of after-care for children/young people once they left foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council retained statutory responsibility for children leaving foster care. This changed over time in line with regulations, policy and practice. The nature of the aftercare would be specific to the individual child's personal requirements.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

As stated above, young people leaving foster care would be involved in Pathways Planning and Pathways Meetings. At these meetings, Social Work and Housing staff would be present to support any aspect of a young person's life and development. These meetings would continue until the young person reached 21 years.

Some young people moved from foster care to supported accommodation, prior to moving to their own accommodation. Once again these young people would be supported through Pathways Planning and Reviews and would have had an allocated social worker until they reached the age of 21 years.

Present

- r) With reference to the present position, are the answers to any of the above questions different?

Response
Yes.

- s) If so, please give details.

Response
Continuing Care legislation means that young people can elect to remain in care without being 'looked after' through the Children's Hearing system. There is a potential for some young people to remain in care up until the age of 21 Years, with Corporate Parents having a responsibility to provide support and guidance to previously looked after children, up to the age of 26 years.

1.8 Local authority staff and foster carers

- (i) Local authority

Past

- a) How many people were employed by the local authority who had some responsibility for foster care services for children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, this could not be quantified, however, specifically the Family Placement Team employed:</p> <p>2007: 9.3 WTE staff members 2009: 10.83 WTE staff members 2010: 12.63 WTE staff members 2013: 14.83 WTE staff members 2014: 17.10 WTE staff members</p>

- b) How many people were employed by the local authority at any one time who had some responsibility for foster care services for children?

Response
<p>Period 1930 to 1975 The Children (Case) meeting dated 30 January 1963, contained in the signed minutes of the County Council of Lanark indicates that the County Council employed four Child Care Officers. The minutes mentions, "There was submitted, in this connection, memorandum from the Children's Officer recommending that the post of Child Care Officer should be designated as requiring a Social Science Diploma and that the four Child Care Officers employed at present in his Department should be put on the salary scales Executive Division, Grades iii to iv, with placings in accordance with their service, on the maximum points of the scales." (Source: County Council of the County of Lanark Signed Minutes Volume 1 – 1963. This volume is under the control of the Mitchell Library in Glasgow.)</p> <p>Period 1975 to 1996</p>

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Information on staffing levels for fostering services based in South Lanarkshire are contained in the following reports and committee papers:

Social Work Resources Committee 15 November 2006. A report on Fostering and Adoption Services and a Review of Establishment Report dated 19 September 2006 was discussed which considered an increase in establishment to support the increase in volume and range of services which the Council has a duty to provide for vulnerable children and young people. (Appendix 19.)

Social Work Resources Committee 28 November 2012. Report dated 12 October 2012, Changing Services for Children and Families. A section of the report proposed that additional funding be used to support the creation of additional capacity within the Fostering and Adoption Service to support better permanency planning arrangements for young children. The funding would be used to recruit up to 8 adoptive carers per year who would be able to provide temporary care to young infants whilst rehabilitation/permanence planning was considered and, thereafter, be the adoptive carers for the child placed, if required. (Appendix 20.)

Report to Business Panels. Review of Family Placement Team 30 March 2006. This took place in February 2006 and a draft paper which evidences the growing needs and demands for and on both the adoption and fostering services has been drawn up for senior management. This includes proposals for extending the Family Placement Team. (Appendix 8.)

Report to Business Panels. Review of Tasks 13 November 2007. A draft committee report is currently being prepared reviewing the tasks of the Family Placement Team and the establishment. (Appendix 21.)

- c) What roles and responsibilities did such staff have? Please specify in which roles staff met with children and foster carers.

Response

Period 1930 to 1975

In respect of visitations to children in foster homes, the County Council of the County of Lanark Children's Committee dated 22nd July 1953 states:

"Under reference to minutes of meetings of date 12 June, 1952, relative to the visitation of boarded out children in foster and voluntary homes, there was submitted a report of visitations made to boarded out children in foster, and, homes in – (1) The Counties of Ross and Cromarty, Banff, Moray and Nairn, from

22nd to 26th June: (2) the Counties of Fife and the Lothians and City of Edinburgh, from the 6th to the 10th July, and (3) the Isle of South Uist, on 14th and 15th July. The Clerk stated that a copy of the report had been issued to each member of the committee. It was noted from the report that all three visiting parties were offered every opportunity of seeing the conditions under which the boarded out boys and girls were being care for, and of inspecting the sleeping accommodation, as well as having talks with the children themselves and gleaming information at first hand as to their welfare and wellbeing; that they were impressed with the high standard of care provided and the healthy, happy and sturdy appearance of the children seen; **and they were satisfied with the committees choice of foster homes and parents and with voluntary homes visited.** Several of the visiting members having heard, and a letter from Mr McEwan having been submitted, as to visits undertaken by them, the meeting approved the report.”
 (Source: Children’s Committee Minute dated 22nd July 1953 contained in the County Council of The County of Lanark Signed Minutes – 1953 – Volume 2. This volume is under the control of the Mitchell Library in Glasgow).

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used from previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Each Looked After and Accommodated child or young person placed in foster care would have an allocated social worker with responsibility for the care and the wellbeing of that child or young person. The social worker was required to visit the young person on a regular basis to ensure the child or young person was safe and thriving. The social worker was managed by a Team Leader who would have responsibility for chairing regular Looked After and Accommodated Reviews. These reviews were intended to ensure the child/young person wellbeing and development needs were being met.

The foster carer was also allocated a social worker from the Family Placement Team with a responsibility of supporting the foster carer. Although a support worker for the foster carer, these social workers could also raise concerns they had about the safety and wellbeing of children in the foster placement and could raise these with the child/young person’s social worker or a Looked After and Accommodated Reviews. The foster carer’s social workers were managed by Team Leaders who had a responsibility for chairing Foster Carers Review. These reviews were intended to ensure foster carer had relevant experience and training to care for the children and young people in their care.

- d) In relation to each role, what experience/qualifications did such staff have?

Response

Period 1930 to 1975

As mentioned above in 1.8 (i) (b), consideration was given in the 1963, to Children's Officers having a Social Science Diploma.

Period 1975 to 1996

The "Room to Grow", report for the Special Officer/Member Group of the Social Work Committee in child care in Strathclyde commented on progress already in this area, including a staff development programme in Glasgow.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2015

Allocated social workers to the children and young people in foster care and the social workers supporting the foster carers had qualifications in social work; a Certificate of Qualification in Social Work (CQSW) or a Certificate in Social Service (CSS). The CQSW could be a diploma in social work or a degree in social work.

No central record is kept of the experience social workers had prior to taking up their position.

e) When were fostering panels set up? What was their purpose and remit?

Response

Period 1930 to 1975

These were introduced after the Children Act 1948 with the role of vetting applications from foster carers. A review of the Signed Minutes of the County Council of Lanark 1952 and 1953 did not produce any evidence that a fostering panel was in place or give any indication as to its purpose and remit.

Period 1975 to 1996

In 1986/7 Strathclyde Region established Foster Panels in response to the Boarding-out and Fostering of Children (Scotland) Regulations 1985.

Period 1996 to 2014

South Lanarkshire Council set up a Fostering Panel in 1996.

f) How were fostering panels constituted? What skills and experience were the members required to have?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

At its inception each Panel consisted of 4 Elected Members of the Social Work Committee, one of whom must be Chairman, a Medical Adviser, an Educational Psychologist, and the Divisional Organiser (Community and Field Work) or the Divisional Adoption and Fostering Adviser.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the fostering panel was constituted as below:

- Responsibility for overview of the functioning of the panel and panel membership will lie with the Head of Children and Justice Services.
- Panel members, apart from the medical and legal adviser should be appointed for a period of 3 years. The Head of Children and Justice Services will ensure that, for consistency, not all panel members rotate off at the same time.
- In order to ensure that individual panels have a breadth of experience, the pool of panel members should normally be at least 6 members, not including medical and legal advisers. Every effort should be made to maintain a gender balance, diversity of backgrounds, a mix of professional members from within and outwith the Council, and service users and others within the community who have relevant experience and knowledge.
- It is important that panel membership reflects the cultural, social, religious, and ethnic background of the children and young people who will be using the foster care service and of foster carers and the community generally.
- Prior to becoming a panel member or chair, potential members/chair should be provided with a job description which includes the expectations and responsibilities. This should be accompanied by a person specification which reflects a broad range of expected experience, competence and knowledge. This should allow scope both for professional knowledge and expertise and also for different perspectives related to the separation of children from their birth families, including those with direct experience of fostering and those who use, or have used, foster care services
- The chair and panel members should be appointed by Head of Children and Justice Services. A deputy chair should also be appointed.
- The Agency Decision Maker will not be the chair, deputy chair or panel member.
- Prospective panel members/chair should provide written information about the skills and experience they bring to the

task together with a reference. The Head of Children and Justice Services should ensure that all panel members/chair have been the subject of enhanced Disclosure Scotland and local authority checks. On the basis of the information provided by prospective panel members/chair, the Head of Children and Justice Services should aim to achieve a balance of skills across panel members and continue to monitor this as individuals leave or join the panel.

- When appointed to the panel, all members including the chair should receive a letter of appointment and be required to sign an agreement outlining expectations of attendance at panels, appropriate preparation for and participation at panel meetings and, in particular, about confidentiality.
- New panel members should have the opportunity to observe at least one panel before becoming full members.
- On joining, members/chair should have access to information about the Council's children's services plan, agency fostering procedures and any additional practice guidance particular to the Council, for example health considerations. This information should include:
 - the general criteria provided to all enquirers wishing to foster;
 - further information about the criteria on which applicants are assessed;
 - the nature and models of assessment used in assessing and preparing foster carers; and
 - the nature and models of assessment used in the assessment of children's needs and of their birth parents.
- Following initial induction, members will be offered further training opportunities to develop their knowledge and skills. Training will be offered either as a group or individuals accessing specific training.
- An annual appraisal process will be carried out, which will consider the panel members performance, and future training needs.
- The medical adviser will be appointed by South Lanarkshire Council. When he/she are in attendance, he/she will not be part of the quorum for making statutory recommendations but will be a voting member of the panel. The medical adviser has a specific role, namely to interpret medical information and advise on its relevance for children's placements and on applicants' suitability to foster and on their possible remit.
- The medical adviser is not required to attend every panel meeting but the panel will have access to information from the medical adviser if not present.
- The legal adviser to the panel neither counts towards the quorum for the panel nor is a voting member.
- The legal adviser is not required to attend every panel meeting however he/she will provide written advice to the panel if not present.

- Individual panel meetings should normally include the chair, minute taker and at least three other members. It is important that a gender balance is maintained. However a quorum of 3 panel members including the chair must be maintained in all circumstances.
- Panel members who have been directly involved in a case, or have, or have had, line management for a case, will not be considered part of the quorum although they may be able to contribute to discussion.
- Similarly, any panel member with personal knowledge of individuals in a case should declare that in advance so that an alternative panel member can be identified. Anyone with a more peripheral knowledge of a case should indicate this at the time and this will be noted in minutes along with the conclusion of the chair about whether it affects objectivity.
- Where the local authority are of the opinion that any member of the fostering panel is unsuitable or unable to remain a member they may terminate membership at any time by giving notice in writing with reasons.

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Response

Yes.

- h) If so, please give details.

Response

How many people were employed by the local authority who had some responsibility for foster care services for children?

Social Work Resources Committee 2 September 2015. Report dated 16 July 2015 on the Implementation of the Children and Young People (Scotland) Act 2014 with a proposal to add a team leader post to the Family Placement Team. (Appendix 22.)

WTE staff members: 19.43

(ii) Foster carers

Past

a) How were foster carers identified and approved/registered?

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Strathclyde Regional Council Social Work Department ran concerted publicity campaigns and outreach activities in the 1970s.</p> <p>The process of assessment and preparation of applicants included</p> <ul style="list-style-type: none"> • Group meetings • Individual interviews • Undertake contact with existing foster carers • Formal enquiries of applicants: departmental records; police enquiry; Area health Board enquiry; personal references ; medical reports and x-rays • Enquiries regarding other residents • Outwith the Region enquiry • Presentation of assessment report • Approval by Divisional Adoption and Fostering Panel, passed to Divisional Director who makes final decision <p>(Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014</p> <p>Potential foster carers for South Lanarkshire Council were identified through advertising and recruitment campaigns or voluntary referrals.</p> <p>Preparation and Assessment of Foster Carers within South Lanarkshire Council was based upon the following guidelines and practice:</p> <p>Purpose</p> <p>To ensure that all assessments of departmental carers are carried out in accordance with legislation, regulations, guidance and National Care Standards.</p> <p>To provide family-based care options for children and young people who are looked after and accommodated which are safe and meet their health and developmental needs.</p> <p>To give prospective carers sufficient opportunity and information to consider the impact on themselves and their family of caring for a vulnerable child or young</p>

person.

To give prospective carers enough information to begin the process of assessment, and to form a basis for providing care for looked after and accommodated children and young people.

To provide the basis of future training.

To provide a framework within which the Council can develop and maintain a high-quality family-finding service.

Relevant legislation, regulations and care standards

Children (Scotland) Act 1995.

Adoption and Children (Scotland) Act 2007

Looked After Children (Scotland) Regulations 2009.

Guidance on Looked After Children (Scotland) Regulations 2009, and the Adoption and Children (Scotland) Act 2007.

Adoption Agencies (Scotland) Regulations 2009

Human Rights Act 1998.

Data Protection Act 1998.

Anti-discrimination legislation:

The Equality Act – October 2010.

National Care Standards – Foster Care and Family Placement Services, revised March 2005, particularly Standards 5 and 6.

Key policy and practice issues

It is expected that workers undertaking preparation and assessment of carers will be familiar with the key elements of adult learning and models of assessment. Newer workers might benefit from coaching and mentoring either individually, or in a group.

There should be clarity regarding the general and detailed information prospective carers need throughout the preparation and assessment process:

Council policies about becoming a carer;

The process that will be followed;

Carers' relationship with the Council;

Key elements of theory that will begin to help applicants understand the needs of this group of children and young people.

Procedures

Stage 1: Enquiry and Initial Interview

Following the enquiry being received by the Family Placement Team an initial interview will be organised within 4 weeks. It is the Council's policy to advise the applicants that certain checks will be undertaken as soon as the assessment begins before inviting applicants to attend the Preparation groups and this should be clearly explained to applicants.

Stage 2: Preparation

The purpose of this stage is to ensure that applicants/prospective foster carers have sufficient information to make a decision about whether to make an application and move forward to assessment, or not. This includes:

Comprehensive Information about why and how children and young people enter the care system.

The implications of this for carers' families.

How applicants' capacity to understand this and offer care will be assessed.

The Council's expectations of carers in relation to: discipline; provision of care that meets defined standards; safe caring; openness and honesty in talking with children and young people about their circumstances; capacity to work with birth parents; and capacity to work with a range of professionals and systems.
How the Council will deal with issues arising from checks, references, medicals.
Details of what is involved following the completion of an application.

And prospective applicants need to know that

The Council will have to establish whether there is any reason why it should not accept an application from the prospective applicant. Reasons may include:

Concerns raised at this early stage about the quality of care or safety of children and young people.

The reality of being able to place a child or young person, given the knowledge of those needing placement and their expressed hopes and expectations.

Much of this stage can be undertaken as part of a group preparation process which will include, amongst others, experienced carers and the perspectives of young people who have experience of foster care. Where applicants have relevant and previous experience then an assessment may begin prior to preparation being completed.

Group leaders will make it clear to those attending that there will be a report prepared on the group and feedback on participants' responses and involvement will be included. Where issues arise applicants will be invited into the office to meet with a preparing social worker and social worker who completed the initial interview to discuss issues raised during preparation and decide the way forward.

Stage 3: Full assessment

Following the group preparation process, attendees will be asked whether they wish to continue with a full application and homestudy process. Where people wish to proceed, full application forms will be completed and the homestudy process will begin. This involves:

Remaining checks will be completed – referees, schools (if the applicants have children), previous spouses and/or partners and employers.

Completion of Form F Part 1B which gives permission for initial Checks; PVG, Local Authority, Health, Proof of Identity.

Applicants will complete a full factual history and chronology to date.

Discussions with the applicants will cover:

their own life experiences;

their motivation to foster;

their experience of child rearing;

racial, cultural, language issues;

experience of difference and discrimination;

attitudes to health and mental health;

approaches and attitudes to discipline and punishment;

sexual attitudes;

caring for children and young people not born to you;

working with birth families;

the needs of children and young people who are accommodated;

impact on other members of the household and family, particularly children and young people;

understanding of attachment theory;
 understanding of, and feelings about, child abuse; emotional, physical and sexual;
 how they parent, were parented, want to parent;
 what experience do they have of working in partnership and as part of a team;
 what sort of family are they, for example open, closed, hospitable;
 education, their experiences of it and how they approach learning.

Schedule 3 of The Looked After Children (Scotland) Regulations 2009 has the statutory list of matters to be covered.

Visits to the applicants' home will include an assessment of space, condition, cleanliness, and health and safety issues.

Children, young people and others living in the household will be met and talked with about the foster care task, their views about the application, and how it might affect them.

It is the policy of the Council that, where a worker identifies potential difficulties in relation to an assessment, and following discussion with his/her line manager, an interim report will be prepared for presentation to the panel. The applicants will be invited to attend for part of such a panel and it can offer advice on how to proceed.

The final report will include descriptive information and an assessment of how the applicants meet the competencies required for fostering. It will also clearly describe the assessment process and the meetings with the applicants and others in the household. It will outline strengths and vulnerabilities, offer an assessment of future learning and training needs and identify gaps in competencies and how these will be filled.

The assessor will make a clear recommendation in relation to approval or non-approval and summarise the evidence for this. If the recommendation is for approval, it will also indicate the number, age and gender of children and young people who can be cared for and whether the applicants can care for are any special needs attaching to the children and young people.

The team leader will meet with the applicants during the assessment and complete a second opinion report as part of the assessment process.

The report prepared for the applicants will be shared with them in full, including the recommendation(s) but excluding third party confidential information.

(Source: South Lanarkshire Council Fostering Procedures and Practice Guide, February 2003/revised February 2013. (Appendix 15.)

Reports to the Business Panels. National Review of Foster Care April 2013 to March 2014. A national review of foster care provision took place in 2013 to consider how foster care could be improved across Scotland. The review published a final report in December 2013, making 6 recommendations to the Scottish Government (see appendix 5). Scottish Government now wish to take forward these recommendations. (Appendix 14.)

- b) What experience and/or qualifications, if any, did a foster carer require to have?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Almost anyone could apply to be considered as a foster carer. Foster carers could be single, married or in a long-term stable relationship. They could own or rent their homes. They required to have the space (for example bedroom(s)), and be over 21 years old. Children under 5 years old would not be placed in carers households who smoke. (Source: South Lanarkshire Council Fostering Procedure and Practice Guide, February 2003/revised February 2013. (Appendix 15)</p>

- c) What checks were carried out in relation to a prospective foster carer, including criminal record checks, references and interviews?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Strathclyde Regional Policies, handbooks and guidelines etc., 1975-1996, show the following:</p> <ul style="list-style-type: none"> • Checked: departmental records; police; Area Health Board enquiry • Initial interview, plus at least 2 others, with both partners present. All members of household to be seen at some time. • Personal references • Medical reports and x-rays

Period 1996 to 2014

South Lanarkshire Council required checks from referees, schools (if the applicants have children), previous spouses and/or partners and employers. Completion of Form F Part 1B which gives permission for initial Checks; Protection of Vulnerable Groups, Local Authority, Health, Proof of Identity. Applicants will complete a full factual history and chronology to date.

- d) What checks were carried out in relation to other persons residing with the prospective foster carer, including criminal record checks, references and interviews?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council Policies, handbooks and guidelines etc., 1975-1996, required the following:

- Checked: departmental records; police; health; health visitor.

Period 1996 to 2014

South Lanarkshire Council required criminal records, health and local authority checks for all adults in household.

- e) What checks were carried out in relation to other family members and friends of a prospective foster carer including criminal record checks, references and interviews?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council assessed support carers who are friends or relatives of carers. This involved police checks, health references and local authority checks. This commenced in 2007.

All adult household members were subject to Disclosure checks.

- f) To what extent, if any, were the checks referred to at paras (c) to (e) above reviewed? If so, how frequently and what checks were done? If not, why not?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

From 2007 police checks and local authority checks were reviewed every 3 and 2 years. Health checks were reviewed every 2 years.

- g) What checks were carried out by the local authority of the available accommodation? How frequently were these carried out? Were they repeated? If so, how frequently? If not, why not?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used in previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, full Health and Safety checks were undertaken every year reflecting best practice guidance.

- h) Was the gender of the foster carer of any relevance to approval as a foster carer or in relation to the placement of a child with a particular carer? If so, why?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Placement of a child would, where possible, follow full matching discussions and other people in household could be a factor for consideration.

- i) Was the gender of other persons (including children) residing in the same house of any relevance to the approval of a foster carer or to the placement of a child with a carer? If so, why?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as materials used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Placement of a child, would where possible, follow full matching discussions and other people in household could be a factor for consideration.

- j) Were foster carers required to provide any services for children in their care beyond accommodating them? If so, what were they?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to materials used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Strathclyde Regional Council 1976 foster carer handbook laid down the following services to be provided by the foster carer to:

- care for the foster child
 - This means dealing with the day-to-day caring – food, clothing, warmth; encouraging interests or hobbies. Foster parents will do many other things, including reading bedtime stories (with a goodnight cuddle, changing the sheets after an accident, attending open days at schools, seeing teacher at school etc.
- watch over health and well-being
 - Consulting doctor/dentist when necessary. Arranging periodic check-ups and allowing the child to be medically examined.
- bring up foster child in his own religion
- let Social Work Department know immediately of any serious incident effecting the child
- permit any person authorised by SRC to see the child
- notify Social Work Department of any change of address, before actual move

Period 1996 to 2014

Please refer to carers' handbook with outline of expectations. (Appendix 23.)

South Lanarkshire Council, in taking on the role of parent, and whatever the legislative basis for placements, must provide a safe environment and one which helps children and young people have their educational, emotional and developmental needs met and which takes account of their traumatic/damaging life experiences and missed opportunities. There must be opportunities for children and young people to maintain appropriate contact with their birth families, provided it is in their interests, in terms of s.17(1)(c) of the 1995 Act. In placing a child or young person, the Council must take account of religious, cultural and ethnic factors in children and young people's backgrounds, in terms of s.17(4)(c) of the 1995 Act. And the views of children and young people, and of their families, must be taken account of in terms of s.17 (3) and (4) of the 1995 Act.

In recruiting, assessing, supporting, monitoring and training foster carers to undertake this role, Councils must be mindful of the need for safety and to keep children and young people safe from harm and abuse.

Children and young people placed in foster care have a lot of specific and individual needs. All will experience loss, trauma, disruption and dislocation of, and from, everything that is familiar. This will be so, even if there are aspects of their home circumstances which have been very detrimental and traumatic. Some will have had experience of physical, emotional and sexual abuse and neglect. They will have experienced a combination of trauma and inconsistency in the provision of positive experiences. These experiences will often be seen in their behaviours.

It is important that foster carers understand the very special tasks that are involved in caring for a child with these experiences.

Comprehensive information in relation to the range of support to children is detailed elsewhere in this report and in accompanying procedures.

- k) Did children work manually in the placement or externally (e.g. farming work or other labour), or both? If so, did that change at any point? If so, why?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used in previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

No.

- l) Were fostering agreements entered into? If so, were these in a prescribed form or created on an ad hoc basis?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used in previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. These were in a prescribed form and agreements were signed by carers and the Service Manager.

Present

- l) With reference to the present position, are the answers to any of the above questions different?

Response

Yes.

- n) If so, please give details.

Response

Discussions around matching have developed following the introduction of placement descriptors and these are specified in carers' approval. South Lanarkshire now present carers to panel when a child has been with them for more than two years to change approval from interim to long term carers. This is sector leading practice as it leads to conversations at panel about why child's placement has not been secured either through adoption or permanence. Also carers are now limited to caring for 3 unrelated children.
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2. Organisational Structure and Oversight

2.1 Culture

Past

- a) What was the nature of the culture within the local authority in relation to the provision of foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

The Committee and Panel reports mentioned below give an overview of the culture in relation to the provision of foster care in South Lanarkshire Council:

Social Work Committee 3 July 1996. Report on the development of Foster Care resources, the policy direction for foster care in South Lanarkshire and payments for foster carers. This report highlights that all children under 8yrs of age, where possible, should be placed with foster carers and not in children's houses. The report also defines the quality of care required. (Appendix 24.)

Social Work Committee 26 March 1997. Report on Social Work Services Statement 1997/98, including objectives for Child and Family Services with reference to fostering and adoption. (Appendix 25.)

Social Work Committee 19 August 1998. Report dated 22 July 1998 providing information on "Growing Up in South Lanarkshire, A Plan for Services to Children and Young People 1998 – 2001". This outlines a three-year plan on the policy direction and intended service provision for children and young people. (Appendix 26.)

Social Work Committee 23 February 1999. Report on the Children's Services Development Fund with project proposals which included an additional home link teacher for children in foster care and study support, and, an increase in foster care placements. (Appendix 27.)

Policy and Resources Committee 1 February 2000. Report dated 10 January 2000 on the Annual Review of the Children's Services Plan 1999 which references fostering and adoption. (Appendix 28.)

Social Work Committee 3 April 2002. Report dated 11 March 2002 details the work of South Lanarkshire Council Adoption and Fostering Panel and give an update on work undertaken by the panel. (Appendix 29.)

Report to Business Panels. Increase in Children being Accommodated/Risk Assessments 24 April 2008. As reported at the last Business Panel in November 2007, there continues to be an increase in very young children being accommodated due to parental alcohol and drug misuse. Due to the increase in the number of foster carer placements being requested a number of foster carers are working outwith their registration. Risk assessments are being completed when children are placed outwith registration and when children are sharing bedrooms with non-related children in accordance with Care Commission requirements. Whilst this is undoubtedly good practice, this is time costing, as well as placing additional requirements of supervising social workers to ensure that placements are appropriately supervised, monitored and supported. (Appendix 30.)

Report to Business Panels. Implementation of Adoption and Children (Scotland) Act 2007 and Looked After Children Regulations April 2008 to March 2009. The implementation of the Act and Looked After Children Regulations is now set for 28 September 2009. Regulations will become available over the next month and guidance is currently being prepared by The Fostering Network and British Association for Adoption and Fostering. (Appendix 31)

Reports to Business Panels. Multi Agency Group April 2011 to March 2012. Work ongoing in developing multi-agency links for children in foster care. A multi-agency group with representation from Child and Adolescent Mental Health Services for Accommodated Young People (CAYP), Children and Family Clinic, Educational Psychology, Education, Counselling Service met on a 3 monthly basis to discuss services for children in foster care and a development plan has been drawn up.

CAYP have provided training to carers who are parenting children with attachment difficulties and we are now looking at specific training around infant mental health. In addition, a further group of foster carers are meeting with members of the group to develop a "team parenting" approach to supporting children who present challenging behaviour particularly during their adolescence. (Appendix 12.)

Reports to Business Panels. Research Opportunities April 2013 to March 2014. The fostering service has been involved in several research projects in the last year.

A pilot study was undertaken by Helen Runciman, Team Leader Family Placement Team, and Dr Jill Cossar of Edinburgh University between September and December 2013 to consider "Is the Neurosequential Model of Therapeutics a helpful and feasible involvement for foster carers and their looked after children?" The study focussed on whether the strategies and interventions developed by Dr Bruce Perry, was helpful in the development of emotional regulation in a controlled group of children. Whilst the numbers in the study were too small to be of statistical significance (7 children were involved) the evaluation and feedback was extremely positive, and carers reported finding the suggested strategies to be helpful to the children, practical and easy to implement. Feedback has been provided to foster carers and partners and the evaluation is being written up. A proposal is being developed for an extended study of a larger group of foster children from both South Lanarkshire and Renfrew Councils. (Appendix 14.)

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- b) Was that culture reflected in the local authority's policies, procedures and/or practice in relation the provision of foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, Business panel reports indicate robust monitoring of the service and reporting on progress. Awareness of policy, procedures and best practice is evidenced.</p>

- c) How can that be demonstrated?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, we believe this is evidenced in the following: Business panel reports Development of new approaches and initiatives</p>

Comprehensive nature of policies and procedures.
 The growing of the team to develop a professional service
 Involvement in research including NMT
 Monitoring of service usage and gaps

- d) Did the provision of care by foster carers reflect the local authority's culture, policies and procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council this was generally yes, with a small number of exceptions. In these, cases problems were addressed by a professional staff team and strong leadership.

- e) If not, please provide a representative range of examples and explain, by reference to those examples, why particular foster carers did not, in material ways, work in accordance with the local authority's then culture, policies and procedures and what, if anything, was done to change that?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, three foster carers were deregistered following allegation being made against them. These were:

■
■ and ■
■ and ■

- f) When and why did any changes in the culture of the local authority in relation to the provision of foster care come about?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council, it is difficult to specify, but the National Care Standards for Fostering Agencies and Regulation of Care Act brought enhanced clarity of expectations. Foster carers were increasingly viewed as professionals and expectations of training and development increased.

Increased research on how trauma affected children and the impact on their attachments further enhanced the recognition of good foster care.

- g) Were any changes in culture driven by internal influences, incidents, experiences or events within the local authority, or any of the foster care placements?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council, we have been unable to establish this.

- h) Were there any changes in culture that were driven by abuse, or alleged abuse, of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, we have been unable to establish this.

- i) If so, when did they occur and how did they manifest themselves?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

- j) Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council established groups to look at all the Inquiry Reports regarding abuse across the UK, e.g. Fife, Orkney; Cleveland. Where the recommendations were relevant to legislative practice in Scotland or not already in place in Strathclyde Regional Council, policies and procedures were altered to reflect this.

Period 1996 to 2014

In South Lanarkshire Council, equality legislation brought increased interest in fostering from same sex couples. Also, legislation (amendment to 2014 Act) brought about increased awareness of child's plan and need for security.

The Staying Put agenda and continuing care legislation increased support for young people entering adulthood and need for them to continue to be cared for/ supported.

Also, following a Fatal Accident Inquiry relating to a carer with another agency in 2011, there was increased awareness of risks that are associated with foster care and the importance of matching.

Present

- k) With reference to the present position, are the answers to any of the above questions different?

Response

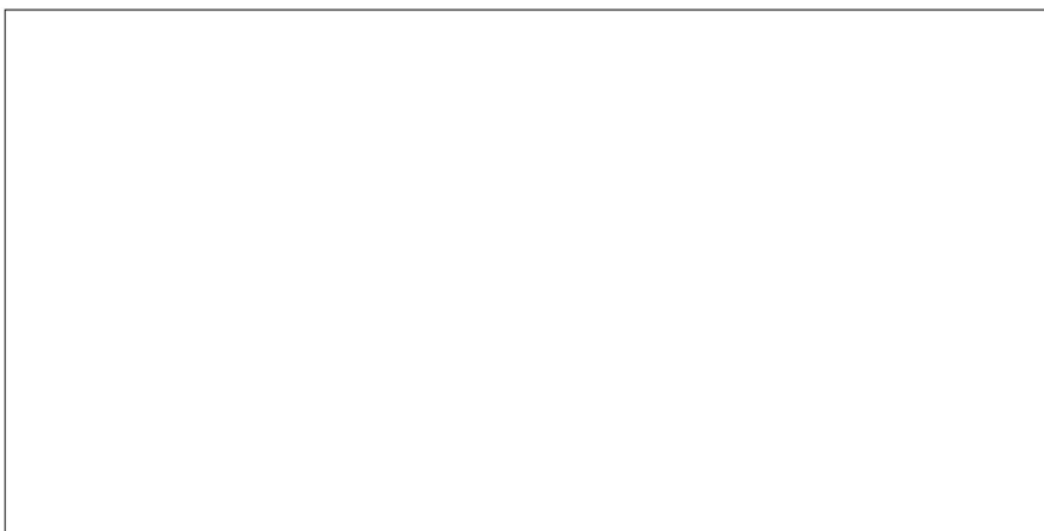
Yes.

- l) If so, please give details.

Response

There is increased awareness of the need for children in foster care to be claimed, particularly into young adulthood. The legal changes have further developed our commitment to ensuring our looked after children are supported into adulthood.

Within South Lanarkshire we are also committed to making early decisions for children and have achieved positive outcomes, particularly for very young babies. The addition of our Parenting Assessment Team has helped with focused work in progressing plans for young children and achieve good outcomes.



- m) To what extent, if any, has abuse or alleged abuse of children cared for in foster care caused, or contributed to, the adoption of the current policies, procedures and/or practices of the local authority, in relation to the provision of foster care services for children including the safeguarding and child protection arrangements applying to its current foster care placements?

Response

<p>South Lanarkshire Council will continue to adopt best practice guidance and adhere to the legal requirements which have followed significant incidents nationally. We ensure we maintain networks with other authorities and agencies to share good practice and learning. We attend national forums and ensure we are included in communications from leading specialist organisations.</p>

<p>Robust checks are in place when recruiting carers, including previous partner checks, to make our recruitment safer following well publicised incidents.</p>

<p>We ensure robust Health and Safety checks include thorough examination of premises to identify any neglect issues.</p>

<p>Our fostering panel has 2 independent chairs who are objective and thorough and this is promoted and embraced by our service. We believe our work around recruitment and the operation of our panel are exemplary and this is in the context of previous significant events.</p>

<p>We have learned from disruption meetings where there has perhaps not been abuse but where children's placements have ended causing them distress.</p>
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2.2 Structure, leadership and accountability

Past

- a) What was the structure of responsibility within the local authority in relation to foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 The Regional Council was a Local Authority for Social Work purposes within Strathclyde Region. For the discharge of their functions they established various Committees, including the Social Work Committee.</p> <p>The Regional Council established various committees for the discharge of their functions, including the Social Work Committee. The Regional Council retained the right to take many decisions at full Council level, but there were arrangements for the allocation of duties to Committees and Sub-Committees. For the most part, the decisions were taken by the Social Work Committee. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 The extract below from South Lanarkshire Council's Fostering Procedures 2013, give the structure of responsibility in relation to fostering: To provide an appropriately trained, supported and qualified foster care service to meet the needs of children and young people looked after by the Council. To ensure that recruitment and appointment processes for staff are robust and thorough, including appropriate checks. To ensure that staff are appropriately trained and supported. To ensure that the service is appropriately managed and monitored. To ensure that service development is based on sound information and practice knowledge.</p> <p>To fulfil the Council's legal obligations. Relevant legislation, regulations and care standards Children (Scotland) Act 1995, particularly ss.17, 25, 26, 31 and 53. Adoption and Children (Scotland) Act 2007 Looked After Children (Scotland) Regulations 2009. Children's Hearing (Scotland) act 2011 Guidance on Looked After Children (Scotland) Regulations 2009, and the Adoption and Children (Scotland) Act 2007. Adoption Agencies (Scotland) Regulations 2009 Human Rights Act 1998.</p>

Data Protection Act 1998.

Anti-discrimination legislation:

The Equality Act – October 2010.

Regulation of Care (Scotland) Act 2001, Parts I and 2, ss.1 – 42.

Protection of Children (Scotland) Act 2003.

Protection of Vulnerable Groups (Scotland) Act 2007

National Care Standards – Foster Care and Family Placement Services, revised March 2005, particularly Standard 13.

Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002, S.S.I. 2002/114, particularly regs. 9 and 13.

Regulation of Care (Requirements as to Care Services) (Scotland) Amendment Regulations 2004, S.S.I. 2004/94.

Scottish Social Service Council: Code of Practice for Social Service Workers and Code of Practice for Employers of Social Service Workers, both 2005. These are available on the SSSC's website: www.sssc.uk.com

Key policy and practice issues

The list detailed below represents some of the key issues in the management of the service:

Implementing corporate responsibility for looked after and accommodated children and young people.

Monitoring provision and outcomes for children and young people accommodated by the Council in family based care.

Monitoring provision and outcomes for foster carers.

Obtaining and incorporating the views of service users.

Ensuring the professional competence and management of the service.

Procedures

Annual information gathering and review

It is expected that the Council will, on an annual basis, review the information it holds and provides about the fostering service. As it is a requirement for the Council's Fostering Registration with the Care Inspectorate, the Council will continue to collect and collate its figures in a format that will meet this need, as well as for informing the development and strategic planning of the fostering service.

Areas to be included in information gathering will be:

Profile of children and young people currently in foster care;

Number and detail of number of requests for foster care during the year;

Number of children and young people in foster care needing long term fostering placements or adoption;

New carers recruited and approved;

Foster carers leaving the service;

Number of children and young people waiting to be accommodated;

Number and details of children and young people inappropriately placed;

Number of foster carers working outwith registration at any time and reasons for this;

Number of families approved and awaiting placements - including details of type of resource and matching criteria;

Number of children and young people returned home, placed for adoption or moved to other care settings;

Review of Foster Carer training and support;
 Outline of the recruitment strategy for the year;
 Interpretive reports from Adoption Panel, Fostering Panel, Family Placement Team, and Children and Families Team;
 External reports and statistics from West of Scotland Family Placement Consortium and the Scottish Government, including information on the whole of Scotland;
 Update on Council activity in relation to any key documents or legislation affecting the foster care service;
 Input from service users and from staff;
 Review of staffing and management, and any issues arising during the year.

Allegations against foster carers

The purpose of this annual process is to review the operation of the Council's fostering service over the preceding year and conclude:

Whether the service has met the fostering needs of children and young people in the Council's area;

Whether there is a shortfall in the availability of family based placements for children and young people looked after and accommodated by the Council;

The nature and extent of such shortfall;

Whether the authority has carers who are not being used;

Whether the material publicly available and produced by the Council needs to be altered or updated;

The nature of recruitment needed in the coming year and any financial and staffing considerations;

Whether there are concerns about the quality of service that needs to be addressed, or new developments in practice that should be incorporated, and if so, how?

(Source: South Lanarkshire Council Fostering Procedures and Practice Guide, February 2013, Appendix 15.)

Social Work Resources Committee 31 January 1996. Report on the establishment of South Lanarkshire Adoption and Fostering Panel, including the constitution of the Fostering and Adoption Panel. (Appendix 32.)

Social Work Resources Committee 15 November 2006. Fostering and Adoption Services Review of Establishment Report dated 19 September 2006. This led to an increase in establishment to support the increase in volume and range of services which the Council has duty to provide for vulnerable children and young people. (Appendix 19.)

Reports to Business Panels. Service Re-design April 2008 to March 2009. South Lanarkshire Council has been exploring improving pathways for children and young people over the past year to ensure that services are focussed and effective for families and children. The HMIE inspection of child protection services was positive. In relation to ongoing improvement some key issues were identified which has led the Council to move forward in seeking ways to strengthen locality based approaches, to address gaps in the service particularly in relation to planned respite, and intensive support to children and young people, and to address threshold issues particularly around children and young people in external placements.

This has involved some staff from specialised teams being placed in area teams to strengthen local services. In terms of Family Placement Team, it has been agreed that this should remain a centralised team.

Reports to Business Panels. Foster Care Review/Children and Young People (Scotland) Act 2014/Short Breaks Service. There have been challenges in developing the strategic elements of the service because of staff issues and this will continue to be an issue in the future.

Three areas of work which will require further development are:

The outcomes of the Foster Care Review, particularly in relation to placement descriptors, placement limits, and the learning and development framework, as well as recommendations in relation to fees and allowances.

The guidance in relation to the Children and Young People (Scotland) Act 2014 is still awaited but as from April 2015 children who are 16 will now be entitled to continuing care. There will be issues in relation to the impact on foster carer placements and supported carer placements and work still needs to be undertaken to develop policies and procedures.

b) What were the oversight and supervision arrangements by senior management?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

(See appendix 33. for the staffing structures in Strathclyde Regional Council Social Work Department).

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

The oversight and supervision of fostering services in South Lanarkshire Council was outlined in it's fostering guidance:

Planning and Managing the Service

Purpose

To ensure that the Family Placement service of the Council fulfils all the requirements of legislation, regulations and standards in relation to foster care;

To establish, monitor and review the Council's philosophy, policy, and strategy in relation to the recruitment, preparation, assessment, and approval of foster carers;

To establish plans to develop and maintain sufficient high quality family based placements for children and young people looked after and accommodated by the Council;

To plan and monitor how the Council carries out its role and responsibilities for family based care for children accommodated and looked after by them and whether there is a role for voluntary agency provision and co-operative working within consortia or other exchange arrangements.

Relevant legislation, regulations and care standards

Children (Scotland) Act 1995, particularly ss.17, 19, 20, 25, 26, 31 and 86 to 89.

Adoption and Children (Scotland) Act 2007

Looked After Children (Scotland) Regulations 2009.

Guidance on Looked After Children (Scotland) Regulations 2009, and the Adoption and Children (Scotland) Act 2007.

Adoption Agencies (Scotland) Regulations 2009

Human Rights Act 1998.

Anti-discrimination legislation:

The Equality Act – October 2010.

Information legislation:

Data Protection Act 1998;

Freedom of Information (Scotland) Act 2002 (only applies to public authorities and their services).

Regulation of Care (Scotland) Act 2001, Parts I and 2, ss.1 – 42.

National Care Standards – Foster Care and Family Placement Services, revised March 2005, particularly Standard 13.

Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002, S.S.I. 2002/114, particularly regs. 9 and 13.

Key policy and practice issues

The list detailed below represents some of the key issues in the management of the service:

Implementing corporate responsibility for looked after and accommodated children and young people.

Monitoring provision and outcomes for children and young people accommodated by the Council in family based care.

Monitoring provision and outcomes for foster carers.

Obtaining and incorporating the views of service users.

Ensuring the professional competence and management of the service.

Procedures

Annual information gathering and review

It is expected that the Council will, on an annual basis, review the information it holds and provides about the fostering service. As it is a requirement for the Council's Fostering Registration with the Care Inspectorate, the Council will continue to collect and collate its figures in a format that will meet this need, as well as for informing the development and strategic planning of the fostering service.

Areas to be included in information gathering will be:

Profile of children and young people currently in foster care;

Number and detail of number of requests for foster care during the year;

Number of children and young people in foster care needing long term fostering placements or adoption;
 New carers recruited and approved;
 Foster carers leaving the service;
 Number of children and young people waiting to be accommodated;
 Number and details of children and young people inappropriately placed;
 Number of foster carers working outwith registration at any time and reasons for this;
 Number of families approved and awaiting placements - including details of type of resource and matching criteria;
 Number of children and young people returned home, placed for adoption or moved to other care settings;
 Review of Foster Carer training and support;
 Outline of the recruitment strategy for the year;
 Interpretive reports from Adoption Panel, Fostering Panel, Family Placement Team, and Children and Families Team;
 External reports and statistics from West of Scotland Family Placement Consortium and the Scottish Government, including information on the whole of Scotland;
 Update on Council activity in relation to any key documents or legislation affecting the foster care service;
 Input from service users and from staff;
 Review of staffing and management, and any issues arising during the year.
 Allegations against foster carer
 The purpose of this annual process is to review the operation of the Council's fostering service over the preceding year and conclude:
 Whether the service has met the fostering needs of children and young people in the Council's area;
 Whether there is a shortfall in the availability of family based placements for children and young people looked after and accommodated by the Council;
 The nature and extent of such shortfall;
 Whether the authority has carers who are not being used;
 Whether the material publicly available and produced by the Council needs to be altered or updated;

 The nature of recruitment needed in the coming year and any financial and staffing considerations;
 Whether there are concerns about the quality of service that needs to be addressed, or new developments in practice that should be incorporated, and if so, how?
 (Source: South Lanarkshire Council Fostering Procedures and Practice Guide, February 2013, Appendix 15.)

c) What were the lines of accountability?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council's Social Work Committee and the various sub-committees would agree major proposals with respect to foster care.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

The manager of the Family Placement Team reported to the Children's Services Manager who in turn reported to the South Lanarkshire Councils Children's Strategy Group.

- d) Within the local authority, who had senior management/corporate/organisational responsibility for the managers/management teams/leadership teams who had responsibilities in relation to children in foster care?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, , as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Chief Executive/Chief Officer of Strathclyde Regional Council and the Social Work Department, Director of Social Work.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014.

The Director of Social Work.

- e) Who, within the local authority, took decisions on matters of policy, procedure and/or practice in relation to foster care?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

As far as is known, within Strathclyde Regional Council it would be the Council itself and its committees. Some functions may have been delegated to officials. (Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council Matters of policy, procedures and practice would be endorsed by the Social Work Committee and the Children's Strategy Group.

f) To whom were foster carers accountable?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.

Period 1975 to 1996

To Strathclyde Regional Council and its predecessor authorities. (Information supplied by the Mitchell Library, Glasgow).

Period 1996 to 2014

Foster carers were accountable to Supervising Social Workers/ Link workers in the Family Placement Team. The Supervising Social Workers link workers were accountable to Team Leaders/Senior Social Worker in the Family Placement Team, who in turn was accountable to the Manager of the Family Placement Team.

g) Who, within the local authority, was responsible for the implementation of, and compliance with, the local authority's policies, procedures and/or practices in foster care both by local authority staff and by foster carers?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council's Director of Social Work. (Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

The Manager of the Family Placement Team.

h) To whom were fostering panels accountable?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Divisional Directors of Strathclyde Regional Council Social Work Department made the final decision on each application for fostering, taking into account the Fostering Panel's recommendation.

(information provided by The Mitchell, Library, Glasgow).

Period 1996 to 2014

The Director of Social Work.

i) What were the oversight and supervision arrangements in respect of fostering panels?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council's Divisional Directors of the Social Work Department made the final decision on each fostering application, taking into account the Fostering Panel's recommendations.

(information provide by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Councils Fostering guidelines gives the oversight and supervision arrangements in respect of foster panels:

The Fostering Panel, Approval and Non-Approval.

Purpose

To comply with the statutory responsibility of the Council in its operation of its Foster Care Service.

To ensure that there is transparency and accountability in relation to the Council's approval of foster carers.

To ensure that the panel reflects the community the Council serves.

Relevant legislation, regulations and care standards

Children (Scotland) Act 1995, particularly ss.17, 19, 20, 25, 26, 31 and 86 to 89.

Adoption and Children (Scotland) Act 2007

Looked After Children (Scotland) Regulations 2009.

Guidance on Looked After Children (Scotland) Regulations 2009, and the Adoption and Children (Scotland) Act 2007.

Adoption Agencies (Scotland) Regulations 2009

Human Rights Act 1998.

Data Protection Act 1998.

Anti-discrimination legislation:

The Equality Act – October 2010.

Regulation of Care (Scotland) Act 2001, Parts I and 2, ss.1 – 42.

National Care Standards – Foster Care and Family Placement Services, revised March 2005, particularly Standards 6, 11 and 12.

Key policy and practice issues

Appropriate and adequate membership of the panel to fulfil the requirements;

Training and information for panel members;

Good administrative support;

Good professional support and oversight;

Clarity about the panel's mandatory tasks;

Clarity about additional tasks undertaken by the panel: consultation, reviews, etc.

Procedures

Statutory and other functions of the panel

In South Lanarkshire Council, the panel is called the Fostering Panel

The statutory functions of South Lanarkshire Council's fostering panel are to make recommendations to the Agency Decision Maker on:

Whether to recommend the approval of applicants as foster carers or not to recommend them;

Whether the panel could be continued for further information.

If recommending approval, the remit of the carers, that is whether the approval is for

- a particular child or children;
- any child; or
- certain categories of children.
- Where the recommendation is for certain categories, it should list:
 - the age of children and young people to be fostered;
 - the number of children and young people to be fostered;
 - any time-limits such as short-term, long-term, permanent, etc
 - whether for shared care and or supported care (Throughcare)
 - whether for respite care.
- Consideration of the annual reviews of carers; (all carers must

be reviewed at Panel within 1 year of their approval then 3 years thereafter).

In addition to these statutory functions, the Fostering Panel should/may be used for:

- Consideration of any changes in registration approval;
- Consideration on continued registration/ re-approvals where there have been concerns;
- Recommendations in relation to termination of approval;
- Giving advice on linking and placement of children in particular circumstances where the panel's expertise would be helpful; and
- Consideration of applications by foster carers for orders under s.11 of the 1995 Act.
- Consideration of applications from foster carers about permanency.

Establishment of the fostering panel

Responsibility for overview of the functioning of the panel and panel membership will lie with the Head of Children and Justice Services.

Panel members, apart from the medical and legal adviser should be appointed for a period of 3 years. The Head of Children and Justice Services will ensure that, for consistency, not all panel members rotate off at the same time.

In order to ensure that individual panels have a breadth of experience, the pool of panel members should normally be at least 6 members, not including medical and legal advisers.

Every effort should be made to maintain a gender balance, diversity of backgrounds, a mix of professional members from within and outwith the Council, and service users and others within the community who have relevant experience and knowledge.

It is important that panel membership reflects the cultural, social, religious, and ethnic background of the children and young people who will be using the foster care service and of foster carers and the community generally.

Prior to becoming a panel member or chair, potential members/chair should be provided with a job description which includes the expectations and responsibilities. This should be accompanied by a person specification which reflects a broad range of expected experience, competence and knowledge.

This should allow scope both for professional knowledge and expertise and also for different perspectives related to the separation of children from their birth families, including those with direct experience of fostering and those who use, or have used, foster care services

The chair and panel members should be appointed by Head of Children and Justice Services. A deputy chair should also be appointed.

The Agency Decision Maker will not be the chair, depute chair or panel member.

Prospective panel members/chair should provide written information about the skills and experience they bring to the task together with a reference. The Head of Children and Justice Services should ensure that all panel members/chair have been the subject of enhanced Disclosure Scotland and local authority checks. On the basis of the information provided by prospective panel members/chair, the Head of Children and Justice Services should aim to achieve a balance of skills across panel members and continue to monitor this as individuals leave or join the panel.

When appointed to the panel, all members including the chair should receive a letter of appointment and be required to sign an agreement outlining expectations of attendance at panels, appropriate preparation for and participation at panel meetings and, in particular, about confidentiality.

New panel members should have the opportunity to observe at least one panel before becoming full members.

On joining, members/chair should have access to information about the Council's children's services plan, agency fostering procedures and any additional practice guidance particular to the Council, for example health considerations. This information should include:

- the general criteria provided to all enquirers wishing to foster;
- further information about the criteria on which applicants are assessed;
- the nature and models of assessment used in assessing and preparing foster carers; and
- the nature and models of assessment used in the assessment of children's needs and of their birth parents.

Following initial induction, members will be offered further training opportunities to develop their knowledge and skills. Training will be offered wither as a group or individuals accessing specific training.

An annual appraisal process will be carried out, which will consider the panel members performance, and future training needs.

The medical adviser will be appointed by South Lanarkshire Council. When he/she are in attendance, he/she will not be part of the quorum for making statutory recommendations but will be a voting member of the panel. The medical adviser has a specific role, namely, to interpret medical information and advise on its relevance for children's placements and on applicants' suitability to foster and on their possible remit.

The medical adviser is not required to attend every panel meeting, but the panel will have access to information from the medical adviser if not present.

The legal adviser to the panel neither counts towards the quorum for the panel nor is a voting member.

The legal adviser is not required to attend every panel meeting however he/she will provide written advice to the panel if not present.

Individual panel meetings should normally include the chair, minute taker and at least three other members. It is important that a gender balance is maintained. However a quorum of 3 panel members including the chair must be maintained in all circumstances.

Panel members who have been directly involved in a case, or have, or have had, line management for a case, will not be considered part of the quorum although they may be able to contribute to discussion.

Similarly, any panel member with personal knowledge of individuals in a case should declare that in advance so that an alternative panel member can be identified. Anyone with a more peripheral knowledge of a case should indicate this at the time and this will be noted in minutes along with the conclusion of the chair about whether it affects objectivity.

Where the local authority are of the opinion that any member of the fostering panel is unsuitable or unable to remain a member they may terminate membership at any time by giving notice in writing with reasons.

Business meetings

All panel members will meet twice a year for a business meeting. This meeting will consider relevant areas of the annual review of the fostering service. Panel members will get an overview of all the business that has come before the panel: feedback from workers and carers; numbers of carers recruited and leaving the service; and particular issues facing the service. There will be an opportunity for panel members to highlight any areas of concern they have and discuss their training needs as panel members. Staff will signpost any significant research or practice development issues which relate to the panel's work.

On a routine basis, workers presenting cases to the panel and service users attending the panel are asked to complete a feedback form about their reception at the panel, the appropriateness of the areas explored, the thoroughness of the process and suggestions for improvement. These should be kept and reviewed by the manager and incorporated into the annual review. In addition panel members provide feedback following each Panel. Outcomes of this feedback will be incorporated with the annual review.

Presentation of Foster Carer Applications to Panel

Pre-panel

Workers are responsible for booking a panel date for each application, and having all necessary paperwork to the administrative support to the panel 2 weeks before the date of the panel.

Applicants should be invited to the panel meeting considering their application (Standard 6.1), and they will receive a written invitation 2 weeks ahead of the panel date.

The worker undertaking the assessment and her/his team leader has the responsibility of preparing applicants for the panel. This includes advising them

about the format, the recommendation and decision making processes and the process for any appeal.

As part of the assessment process, applicants will have contributed to the completed homestudy. However, if they do not agree with the recommendation of the worker, or other parts of the report, they should be supported in preparing their views and putting them in writing, and told how these will be discussed with them at panel meeting.

Where there are particular issues in relation to an application coming to panel meeting, the chair should be alerted in advance by the manager with responsibility for panel business. Where possible, this will be done well in advance so that panel business can be planned accordingly. Workers presenting assessments should flag issues to their immediate team leaders and then plan appropriately.

Panel meeting

In considering any application, the panel meeting will normally want time as a group to draw together issues from the reports provided, an opportunity to check third party information with the presenting worker and a chance to consider any sensitive areas prior to applicants joining the panel.

Panel members should be clear about the purpose of applicants' attendance at panel, in particular that they are not being assessed on their 'performance'. This is the applicants' opportunity to speak to their assessment and comment on any issues arising from their report. It is not a legal requirement that they attend and recognising the daunting nature of the panel meeting, non-attendance should not disadvantage them.

At the end of applicants' attendance, it is the responsibility of the chair to remind them that the panel meeting can only make a recommendation which is passed to the Agency Decision Maker who makes the final decision and will write to them within 21 days.

Where applicants already have children in their family, special attention should be paid to ensure that these children have had an opportunity to express their views and to how they have been prepared. Clearly, this will depend on their ages and stages of development and will be an important part of any assessment. For older children, however, it may be relevant to consider additional written contributions by them and on occasion there may also be a request for them to attend. Any such requests will require additional planning and should be discussed with the chair, both in allowing sufficient timing on agendas, and in handling the meeting. Where additional issues have arisen in relation to children and young people (whether under or over 16) in the applicants' family, the worker and the panel members need to be aware of the range of consent and confidentiality requirements relating to obtaining and sharing any extra information gathered in respect of these matters.

Once the panel meeting has made its recommendation, it will be shared immediately with the presenting social worker and the applicants unless they are absent. We would then undertake to do this within 24 hours.

Where the panel meeting is not recommending approval, particular attention should be paid to articulating the reasons for this conclusion, both to inform the Agency Decision Maker and for careful and considerate feedback to the applicants. It will only be in very exceptional circumstances that areas of concern have not already been identified in advance with the applicants by the assessing worker.

Confidential information offered by third parties should normally already have been addressed during the assessment process, and where necessary and/or possible, brought to an earlier panel. But such information may arise late in an assessment and form part of the final assessment and recommendation to the panel.

The panel minutes should clearly identify the reports presented to the panel, the issues raised as a result of these, how they were addressed and resolved and the basis on which the panel reached its conclusion. Each voting panel member should be asked whether s/he recommends approval and the minutes should make it clear whether the recommendation was unanimous or on a majority basis. The reasons for any divergence of views among the panel members should be laid out for the Agency Decision Maker.

The recommendation will include comment on whether the parameters of the approval coincide with those in the assessment report/Form F, for example in relation to age range, number of children who may be placed, etc.

Decision by Agency Decision Maker, approval or non-approval

The Agency Decision Maker will reach a decision on the recommendation as soon as possible but within 14 days of the Panel, in time for the letter with the decision being sent to the applicants within 21 days of the panel meeting.

The standard procedure in the Council is for the Agency Decision Maker to have the reports considered by the panel meeting and the minutes within 7 days of the panel and to be able to discuss this with the panel chair if necessary.

Where the Agency Decision Maker agrees with a recommendation to approve the applicants, the letter to the applicants confirming their registration approval will detail: the children, age, number of placements for which they are approved and any particular issues and needs identified during the assessment.

Where the Agency Decision Maker agrees with a recommendation from a panel not to approve the applicants, or otherwise decides that the applicants will not be approved, the letter sent to applicants should include information about

- the reasons why the applicant has not been approved
- the Council's process for reconsideration/appeal of the decision not to approve applicants and the timescales for reconsideration/appeal.
- Applicants will be asked to complete a feedback form following the panel meeting.

Panel procedures for reviews

- Prospective carers and approved carers may appeal or seek reconsideration of the Agency Decision Maker's decision:
 - not to approve;
 - to vary approval;
 - or to terminate approval.
- Where a panel meeting is dealing with such an appeal/reconsideration, the panel should be chaired by a different chairperson and the panel members should be different from those on the original panel.

(Source: South Lanarkshire Council Fostering Procedures and Practice Guidance, February 2013, Appendix 15.)

Present

- j) With reference to the present position, are the answers to any of the above questions different?

Response
Yes

- k) If so, please give details.

Response
In 2017, responsibility for Children's Service moved from the Director of Social Work to the Head of Service of Children and Families.

2.3 External Oversight

Past

- a) What were the arrangements for external oversight of the local authority's foster care services?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 In 1990 an Inspection Unit was established in Strathclyde Region. Although arms-length, it did report to the Social Work Committee. In 2002 the Scottish Care Commission became the responsible body.</p>

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Examination of South Lanarkshire archives uncovered that between 1995 to 1999, there were visits from the Scottish Office in relation to Social Work Services provided by the local authority. The local authority would provide an update in relation to how Social Work Services were being provided and developed in the area. There are no papers available in relation to these visits.

Between 1995 to 2002, the Registration and Inspection Unit was a Service within South Lanarkshire Council's Social Work Resources which inspected Residential Services for adults and older people, children and day care services for adults and older people. They provided an annual report to committee and there was an Advisory Committee on inspection which was a sub-committee of the Social Work Committee.

Between 2002 to 2011, following the Regulation of Care (Scotland) Act 2001, the Care Commission came into being and inspected regulated services. The inspection of Fostering Services was annually or biannually.

The Social Work Inspection Agency (SWIA) was in place between 2005 to 2011 and had the remit to inspect all Social Work Services in Scotland, and to report publicly and to parliament on the quality of these services, locally and nationally.

The Care Inspectorate was set up in 2011 with the purpose of inspecting registered Fostering Services. The Care Inspectorate streamlined and reduced the number of Government agencies and replaced the Care Commission, SWIA and Her Majesty's Inspectorate of Education (Children's Services Remit).
(Appendix 34. materials on Inspection of Fostering Services).

- b) Who visited the local authority's foster care services in an official or statutory capacity and for what purpose?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In 1990 an Inspection Unit was established in Strathclyde Region. Although arms-length, it did report to the Social Work Committee. In 2002 the Scottish Care Commission became the responsible body.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

As stated in 2.3 a), initially inspection were carried out by staff in the Scottish Office, moving to internal inspections carried out by employees of South Lanarkshire Council. After 2002, external agencies inspected the foster services.

c) How often did this occur?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Annually or biannually.

d) What did these visits involve in practice?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Inspecting against National Care Standards and Regulations.

Present

e) With reference to the present position, are the answers to any of the above questions different?

Response
No

f) If so, please give details.

Response
Not applicable.

Part B – Current Statement

3. Retrospective Acknowledgement/Admission

3.1 Acknowledgement of Abuse

- a) Does the local authority accept that between 1930 and 17 December 2014 any children cared for in foster care were abused?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council acknowledges that between 1996 to 2014, abuse of children in foster care took place.</p>

- b) If so, what is the local authority's assessment of the extent and scale of such abuse?

Response
Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council has examined 200 foster carers files and 84 children's files. From this examination, we have discovered that 125 allegations/complaints of abuse were made during this period. On examining the children's files, we have established that:

- 11 were investigated under Child Protection Procedures with the police
- 1 was dealt with via a Child Protection Planning Meeting
- 2 were dealt with through a planning meeting
- 1 was investigated by local social work staff
- 2 were investigated by local social work staff and Family Placement staff
- 11 were dealt with by local social work staff
- 1 was dealt with through a disruption meeting
- 1 was dealt with by the police
- 3 were dealt with through discussion with the foster carer
- 2 were risked assessed
- 5 were not applicable
- 1 had a letter sent to the young person
- 2 were not investigated
- 4 are not known about
- 37 had no allegation held within

Examination of the foster carers files indicated that as well as the allegations of abuse listed above, 56 complaints were also received. These complaints were investigated by local social work staff, staff from the family placement team or a combination of both.

South Lanarkshire Council acknowledges that four foster carers made admissions of abuse in respect of neglect and physical harm.

South Lanarkshire acknowledges that 8 children were the subject of sexual abuse from other children placed in foster placements. These situations did not lead to any convictions of children after investigation.

South Lanarkshire acknowledges that a number of children will have been subject to neglect, physical abuse and emotional abuse, which when investigated, did not reach the threshold at which a criminal investigation or conviction could be achieved. In these circumstances, some foster carer removed themselves from the fostering role, and or, were deregistered by South Lanarkshire Council's Fostering Panel.

South Lanarkshire Council acknowledges that 22 children placed in foster care had complaints made against them in relation to allegations of abuse of children. When investigated, these complaints/allegations did not lead to criminal prosecutions, however, two children did admit to the abuse of children.

South Lanarkshire Council acknowledges that 9 family members of foster carers have had complaints made about them in relation to abuse of children in foster care. These situations, when investigated did not reach the threshold at which criminal proceedings were initiated. These situations were investigated by social work staff and the police.

c) What is the basis of that assessment?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

As stated above, the basis of South Lanarkshire's assessment is in the investigation of 200 foster carers files and 84 children's files, (Please see appendix 35. & 36.)

3.2 Acknowledgement of Systemic Failures

a) Does the local authority accept that its systems failed to protect children in foster care between 1930 and 17 December 2014 from abuse?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Whilst South Lanarkshire Council acknowledges that child abuse took place within foster placements, we are satisfied that our fostering procedures and guidance and our child protection procedures, as well as the actions of staff, foster carers, parents and members of the community, protected the vast majority of children in our care.

South Lanarkshire Council acknowledges that its processes in relation to the gathering of information on complaints could have been better organised. No central register of complaints was held by the authority. These issues were maintained within foster carers files and sometime in children's files. As a result, there may have been times when social workers were investigating complaints/allegation about foster carers, where they were not aware of previous investigation and allegations.

- b) What is the local authority's assessment of the extent of any such systemic failures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Whilst South Lanarkshire Council acknowledges that child abuse took place within foster placements, we are satisfied that the procedures in our selection and assessment of potential foster carers, met national standard and provided a good standard of foster care for the children. Systems were in place to review foster carers levels of care and the environment in which children were placed. Foster carers were given relevant training and guidance in their role. Foster carers were overseen and supervised by qualified social work staff with knowledge and training in foster care. When abuse or complaints were made, staff in social work and Family Placement teams, had the relevant training and procedures to investigate these incidents and when action was required, this was taken.

Within our review of foster care and children's files there, is evidence that when complaints and allegation were investigated, that children were removed from

placement following a risk assessment being undertaken, if this was required. There is evidence of safe care plans being reviewed and of additional supports and monitoring being provided to foster carers. Foster carers reviews were held to consider foster carers, where abuse was alleged, which led to three foster carers being deregistered.

As mentioned above, our process in relation to complaints requires to be better implemented, with information being held at a central point, in order that proper access to full background information can be gained, by social work staff/family placement staff and police so that a full picture of the previous involvement with foster carers when undertaking investigations, can be gathered.

c) What is the basis of that assessment?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

The investigation of 200 foster carers file and 84 children's files.

d) What is the local authority's explanation for any such failures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

In relation to complaints about foster carers, South Lanarkshire Council recognises that when these were received, they were passed from our Complaints Team to the Family Placement Team. As a result, no central register was kept, other than individual records in foster carers files. This meant that the coordination of investigations into complaints may have missed previous incidents, especially when involving locality social work staff.

3.3 Acknowledgement of Failures/Deficiencies in Response

- a) Does the local authority accept that there were any failures and/or deficiencies in its response to abuse, and allegations of abuse, of children in foster care between 1930 and 17 December 2014?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Whilst South Lanarkshire Council acknowledges that child abuse took place within foster placements, we are satisfied that any complaint or allegation of abuse was considered and assessed using various methods from Child Protection Investigations involving the police, to direct discussion and support to foster carers and the children involved.

- b) What is the local authority's assessment of the extent of any such failures in its response?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Not applicable.

c) What is the basis of that assessment?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Not applicable.

d) What is the local authority's explanation for any such failures/deficiencies?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Not applicable.

3.4 Changes

- a) To what extent has the local authority implemented changes to its policies, procedures and practices as a result of any acknowledgment in relation to 3.1 – 3.3 above?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council implemented changes in its policies and procedures in line with national guidance and relevant legislation.</p>

Part C - Prevention and Identification

4. Policy and Practice

4.1 National

Past

- a) Was there national policy/guidance relevant to the provision of foster care for children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes.</p> <p>Period 1996 to 2014 Yes.</p>

b) If so, to what extent was the local authority aware of such?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In Strathclyde Regional Council this awareness can be evidenced in those cases where national policies/guidance is cited in the organisation's own policies/guidance and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire's Council's Fostering Procedures were developed and built on national policies and guidance.

c) If there was national policy/guidance in respect of any of the following in relation to provision of foster care for children, to what extent was the local authority aware of such?

i. Child welfare (physical and emotional)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of child welfare.

(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering and Child Protection fully complied with national policy and guidance in respect of Child Welfare.

ii. The child's views

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of the child's views.

(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedures in relation to Fostering fully complied with national policy and guidance in respect of the child's views. These would be sought on many levels: individual interviews between children and their allocated social worker; information sought for the purposes of completing a report for the Children's Hearing and information sought for the purposes of a Looked After and Accommodated review.

- iii. Reviewing a child's continued residence in a foster care placement

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of reviewing a child's continued residence in a foster care placement.

(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Looked After and Accommodated Children fully complied with national policy and guidance in respect of reviewing a child's continue residence in a foster care placement.

(See Appendix 37./updated Looked After and Accommodated Procedures 2018).

- iv. Child protection

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of child protection.

(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Child Protection fully complied with national policy and guidance in respect of Child Protection.

(See appendix 38., South Lanarkshire Council Child Protection Procedures).

v. Discipline

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of discipline.

(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering and Child Protection fully complied with national policy and guidance in respect of discipline.

vi. Complaints handling

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of complaints handling.
(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering fully complied with national policy and guidance in respect of compliant handling.
(Appendix 39., Complaints handling procedures).

vii. Whistleblowing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of child whistleblowing.
(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering, Looked After and Accommodated Children and Child Protection did not mention whistleblowing.

viii. Record retention

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of record retention.
(information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering and Looked After and Accommodated Procedures fully complied with national policy and guidance in respect of record retention.
(Appendix 41., Record Retention).

ix. Recruitment and training of foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of the recruitment and training of foster carers.
(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's guidelines and procedure in relation to Fostering fully complied with national policy and guidance in respect of the recruitment and training foster carer.
(Please see appendix 15., South Lanarkshire Council Fostering Procedures 2013).

x. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council were aware of national policy and guidance in respect of requiring employers to divulge details of complaints etc. in relation to prospective carers to the local authority.
(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's policies and procedures in relation to Fostering fully complied with requiring employers to divulge details of complaints etc. in relation to prospective carers to the local authority.

- d) If the local authority was aware of such, did they give effect to that policy/guidance?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

- e) If so, how was effect given to such policy/guidance?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, staff from the Family Placement Team would seek reference from previous employers.

- f) If not, why not?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Not applicable.</p>

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Response
Yes.

- h) If so, please give details.

Response
Social workers in locality offices and the Family Placement Team, must cohere with the Council's Codes of Conduct and Practice and the SSSC Codes of Practice which outline responsibilities in relation to whistleblowing.

4.2 Local Authority

- (i) Policy

Past

- a) Was there local authority policy/guidance in relation to the provision of foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council has policies and guidance as listed below:

Fostering Procedures and Practice Guide

Foster Carers' Handbook

Service Agreement

Payment for Skills Policy and Procedures

(Appendix 15, 23, 41 and 42.)

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

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council in taking on the role of parent and whatever the legislative basis for placements must provide a safe environment and one which helps children and young people have their educational, emotional and developmental needs met and which takes account of their traumatic, damaging life experiences and missed opportunities.

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

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's policy and procedures are:

Fostering Procedures and Practice Guide

Foster Carer Handbook

Foster Carer Agreement

(Appendix 15, 23, 41 and 42.)

- d) What did the policies and/or procedures set out in terms of the following:
- i. Child welfare (physical and emotional)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council Fostering guidelines have a section on health and medical issues. This was not confined to the statutory requirements for medicals both prior and during foster care. The 1986 guidelines include the observation that foster children are more likely to suffer from ill health and medical problems than other children and requiring the supervising Social Worker to pay particular attention to the identification and amelioration of those health related disadvantages

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's procedures required a Foster Carers Agreement to be signed when a Foster Carer was approved. A brief of the agreement is outlined below:

Foster Carer Agreement (FCA)

At the time of carer approval, South Lanarkshire Council will enter into a written agreement with the foster carer in terms of Regulations. 24 and Schedule 6 of The Looked After Children (Scotland) Regulations 2009. This will include:

- The Council's responsibilities to the carer in terms of fees,

payments, conditions, training support and supervision, including legal liability insurance provided by the Council;

- **the general care expected for any child or young person placed with the carer, including treating them as if part of the family and promoting their welfare;**
- procedures for review of approval;
- procedures for handling any complaints against the carer. This will include full information about the Council's procedures if a complaint or allegation is made against the carer and the support system for the carer in those circumstances.
- provision that there will be an Agreement for each child or young person placed and what that will cover, including financial arrangements, legal liabilities which might arise and how the carer may make representations to a placing authority or agency.
- the carer's responsibilities to the Council in relation to the changes that must be notified to the Council, for example change of address, employment, household composition, etc, and any criminal charges or convictions.
- the carer's obligation not to use corporal punishment for any placed children;
- the carer's duty to keep confidential all information about placed children and young people;
- the carer's responsibility to notify the Council of any significant incident, illness, injury, unauthorised absence, death of a child or young person and clear information about how to do this;
- the carer's general responsibilities in relation to contact, report writing etc;
- the carer's obligation to allow placed children and young people to be moved from the house when placements end;
- the carer's obligation to notify the Council of any outcome of any application made by them to any other foster care agency

The FCA will be placed in the carer's file and a copy given to the carer. The terms of the FCA will be regularly reviewed, considered and updated with the carer in a forum or other meeting looking at the carer conditions of service. Carers should receive and have in their possession a Handbook which gives Council policy and information on all aspects of the foster care task.

ii. The child's views

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In 1994 Strathclyde Regional Council introduced a 'Children's Rights Service' which updated the 'Charter of Right Responsibilities for Young People in Care' (1991)) and identified the further steps necessary to incorporate the Charter into the Council's approach to its Children's Right Service.

In 1996 the Strathclyde Regional Council introduced a Charter of rights for Children. The Social Work Department developed these proposals, with particular attention being paid to the need to complement such rights with clear procedural and practice guidelines and training for staff on their implication. Each child was given a copy of the guidelines on their admission to care. The 1996 policy included the commissioning of Child Line to act as an external auditor of the Council's Children's Rights section.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council Participation Strategy and Fostering Service Participation Strategy.

Partnership- South Lanarkshire Council is committed to actively encouraging and promoting consultation and participation with children and their families; this is also a requirement of The (Scotland) Children Act, 1995. This responsibility also extends to sharing information and working co-operatively with all those involved with the child in your care.

The objectives of reviews are to:

- Reconsider what is known of the child's needs and circumstances
- Assess how current plans are working and to make sure they are appropriate and in the best interests of the child
- Consult formally with parents and children
- Confirm the work of the professionals involved
- Agree future plans for the child.

Preparation for the review

Reviews, indeed formal meetings of all kinds, can be stressful for all concerned but especially for the child. Preparation for reviews can help them run smoothly and be productive. The child's social worker will have a role in preparing the child and child's parents but the foster carer is often the person closest to the child at this time and can, in consultation with the social worker, help prepare the child or young person in the following ways:

- Talking about who will be at the review, including the possibility of having someone such as the Children's Rights Officer who could speak on the child's behalf.
- Discussing the child's report and helping them put down on paper what they want to say
- Rehearsing what they wish to say at the review
- Reading through reports received from others for the review and discussing their content

Checking out if the child would like to speak with the chair of the review beforehand

Content and participation

The child care plan is formalised at the review; therefore, the format of the meeting will focus on the seven developmental dimensions, which are set out in the 'Looking after Children' materials.

The formality of the meeting should not prevent it from being as welcoming and relaxed as possible and acknowledging progress and achievements in the life of the child and their family.

Any children aged over 12 should normally attend their review and the attendance of younger children will be considered in relation to their age and understanding. South Lanarkshire Council has a duty to take the views of the child into account, so every effort is made to assist the participation of children in the meeting.

The Fostering Network produce a booklet titled '*Reviews and Meetings about Children and Young People*' information for foster carers. This is a useful guide to the range of meetings foster carers may attend about children (including children's hearings) and how they can best make an effective contribution.

Foster Carer Agreement

iii. Placement of siblings

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council's policies and procedures regarding siblings varied over the period.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

A key practice area in South Lanarkshire Council is outlined as "Achieving placements for siblings together assessing suitability of placing together and recognising that once separated it can become difficult to reunite"

iv. The placement of a child in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council's child care strategy put an emphasis on the need to place children in a family setting. The assessment was, as far as possible, a collaborative effort, actively involving the Social Worker, the family, the child, the carers, if appropriate, and any other staff requiring to be involved in the process. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Councils standards in relation to placements are outlined below:

National Care Standards – family care and family placement services – Standard 2.2

You can be confident that before your placement, the agency carries out a general risk assessment of the living arrangements and makes sure any recommendations are followed. It also makes sure that a personal risk assessment of your needs is available.

Planned Placements

All requests for placements are made to the Family Placement Team in South Lanarkshire Council. The decision to seek accommodation for a child will only be made following an assessment of that child's needs and circumstances. Normally, that recommendation will have been made to a Child Protection Case Conference, a Child Care Review or a Children's Hearing. Alternatives to accommodating the child will have been considered, these may be:

- Additional support into the child's home to support them and the parent(s)
- Alternative accommodation with friends or relatives
- Some form of day care or respite care of under 24 hours

In all instances, the agreement of a social work manager is required before accommodation is agreed. If time allows, a pre-admission planning meeting will be arranged to which the parents, the child (if appropriate), a worker from the Family Placement Team and professionals and others involved with the family will be invited to attend. If the foster placement has been identified, the foster carer will also be invited to this meeting.

The purpose of this meeting is to:

- Ascertain the views of the child and the parents, this will include their views on the proposed placements.
- Identify the needs of the child in respect of finding an appropriate placement. For example, if at all possible the child should be placed in a foster home that is similar in terms of the child's race, religion, culture and language. Where this is not possible, help should be arranged for the child and carer to meet these needs.
- Make every effort possible, to place siblings together. If this is not possible, arrangements for contact will be made.
- Contact with the parents will, in most cases, be maintained at as high a level as possible and arrangements to manage this will be initiated at this meeting.
- Make arrangements to maintain the child's education.
- Assess the child's health needs and make sure that appointments are kept.
- Make sure that essential information on all aspects of the child's history, current circumstances and needs, and day to day arrangements are known and shared (in writing).

These, and other matters that require to be covered are governed by the *Arrangements to Look After Children Regulations 1996*.

Once the Family Placement worker is made aware of the placement requirements, a prospective placement will be identified and a foster carer contacted to consider if their family is in a position to offer a placement. Preferably the carers own supervising social worker will be able to discuss this with the carer but this is not always possible and it may be the senior or duty resourcing worker who makes contact with the carer.

South Lanarkshire Council has in place a procedure by which they assess 'risk' in respect of a potential placement. This will take account of the needs and risks presented by, and to other children, in the household (either the carer's own children or other children placed), the resources and skills of the carer and any physical requirements or hazards. The view of the social workers of any other children in the foster home will be sought if possible. Sometimes the needs of children placed alongside each other are not compatible. It is a matter of assessing to what degree the placement of one child may impact on another and what degree of risk of actual harm is involved.

If a proposed placement were to take a carer outwith their registration in terms of numbers, age or sex of the child this may have to be authorised by a senior manager.

Emergency Placements

A placement may have to be made in an emergency in the event of a family crisis, or because of a legal process such as the granting of a Child Protection Order by a sheriff. Placements made by the Standby Service are always out of normal office hours and it will not be possible for the same

degree of planning and information sharing to take place. However, carers should receive basic information, including:

- Relevant information about the child's background, health and development. This information will be recorded on the *Essential core record and placement agreement* (LAC Form)
- A copy of any legal order if appropriate, or a Section 25 form (voluntary admission) signed by the parent(s)
- Written consent to medical treatment

Depending on the circumstances it may not always be possible for Standby Service to gather information, for example if a baby or young child is abandoned. In such a case, the responsible local office will get information to the carer as soon as possible.

In emergency placements, regulations state that the carers should:

- Care for the child as if the child were part of their family and keep the child safe
- Permit anyone authorised by South Lanarkshire Council to visit the child
- Allow the placement to be terminated by South Lanarkshire Council
- Ensure that any information concerning the child or their family is kept confidential
- Allow regular contact between the child and anyone with parental responsibilities, where South Lanarkshire Council agrees this

What questions should the carer ask?

Whether in planned or emergency placement situations, it is useful to have a list of questions in your mind (or by your phone) to ask. For instance:

- Who is making the request?
- Does the child have a named worker?
- The child's name, age, sex, ethnic origin?
- Why does the child require to be looked after?
- What is the plan, is there one?
- When will there be a meeting to make the placement agreement?
- What has the child been told, what does the child want to happen?
- Is it known if the child has been abused? If so, what happened?
- What is the legal position?
- What is the family situation?
- Are there brothers and sisters, where are they?
- Who else is important to the child?
- What are the immediate arrangements about contact?
- Is the child in good health, are there any special needs?
- Are there any medical conditions that require treatment or medication?
- How is the child doing at school/nursery?
- What is the child's routine?
- What are the child's interests/likes/dislikes/fears?
- Are there any behavioural problems?
- Who will bring the child?

- Will the parents come with the child and social worker?
- Are clothing, equipment and transport required?
- Any immediate practical arrangements?

v. The particular placement of a child with foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1976 and 1986 Strathclyde Regional Council fostering guidelines laid down the following:

- Preparatory discussion to establish information about the information about child's background, which should be shared timeously with foster family
- Where possible, child to meet foster parents
- Details of previous schooling and discussions about which school child should attend (foster carer to meet Social Worker)
- Discussion about contact with natural parents
- Medical examination, preferably with own doctor and prior to going to foster home
- Arrives with sufficient clothing
- Check with foster parent what equipment is required
- Ensure have all the necessary information about child and share with foster parents
- Foster parents as well as the parents are aware of arrangements for next contact with the child, as prescribed in formal access agreement.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

See iv above

South Lanarkshire Council's key policy and practice issues in this area are:

Balancing the need for emergency and planned placements

Questions of how many placements appropriate for a carer

Dilemmas about asking carers to exceed approval categories

Learning from disruptions

Having good and appropriate information at the time of each placement or as soon as possible

Effecting good day to day placements agreements for each child and young person
 Achieving placements for siblings together, assessing suitability of placing together and recognising that once separated it can become difficult to reunite

vi. Contact between a child in foster care with his or her family

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

During the 1970s to 1990s Strathclyde Regional Council drew up a comprehensive suite of policies and strategies supported by implementation strategies. The Home or Away policy on residential child care forcibly argued for a much more specific and enforceable system of rights for children in care and their parents. The Department developed these proposals, with particular attention being paid to the need to complement such rights with clear procedural and practice guidelines and training for staff on their implication.

Policies, handbooks and manuals in the 1970s and 1980s all emphasise the importance of the continued involvement with natural parents and other members of their families. This included the Foster Policy and Guidelines introduced between 1975 and 1996.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's Carers' Handbook indicates:

- Contact with the parents will, in most cases, be maintained at as high a level as possible and arrangements to manage this will be initiated at this meeting.

The carer must be able to:

- Have an awareness of the importance of parental and familial relationships for a child.
- Allow and encourage parents to have a high level of contact with children/young people, often in the carer's own home and ensure a non-judgmental approach, which enables the contact to be maintained.
- Have the ability to involve/support those with parental responsibility and significant others in their work on a day to day basis.
- Have the ability to observe, record and pass on information to the child/young person's social worker on the quality of contact with parents and family members.

5.5 Contact

National Care Standards – foster care and family placement services

Standard 2 – Promoting good quality care

2.4 *You know that the agency has arrangements in place to make sure that there are appropriate links between you, your foster family and your birth family.*

2.5 *You know that the agency monitors your foster carer's ability to help you to keep up family contacts, and friendships, as set out in your care plan.*

Standard 7 – Information and Advice

7.3 *You know that the agency publishes information that includes the following:*

- *Family contact and visiting arrangements*

5.6.1 What the law says

The local authority has a duty to promote direct contact between children looked after by them and their parents or people with parental responsibilities. There is a responsibility on a local authority not just to enable contact to happen, but to actively encourage and facilitate it.

A number of sections of *The Children (Scotland) Act 1995* include directions about contact and it is an area about which relevant persons can return to the Sheriff or to the Hearing to seek to have arrangements reviewed.

Contact can be subject to conditions from the Hearing or the Court in the following circumstances:

- When a child protection order is made (Section 58)
- When a child assessment order is made (Section 55)
- As part of a supervision requirement (Section 70)
- When a parental responsibilities order is made (Section 86)

In each of these circumstances, the order can be varied at a review of the order.

If a child is accommodated under Section 25 (voluntary) of the Act, contact arrangements will be agreed jointly between the service and the parents. The local authority is required to consider the contact arrangements and any changes needed at each child care review and to record these.

5.6.2 The purpose of contact

Contact has two purposes. Firstly, to enhance the psychological and developmental progress and wellbeing of children who are away from their

families, and secondly to increase the likelihood, and smooth the way, for a child to return home if that is the desired outcome of the case.

Contact can mean a broad range of activities including face to face meetings, telephone calls and sending gifts and cards. It may also include siblings, grandparents, aunts and uncles and other extended family members. Sometimes contact with extended family members may lead to placement with these relatives if the child cannot return home. There are occasions when relatives not previously in regular contact with the child will renew or initiate contact with the child once they are no longer living with the parents. It is possible that carers will become aware of some significant person in the child's life before the social work service. Always pass this information on as it might turn out to be a valuable resource for the child or young person.

Even where a child is assessed as needing a permanent new home through adoption or long term fostering, it may well be in the child's interests to retain some contact with the birth family.

5.6.3 Planning and managing contact

Helping families to maintain contact is one of the most important tasks foster carers are asked to do. It can also be one of the most difficult. A number of considerations require thought, preparation and ongoing support for all those directly involved in contact. The following are some of the considerations. Foster carers are also advised to read the Fostering Network signpost booklet titled, *"Contact, maintaining links with families"*, 2002.

- Arrangements for contact should be discussed at the planning stage of the placement or in the case of emergency placements, as soon as the placement has been made. Specific arrangements should be recorded in the placement agreement and include details of frequency, venue, supervision (if required), transport and any restrictions. Preferably parents should be directly involved in agreeing the arrangements.
- The early days and weeks of a placement are particularly crucial in determining if a child will be able to return home. The relationship that develops between the parents, the social worker and the carers will contribute to the success or otherwise of the contact and impact on the long-term outcome of the child.
- Many parents feel guilty about their child being accommodated and find it hard to accept that a foster carer is looking after their child. The parents' attitude to the carer may be defensive or hostile. Carers are not expected to put up with threats or abuse but are asked to understand and defuse potentially awkward situations and be as welcoming as possible to the parents or relatives.

- Children will pick up the carers' attitude quickly and it is confusing for a child if they know their carer feels negative towards the parent.
- It can be hard to witness a child's distress before, or after, contact and to be the one who has to try and comfort the child. Do not be too quick to interpret what this may mean. Grief at the pain of separation is normal in children and healthier than feelings being denied. Of course, children may be upset for other reasons or angry with their parents. Talking with the child and helping them express their emotions and wishes will be helpful to the child and assist in case planning.
- If you are asked to facilitate or supervise contact in your own home or elsewhere (to varying degrees this is a requirement of each of the payment for skills levels) be fully aware of the expectations of your role including the recording and reporting requirements.
- Observation of the child's response to contact before, during and after can be vital in gathering information for future planning. If it is thought that it is in the best interests of the child that contact is restricted or terminated altogether, such a decision requires to be evidenced. The carer's record of the impact of contact (this may include failed contact where the parents are so inconsistent that it deemed harmful to the child) will be an important contribution to the assessment made.

vii. Contact between a child in foster care and other siblings in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council policies, handbooks and manuals in the 1970s and 1980s all emphasise the importance of the continued involvement with natural parents and other members of their families for all children in care. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

See vi) above, as well as information below.

The care plan

South Lanarkshire Council has a duty to draw up a care plan for every child who is looked after. 'Looked after' applies to children and young people who are

subject to supervision requirements and are living at home as well as those who are accommodated under Section 25 (voluntary) or any other section of *The Children (Scotland) Act 1995*.

The person with key responsibility to ensure that a care plan is drawn up is the social worker. Whenever possible this should be in consultation with the child or young person, the child's parents, the foster carer and other important individuals and agencies in the child's life. If a care plan is not drawn up before a child is placed, it should be drawn up as soon as possible thereafter. The matters to be covered in the care plan are laid out in regulations and include:

- The immediate and longer term plans for the child
- Details of any services to be provided to meet the care, education and health needs of the child
- The responsibilities of the child, South Lanarkshire Council, the parents or any person with parental responsibility, the carer and any other relevant person
- The name and address of the carer
- The role of the child's parents or any other person in the child's care
- The arrangements for involving those persons and the child in decision making
- The arrangements for contact between the child, any other important people in the child's life and any reason why contact would not be possible, or in the child's interests
- The expected length of the placement.

viii. Information sharing with the child's family

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council policies, handbooks and manuals in the 1970s-1980s emphasised the rights of natural parents to information about their child. The 1986 Fostering Guidelines made the point that the shared-caring nature of fostering demanded clarity of roles, good communication and information-sharing and explicit goals for placement if children
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council wishes to ensure that the Child/Young Person's medical and dental care needs are met, having regard to the medical information supplied and, whenever practicable, in consultation with the

child's or young person's parents or guardians and the child's or young person's social worker:

- (i) by consulting medical and dental practitioners when necessary, following their advice and following up on prescribed treatment or referrals for specialist opinion
- (ii) by keeping to any arrangements for reviewing the Child/Young Person's health if advised by the medical practitioner or required by the Council
- (iii) keeping a record of significant illnesses, consultations or treatments, **and advising the Child/Young Person's parents or guardians and the Child/Young Person's social worker of any events.**

The carer must be able to:

- Have an awareness of the importance of parental and familial relationships for a child.
- Allow and encourage parents to have a high level of contact with children/young people, often in the carer's own home and ensure a non-judgmental approach, which enables the contact to be maintained.
- Have the ability to involve/support those with parental responsibility and significant others in their work on a day to day basis.
- Have the ability to observe, record and pass on information to the child/young person's social worker on the quality of contact with parents and family members.

- ix. Fostering panels (including constitution, remit, frequency and record keeping)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Strathclyde Regional Council 1985/6 Fostering guidelines includes details of the Fostering Panels decision-making process its membership; role in assessment and review processes. The guidelines also included details records to be created.

In the 1980s each Fostering Panel consisted of 4 Elected Members of the Social Work Committee, one of whom to be the Chair, a Medical Adviser, an Educational Psychologist and the Divisional Organiser (Community and Field Work) or the Divisional Adoption and Fostering Adviser.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council has a Fostering Panel, which considers whether to recommend approval of foster carers. Where the Panel recommends approval, they must also recommend whether approval is for any child, or for certain categories of children, for instance in a particular age range or for a particular child or children. The Fostering Panel recommendations are made to the Agency Decision Maker who is normally the Head of Service or a senior manager with child care experience.

The Fostering Panel is chaired independently and a councillor also sits on the Panel. The rest of the members comprise of a representative from South Lanarkshire Council's Legal Services; Housing Department; a psychologist, foster carer, an adoptee and also the Child Care Services Manager and a senior social worker from the Child & Family Team.

All panel members are offered training opportunities and the Panel holds regular business meetings. Each panel member goes through relevant police and local authority checks.

Applicants to foster are always invited to attend the panel meeting that considers their application and panel members are interested to know how assessment and preparation has been experienced by applicants. Applicants will normally be informed of the panel's recommendation before leaving the meeting and formally notified of the Agency Decision Maker's decision.

2.4.2 Reconsideration, representations and complaints procedure

South Lanarkshire Council has a procedure for dealing with appeals or complaints about decisions made by the panel, or the panel process. This procedure applies to applicants wishing to foster and foster carers who may disagree with a decision made by the panel for example the detail of their registration or a recommendation to de-register. Applicants or carers should request a review of the decision within 21 days of learning the decision. Thereafter, the designated senior officer receiving the request for a review will arrange for another panel to reconsider the decision or for an officer to investigate the complaint.

x. Recruitment and training of foster carers**Response****Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as materials used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council has inclusive and non-discriminatory policies on the recruitment of foster carers and welcomes interest from all sections of the community. Applicants from all ethnic, cultural and religious backgrounds are welcome. The most important qualities required of foster carers are a commitment to the welfare of children, warmth and understanding and an ability to work with others.

Carer Training and Development

Many of the children and young people requiring fostering have complex needs and challenging behaviour. Studies of how children have managed in later life consistently show that they do better if they are cared for in families and as a result, a foster placement will almost always be the preferred choice. Even for children and young people who need the specialist care and education of a residential school, a home base with carers is often needed.

The current demands on carers and the expectations that services have of them make the provision of ongoing training and development opportunities essential. South Lanarkshire Council is very clear as to its requirements of, and responsibilities to, carers as regards training and development. There are both general and specifically tailored training opportunities available, which take account of individual learning, needs and interests. Training is provided from a number of sources including BAAF and Fostering Network, although probably the bulk of training is provided 'in-house' by staff of the Service. Carers will be made aware of training and development events by letter and/or by their supervising workers. Carers are expected to take up training opportunities as part of their commitment to fostering.

Payment for Skills

The introduction of this scheme recognises that foster carers are required to demonstrate a range of basic skills, which will meet the needs of the children placed. The scheme aims to provide a career structure for carers that recognises, through enhanced levels of fee payments, their skill development and ability to meet the demands of children with complex needs. The payment of enhanced fee levels is not dependent on the needs of the child placed, it is entirely based on the skill level evidenced and acquired by the carer. Currently, a scheme that recognises three levels of skill and fee payments is in operation. The core skills that are required of each level is outlined. (See *Appendix 3*).

Further details on the operation of the scheme is outlined in 'Foster Care Finance and Conditions of Service'.

Key to the operation of the 'Payment for Skills' scheme is in the foster carers participation in training. Carer training and development has four component parts as outlined below.

Core or essential training

Following approval, South Lanarkshire Council provides a programme of core training that foster carers are required to attend in order to maintain their skills level placing. These topics build on pre-approval training and are regarded as essential in order for carers to refresh and maintain their knowledge and skills. South Lanarkshire Council requires that carers attend 4 or 5 core training days each year; the usual duration of the training event will be a 'carers' day i.e. 9.30am to 2.30pm. Core training will include for example:

- **Safe Caring**
Follow up training relating to the safe care of emotionally and sexually vulnerable children that is designed to enable carers to safeguard the child in placement, their own children and themselves.
- **Child Protection Procedures**
South Lanarkshire Council will offer training to keep carers up to date with the policy and procedure regarding complaints and allegations and how investigations are conducted.
- **Working with families/managing contact**
Developing and maintaining working relationships with the families of children and young people.
- **Moving and Handling**
Carers of children who are physically dependent are provided with specialist training courses to ensure that they do not injure themselves or hurt the child.
- **Managing difficult behaviour**
Providing an understanding of the causes and triggers of difficult behaviour and helping carers develop a variety of de-escalation techniques.
- **Record keeping/report writing**
Guidance and training on receiving, storing and passing on information.
- **Support for learning**
Guidance and support in working with schools and providing an educationally rich environment in the foster home.
- **Value based training**
This may include topics such as understanding and valuing 'difference', anti-discriminatory training and knowledge of legislation.
- **New Developments**
There may be occasional essential training provided for all carers about new procedures, or initiatives or legislation.

Training and Support Group

South Lanarkshire Council runs a programme of regular support and training sessions which have a twofold purpose of providing further useful information and training, and enabling carers to offer support to one another and share their experiences. These sessions can be extremely supportive to less experienced carers who can make informal links with experienced carers and gain a lot of support from them. Likewise, experienced carers can learn from the new or different approaches of others and all can keep abreast of any service developments and in touch with members of the fostering team who will be leading the groups. Carers are required to attend at least 50% of the training offered.

- xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's Fostering Procedures outline Key Policy and Practice. Family Placement staff undertake when undertaking a full assessment will include employers' checks.

- xii. Reviewing a child's continued residence in foster care or in a particular foster care placement

Response

Period 1930 to 1975

Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Both the 1976 and 1986 Strathclyde Regional Council Foster guidelines laid down the processes for review.

The guidelines outline areas of interest in the review, including:

- Physical, intellectual and emotional development of the child
- Any changes relating to the family, the foster family or other important persons in their life
- Child's legal situation and whether any changes need to be made in it
- Relationship between the foster parent and Social Work Department

It was Strathclyde policy to invite everyone interested in the care of the child to a review. Foster children and natural parents also encouraged to attend. Social Worker and Senior Social Worker will also attend. Sometimes a school teacher, doctor or child psychologist.

The timetable for reviews was:

- First full review no later than 4 weeks after date of admission into care
- Subsequent reviews to be held as appropriate but not less than at six-monthly intervals

Foster parents may also be invited to attend case conferences on a foster child in their care

The 1986 guidelines detailed the main function is to review the child, their circumstances and needs, and included the following:

- Review of the original plan, monitoring how effectively the recommendations of any former reviews have been implemented and reassessing the appropriateness of any decisions
- Exchanging and coordinating information on the child's physical, emotional, intellectual and social development for all with all invitees
- Child's legal situation and whether this continues to be appropriate to present needs
- Agreeing a plan for the future, for example rehabilitation, permanent care, and detailing tasks to promote its implementation
- Formal recording of decisions regarding child's future care, which would become an integral part of the child's case file

Composition of review team would vary depending on needs of the child, but the following must always be invited;

- District Manager's representative, who will act as Chair
- Supervising Social Worker
- Senior Social Worker
- Foster parents
- Natural parents (unless their parental rights have been removed)
- Child if age and understanding allows
- Divisional Adoption and Fostering Adviser who may attend, or send a representative

Other participants might include the link worker (in temporary placements), health visitor, teacher, or education psychologist

Timings of Review; decision meeting prior to reception; initial review held within 4 weeks in care; child's progress must be reviewed 3 months later and then at 6 monthly intervals.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council Foster carer reviews were an important part of ensuring a child's placement continued to be suitable as follows:

Foster Carer Review

National Care Standards- foster care and family placement services- Standard 11:

You can be confident that the agency has the necessary review systems in place to make sure that you are able to continue to provide good quality care.

The Fostering Regulations also specify that foster carers shall be reviewed by their local authority at intervals of not more than 1 year. It is not necessary under the regulations, for all annual reviews to be considered by the Fostering Panel.

The Fostering Panel will only review foster carers where:-

- Alteration of their registration is proposed;
- Termination of registration is proposed;
- There are any other circumstances that may affect continued use as a carer, for example an allegation made against a carer.

Each foster carer will be reviewed annually.

The Payment for Skills' scheme is now in place, which has a bearing on the ongoing assessment of competence of the foster carer. (Details of the 'Payment for Skills' scheme are described in Section 3). The aims of the annual review are:

- To determine whether approval should be renewed and whether there should be any change in the terms of approval;
- To confirm or amend the carer's skill level placing;
- To provide foster carers with the opportunity to discuss and have recorded their view of the service provided to them in the past year

by their supervising social worker and the social workers for children in placement;

- To evaluate the general service provided to the foster home, i.e. finance, equipment, transport, communication, and involvement of carers in contributing to planning for children;
- To discuss how fostering is affecting all members of the family, especially the carers' children (who may also be invited to the review);
- To review any significant issues arising from placement reports and discuss how they were dealt with at the time;
- To discuss and record any significant changes in the carer's situation i.e. health, employment, and any obvious stresses which may have a bearing on the placement of children;
- To verify that statutory checks have been updated. Disclosure Scotland checks are renewed every year and medical updates are renewed annually with full medicals completed every 2 years.
- To evaluate the foster carers' development since the last review and the benefit (or otherwise) derived from training that has been provided;
- To discuss future training and development needs.

Participation of both carers (if a couple) and in some circumstances children old enough to take part is encouraged.

The panel or review group will receive a number of written reports:

- **Supervising Social Worker's Review Report-** will outline the events of the previous year. Information in this report will be informed by placement reports from social workers, the carers training record, attendance at support and development meetings, evaluation of skills against the core competencies and advanced skills if the carer is at level 2 or 3 or applying to be put on these levels.
- **Foster Carer's Review Report-**will include the carer's own view of the service and support received, the carer's experience of fostering over the past year, impact of fostering on the family, view of development of skills and learning and development needs.
- **Placement Reports-** the child's social worker and the foster carer should complete placement records on each placement provided over the past year. Any issues arising from placement reports will have been dealt with at the time but the panel may wish to discuss any significant issues and the resulting action. If a child remains in placement since the last carers' review, an annual placement report should still be provided by the social worker.
- **Young Person's Report-** children and young people who have been in placement with you are encouraged to share their views. This report is very similar to the report that accommodated children fill in for their own review. If the child wishes to keep their report confidential, this request will be respected in so far as possible.

- **Child's Parents-** the parents of children who have been in foster care are encouraged to share their views and depending on the circumstances, feedback from parents may also be incorporated in the information provided to the panel/review group.

Child's Review

South Lanarkshire Council has a duty to review the cases of all children who are looked after. Senior social workers responsible for the case are responsible for chairing reviews and ensuring that each child's case is reviewed regularly. The senior social workers are responsible for chairing the reviews for most of the children who are in foster care but there are some exceptions to this.

Once accommodated, any child on the Child Protection register will transfer to the accommodated children reviewing system.

The responsibility to ensure that the plans made in reviews are achieved, is a shared one between the child's social worker and various managers of the service. Other professionals such as teachers and health workers will also have designated tasks and responsibilities within the care plan, as will the foster carer.

When a child has been accommodated on an unplanned basis, a post admissions meeting or a child care review will take place within seven working days. Thereafter, reviews must be held at the following intervals:

- Within six weeks of the date the child is accommodated
- Three months after the initial review
- Every six months thereafter.

These are minimum requirements and reviews may be held more often, if:

- There is a major change in circumstance, such as an unplanned change of placement
- A Children's Hearing is scheduled
- There is a 'concurrent' plan where the intention is to seek a permanent new family for the child if rehabilitation is not achieved within clear timescales
- A child or young person is placed in secure accommodation.

The objectives of reviews are to:

- Reconsider what is known of the child's needs and circumstances
- Assess how current plans are working and to make sure they are appropriate and in the best interests of the child
- Consult formally with parents and children
- Confirm the work of the professionals involved
- Agree future plans for the child.

If an accommodated child is the subject of a supervision requirement, the child care review does not have full decision making powers. It will formulate recommendations to make to the Children's Hearing.

Reports

A range of reports are required for a child's reviews, normally these will include reports from:

- social worker
- foster carer
- child (if they are old enough and wish to submit a report)
- child's parent(s)
- school report
- any other professionals involved with the child.

It is important that carers give time and thought to prepare reports for all types of meetings and submit them in time for them to be sent to all the relevant people.

Preparation for the review

Reviews, indeed formal meetings of all kinds, can be stressful for all concerned but especially for the child. Preparation for reviews can help them run smoothly and be productive. The child's social worker will have a role in preparing the child and child's parents but the foster carer is often the person closest to the child at this time and can, in consultation with the social worker, help prepare the child or young person in the following ways:

- Talking about who will be at the review, including the possibility of having someone such as the Children's Rights Officer who could speak on the child's behalf.
- Discussing the child's report and helping them put down on paper what they want to say
- Rehearsing what they wish to say at the review
- Reading through reports received from others for the review and discussing their content

Checking out if the child would like to speak with the chair of the review beforehand

Content and participation

The child care plan is formalised at the review; therefore, the format of the meeting will focus on the seven developmental dimensions, which are set out in the 'Looking after Children' materials.

The formality of the meeting should not prevent it from being as welcoming and relaxed as possible and acknowledging progress and achievements in the life of the child and their family.

Any children aged over 12 should normally attend their review and the attendance of younger children will be considered in relation to their age and understanding. South Lanarkshire Council has a duty to take the views of the child into account, so every effort is made to assist the participation of children in the meeting.

The Fostering Network produce a booklet titled '*Reviews and Meetings about Children and Young People*' information for foster carers. This is a useful guide to the range of meetings foster carers may attend about children (including children's hearings) and how they can best make an effective contribution.

- xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)

Response
<p>Period 1930 to 1975</p> <p>Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>The Strathclyde Regional Council policy and procedures would reflect the legislation and regulations listed previously.</p> <p>Its functions etc. were as laid out in the relevant statutes and regulations that pertained at the time: per answers to questions 1.3(i) a-b.</p> <p>Period 1996 to 2014</p> <p>South Lanarkshire Council's Foster Carer Agreement notes:</p> <ul style="list-style-type: none"> i) The Council reserves the right to monitor and review on a regular basis the operation of this Contract. This may also include involving the Carer/s in the management review process. ii) Without prejudice to the foregoing generality, the Carer/s will provide to the Council when required: <ul style="list-style-type: none"> written reports regarding the services provided access to records regarding the services, including any financial, staffing and complaints records iii) In carrying out its monitoring and review role, the Council reserves the right to consult with and involve any other relevant statutory agencies and share such information with said agencies. iv) The Carer/s will receive regular visits from the supervising social worker and will accept that the social worker will from time to time also visit without prior arrangement. v) The Carer/s will co-operate with any activities connected with their continued approval by the Council as foster carers and activities connected with registration and inspection of the foster care service and of foster carers that are required by legislation regulations or good practice.

- xiv. Transfer of a child from one foster placement to another (including preparation and support)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Strathclyde Regional Council Fostering Guidelines, 1986, includes details on processes on transfer of child. The guidelines highlight the Social Worker's responsibility to ensure that the child's transition from the foster home to his own home, or to another placement, is carried out as easily as possible. The Social Worker is required to prepare all parties for the change and ensure that they understand the sequence of events and the reasons for the move. The following steps are required:

- Medical examination by the family or foster parent's GP, not earlier than the day prior to the child leaving the foster home
- The medical card, copies of any Place of Safety Orders, Warrants, Panel Supervision Orders and any other relevant documents to be collected from foster home when child leaves. Documents which came from home, i.e. the medical card, will be retained on child's file for reference in the event of future placement. If the child is moving to another placement, all these items will be transferred with the child.
- All clothing brought from the home should be returned. Social Workers to advise about other items to be taken when the child leaves. Any special new toy, along with any photographs, should also go with the child.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Within South Lanarkshire Council, the adults making care arrangements are often preoccupied with unavoidable practicalities, procedures and negotiations. This sometimes reduces sensitivity to the child's experience. Arriving in foster care may be a frightening experience, especially if the placement has had to be arranged quickly without planned introductions. When children's anxiety is very high due to the move or previous trauma, it may be harder for them to understand what social workers have said. Carers have a key role in offering reassurance and explanation in a way and at a pace suited to their level of understanding and emotional needs.

Leaving the foster home

The section on 'Planning for Children' has described the practical and legal ways in which children become accommodated and the care planning involved in progressing rehabilitation or an alternative permanent placement.

Children and young people will leave a foster home for a variety of reasons that will include:

- The end of a planned period of respite

- At the request or insistence of the parent(s) if a child is accommodated on a voluntary basis
- As a result of a variation of the supervision requirement which decides that the child will return home
- A placement disruption
- A move to a permanent placement i.e. adoption

A move to independent living

Like admission to care these tend to fall into two categories of planned and unplanned endings. However there are practical issues that are common to both.

Health

The carer should check with the child's social worker about the need for any ongoing medical treatment, medication and appointments. Any records should be passed to the social worker.

Clothing and property

Children should have adequate clothing when they leave a foster home and any items of clothing that the child had arrived with should be returned (this would not apply to long standing placements). Carers may be advised to list clothing in the child's possession when they leave and to give this to the child's social worker.

Equipment

If equipment is supplied that is specific to the child's needs (this will more often be the case for children with disabilities), this equipment should be returned to its source.

End of placement reports

These are required of both the carer and the placing social worker and serve a number of purposes as outlined in Section 5, "Record keeping and confidentiality".

Disruptions

There is an expectation that carers will give adequate notice if they decide that a placement cannot continue; this is usually a period of 28 days. Many children who are accommodated have already experienced the trauma of rejection and unexplained events, therefore, all efforts should be made not to replicate such experiences within the care system. You should expect and access the support of the child's social worker and your own supervising worker if you are in a crisis and together decide if the situation is salvageable. Usually, unless violence, or the risk of violence to, or abuse of another child is present, it is possible to manage a crisis or to arrange a planned ending to the placement.

Planned moves

Whatever the reason for a child moving from your care, it is important that the period of time they have spent with your family is remembered. Photographs and other mementoes and preferably a written account of the placement will help provide a coherent account of the time that the child has spent with you. Children whose childhoods are characterised by disruption often have great difficulty in recalling events and the reasons why these happened.

Helping the child prepare for the move requires the same sensitivity and honesty as when they arrive (see the list above). Additionally, if a significant relationship

has developed, the child will want to know if they will be able to continue to see you. Clarify this with the child's worker, usually there is no reason why you should lose all contact with the child but this is often a matter that is forgotten by busy social workers.

- xv. Transfer of a child between foster care and residential care (including preparation and support)

Response

Period 1930 to 1975

Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The Strathclyde Regional Council Fostering Guidelines, 1986, includes details on processes on transfer of child. The guidelines highlight the Social Worker's responsibility to ensure that the child's transition from the foster home to his own home, or to another placement, is carried out as easily as possible. The Social Worker is required to prepare all parties for the change and ensure that they understand the sequence of events and the reasons for the move. The following steps are required:

- Medical examination by the family or foster parent's GP, not earlier than the day prior to the child leaving the foster home
- The medical card, copies of any Place of Safety Orders, Warrants, Panel Supervision Orders and any other relevant documents to be collected from foster home when child leaves. Documents which came from home, i.e. the medical card, will be retained on child's file for reference in the event of future placement. If the child is moving to another placement, all these items will be transferred with the child.
- All clothing brought from the home should be returned. Social Workers to advise about other items to be taken when the child leaves. Any special new toy, along with any photographs, should also go with the child.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

See xiv above.

xvi. Child protection

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

A number of manuals and procedures were produced to support the appropriate management of activities, including child protection. In 1971 Glasgow Corporation, Strathclyde Regional Council predecessor, had produced the first Child Protection guidance notes for Social Workers which were revised in 1979. There were new manuals regarding procedures regarding child abuse in 1979, 1983, 1989, 1993 (amended supplementary procedures). There were Child Protection Procedures produced by authorities in the West of Scotland in 2001. (Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council has child protection procedures, largely concerned with internal lines of responsibility and communication. There are also inter-agency child protection procedures that are shared between South Lanarkshire Council, the Police and Health services.

What is a child protection investigation?

When it is suggested that a child may be in a danger or is being harmed, social workers and police have a legal duty to investigate and make sure that the child is safe. Social workers and the Police will work in consultation with health and education services. Information will usually be sought from those who have regular contact with the child, such as carers and teachers.

A definition of categories of child abuse:

- **Physical injury** – actual or attempted physical injury to a child under the age of 16 (or 18 for children with special needs or subject to supervision requirement) where there is knowledge or suspicion that the injury is deliberately inflicted.
- **Physical neglect** – when the child's basic needs are not being met and this is likely to cause impairment to physical health and development
- **Failure to thrive** – when a child is not growing or developing as expected and there is no obvious medical reason or this
- **Emotional abuse** – when failure to provide for the child's basic emotional needs result in a severe effect on the behaviour and development of the child.
- **Sexual abuse** – when a child is involved in any sexual activity with an adult or is being exploited by another child. Sexual activity need not involve actual contact, any activity intended to lead to the

sexual arousal of the adult and initiated by them can be regarded as sexual abuse.

If carers have concerns that a child in their care (full time or respite) may be at risk in this way, they should report it immediately to the child's social worker or manager or the Standby Service.

The Investigation

The responsible manager in accordance with the procedures plans the investigation. Information is gathered from anyone close to the child including foster carers and anyone who has knowledge of the alleged abuse. Depending on the nature of the allegation it may be decided that a doctor should see the child. The main reasons for medical examination in these circumstances are to:

- Make sure there are no injuries, infection or other problems that may require treatment
- To ensure that any evidence of abuse is assessed to help the police find out what has happened
- To save the child from the experience of repeat examinations by different doctors

What happens next

If those investigating are satisfied that the child is not at risk of harm, there will often be no further action. If there is enough information to suggest that the child may be at risk of harm then a case conference will be arranged as soon as possible (this will be within days of the investigation). The purpose of a case conference is to share information and make plans about any action that should be taken. Carers may play an essential part through sharing what they have witnessed and recorded, and through their knowledge of the child.

Allegations of child abuse against foster carers

South Lanarkshire Council has procedures and guidance to be followed when allegations are made against carers. These are broadly similar to the guidelines for dealing with allegations against staff members. The guidelines have been issued to help all involved in the care and protection of children to be able to discharge their duties in a consistent way with objectivity.

Carers should report concerns about any abusive, harmful or improper conduct by employees of South Lanarkshire Council or other carers, so that they can be properly investigated.

South Lanarkshire Council also has a duty of care towards carers. Carers against whom an allegation of abuse has been made will receive clear advice about the process and timing, although not necessarily about the detail of the investigation. Your supervising social worker will have a role in ensuring carers have adequate information about what is happening, and about potential sources of advice and support, such as Fostering Network. When allegations are made against carers that fall within the definition of child abuse (see below) it is important for everyone involved to ensure that rigorous investigations takes place using the joint investigation arrangements with the Police where appropriate. If there is apparent

Response
<p>Period 1930 to 1975</p>

Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1986 Strathclyde Regional Council Fostering Guidelines outlines processes for dealing with foster parent complaints, including:

- Again, foster parents and their care of a particular foster child
- By foster parents because of a dispute with the social work staff involved in their home and very often concerning a decision about a child in their care, or their continuing involvement as foster parents

Any complaint is to be immediately brought to the attention of the Area Officer responsible for the child and is to be acted on immediately.

If the complaint is against foster parents is received from other professionals involved with a child who has been in the foster home, e.g. a teacher, doctor, another Social Worker, or from a neighbour or another member of the public, or from the child themselves, it must be immediately and thoroughly investigated.

The complainant to be interviewed by the foster parents' Social Worker and the Senior Social Worker and details of the complaint, together with an assessment of the quality of that complaint to be carefully recorded. The Area Officer for the foster home to discuss this with Area Officer for the child, if the complaint is as serious as an accusation of non-accidental injury, the relevant Child Abuse Procedures must be followed.

If at all possible, the decision to remove the child should be taken at a child abuse Case Conference, if appropriate, or at a Disruption meeting, which would be called in accordance with procedures already detailed.

Any decision as to whether or not to return the child, should be taken place at a formal Disruption meeting
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council Complaints and allegations:

The subject of complaints and allegations against foster carers causes considerable anxiety; this section will not be able to allay all concerns. It will broadly lay out the process that is followed and the ensuing possible actions.

Carers are encouraged to build safeguards into their fostering practice that will help protect fostered children from harm and minimise the inevitable distress caused by an allegation. The Fostering Network book

"Safe Caring" is essential reading for carers, and if you do not already have one, you are advised to get a copy from your supervising worker or directly

from The Fostering Network. Carers are also advised to read the Fostering Network signposts booklet titled *"Allegations against foster carers"*.

Complaints by and about carers

South Lanarkshire Council has procedures and guidelines for dealing with complaints about services, including foster care. The Scottish Care Standards for Fostering require that information is made available to service users (this includes fostered children and their parents as well as carers themselves) about how to make a complaint. Complaints can also be made to the Care Commission directly on 01786 406363, or at the local office in Hamilton on 01698 208150.

The principle that guides all complaints procedures is that they are dealt with at the level closest to the personnel with responsibility. For example, if you wish to complain about a lack of service such as a repeated failure on the part of a child's social worker to return calls or to visit as arranged, the complaint should be taken up with the worker or his/her immediate manager. If matters cannot be resolved the formal complaint procedure can be invoked by making contact with the Directorate Support and Policy Officer for South Lanarkshire Council who will initially respond with information about timescales, prior to making direct contact with the complainant and undertaking investigation.

Children and their families may use this process to make a complaint about a foster carer. This is a fairly rare occurrence as most complaints by children or their families are dealt with in a face-to-face way by talking through differences and seeking to resolve them. A fostered child is also more likely to 'complain' to their social worker and should have knowledge of, and access to the Who Cares? Worker and the Children's Rights Officer

xviii. Whistleblowing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's policies in relation to fostering did not mention whistleblowing. The Council later had Codes of Conduct Practice, as well as social work staff having SSSC Codes of Conduct, which required staff to cohere to whistleblowing requirements.

xix. Record retention

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See 4.9 for details of record-keeping policies within Strathclyde Regional Council.

Many records were created before the policies and retention schedules described in 4.9 and were retained in line with statutory requirements.
(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Please refer to South Lanarkshire Council's Retention Procedures.
(Appendix 40.)

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Officers of Strathclyde Regional Council Social Work Department.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, Managers from the Family Placement Team and Senior Managers compiled the policies and guidance.

f) When were the policies and/or procedures put in place?

Response
<p>Period 1930 to 1975 Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 The earliest Fostering Procedures identified within South Lanarkshire Council was in 2007. The Foster Carers Handbook was first dated 2006.</p>

g) Were such policies and/or practices reviewed?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, policies/ guidance was reviewed every 3 years from 2007. Prior to this it is not clear as records could not be found.</p>

h) If so, what was the reason for review?

Response
<p>Period 1930 to 1975</p>

Not known. Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council wished to bring policies etc. into line with legislation/regulatory changes etc.

The 1976 Strathclyde Regional Council policy and related guidelines was the first foster-specific policies for more than 40 years.

The 1986 Strathclyde Regional Council Foster guidelines, which replaced those in place in the 1970s, brought together the policies, practices and procedures relating to fostering in Strathclyde. Their production and distribution to all Social Workers emphasised the importance placed on the foster care service and the need for continuing development. The guidelines brought together existing policies and procedures and introduced new ones. These include all fostering assessments being presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Homes Reviews and the further right of Appeal.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, reviews were undertaken to reflect National Care Standards and legal requirements.

- i) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1986 Strathclyde Regional Council Fostering guidelines brought together existing policies and procedures and introduced new ones. These include all fostering assessments being presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Homes Reviews and the further right of Appeal.

(Information provided by the Mitchell Library, Glasgow.)

Period 1996 to 2014.

In South Lanarkshire Council, this related to children sharing bedrooms and this was reflected in policies at the end of this period. Panel procedures became more robust, with clear legal requirements in relation to consultation, training and support etc. Record keeping was enhanced with clearer requirements on what records services should keep. Carers looking after children under 5 years could not be smokers.

j) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

To meet any changes in legislation/regulation and underpin the development of the foster care services in Strathclyde Regional Council which had created greater expertise in recruitment, assessment, preparation and continued support for families and the children placed with them.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 1996

Fostering Agencies were registered with Care Commission in 2006 and associated National Care Standards applied. This meant fostering services received specific inspections rather than as part of authority inspections.

k) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, limited changes were noted 2007/2010.

l) Was there an audit trail?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2104 Yes.</p>

Present

m) With reference to the present position, are the answers to any of the above questions different?

Response
<p>Yes.</p>

n) If so, please give details.

Response
<p>Was there local authority policy/guidance in relation to the provision of foster care?</p> <p>Please refer to South Lanarkshire Council Fostering Procedures and Practice Guidance, February 2013. (Appendix 15.)</p>

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to the provision of foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 The documentary evidence shows a level of adherence across its policies and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, there are a range of records and documents which strongly indicate adherence during this period.</p>

- b) Did the local authority adhere in practice to its policy/procedures on the following:
- Child welfare (physical and emotional)

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 There is evidence of child welfare issues being adhered to in respect to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council, there is a range of evidence indicating adherence to policy and procedures in relation to child welfare and where concerns were raised these were addressed.</p>

ii. The child's views

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 There is evidence of the child's views being adhered in respect to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council, there is a range of evidence of involvement of Children's Rights workers, Who Cares? Scotland involvement and of records of children's views.</p>

iii. Placement of siblings

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 There is evidence of the placement of siblings together being adhered to in respect to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council, there is a range of evidence of significant efforts made to place siblings together and to reunite them if no placements were initially available.</p>

iv. The placement of a child in foster care

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the placement of a child in foster care being adhered to in respect to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is a range of evidence to indicate procedures were followed when placing children on emergency or planned basis.

v. The particular placement of a child with foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the particular placement of a child with foster carers being adhered to in respect to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is evidence available to strongly indicate procedures in relation to placing children with particular carers was followed as appropriate.

vi. Contact between a child in foster care with his or her family

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the issue of contact between a child in foster care with his or her family being adhered to in respect to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is evidence available to indicate that this policy was adhered to.

- vii. Contact between a child in foster care and other siblings in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the issue of contact between a child in foster care and other siblings in foster care being adhered to in respect to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is evidence to indicate children were supported to maintain contact with siblings.

- viii. Information sharing with the child's family

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the issue of information sharing with the child's family being adhered to in respect to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is evidence to suggest carers and staff adhered to this policy and worked in partnership with parents where possible.

- ix. Fostering panels (including constitution, remit, frequency and record keeping)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the Fostering Panels functioning in adherence to Strathclyde Regional Council's policy and procedures.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is evidence to strongly indicate panel procedures were followed.

- x. Recruitment and training of foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the recruitment and training of foster carers in adherence to Strathclyde Regional Council's policy and procedures.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicated safer recruitment of carers procedures were followed and training was provided as per policy.

- xi. Requiring employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 There is evidence of the requirement of employers to divulge details of complaints etc. in relation to prospective foster carers to the local authority in adherence to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council, there is evidence available to indicate policy and procedures were followed.</p>

- xii. Reviewing a child's continued residence in foster care or in a particular foster care placement

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 There is evidence of the requirement of reviewing a child's continued residence in foster care or in a particular foster care placement in adherence to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council, a range of records indicate this policy was followed with regular reviews, checks and feedback.</p>

- xiii. Visits to a foster care placement (including frequency, purpose, content, follow up and record keeping)

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of visits to a foster care placement in adherence to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate visits were undertaken as outlined in policy.

- xiv. Transfer of a child from one foster placement to another
(including preparation and support)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the transferring of a child from one foster placement to another in adherence to Strathclyde Regional Council's policy and procedures.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, records indicate that children were supported as appropriate.

- xv. Transfer of a child between foster care and residential care
(including preparation and support)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the transferring of a child between foster care and residential care in adherence to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate moves were supported.

xvi. Child protection

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence of the adherence to child protection procedures in foster care in Strathclyde Regional Council. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, records indicate child protection procedures were followed.

xvii. Complaints handling

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence complaints handling in adherence to Strathclyde Regional Council's policy and procedures. (Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate complaints were responded to appropriately.

xviii. Whistleblowing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence that whistleblowing was dealt with in adherence to Strathclyde Regional Council's policy and procedures.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, records indicate carers' concerns about colleagues were addressed confidentially.

xix. Record retention

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is evidence that record retention was dealt with in adherence to Strathclyde Regional Council's policy and procedures.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, foster care records have been retained as directed by national guidelines and authority policy.

c) How was adherence demonstrated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, a range of recording, reviews, checks demonstrate above as follows:

- Carers' Case Recording
- Carers' Supervision Records
- Carers' Reviews
- Carers' Skills Audit
- Panel minutes
- Children's reviews
- Children's feedback forms
- Linking Meetings (Permanent Placements)
- Matching Panels
- Planning Meetings
- Business Panel Meetings
- Foster Team Meetings
- Training Records
- Carers' Deregistration Panels
- Staff supervision
- Inspection Reports
- Staff and carers' testimony

d) How can such adherence be demonstrated to the Inquiry?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, a range of records which relate to this period can be examined on request and long serving staff members can provide testimony.

e) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, a range of records are available to ensure accountability and adherence to standards.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, these have been retained within the Family Placement Team or the council's archive.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, there is no evidence of policy and procedures not being adhered to in general. There were procedures in place to address any issues with individual carers or staff members. Supervising staff members managed carers well and challenged them appropriately.

- h) If policy/procedure was not adhered to in practice, what was the practice?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, whilst despite robust recruitment policies at this time, some carers' practice did not reflect the council's standard of policies, however, there were systems in place to address this. Overall practice and procedures reflected the values of South Lanarkshire Council.

Present

- i) With reference to the present position, are the answers to any of the above questions different?

Response
No, although recording has continued to be enhanced.

j) If so, please give details.

Response
Not applicable.

4.3 Children

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in place in relation to the care of children in foster care?

Response
<p>Period 1930 to 1975 During this period policies and procedures derived from the decisions made by the various governing committees. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1975 to 1996 Strathclyde Regional Council produced a number of policies regarding foster care. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the policies were the Fostering Procedures, the Foster Carers Handbook and the Participation Policy.</p>

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

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

Period 1996 to 2014

Yes

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

Period 1996 to 2014

Yes.

d) What did the policies and/or procedures set out in terms of the following?

i. Safeguarding

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the fostering task will vary according to the type of placement and the needs of individual children but common to all types of placement are the following tasks and responsibilities:

- Provide a high quality of child-care;

- Provide a safe, healthy and nurturing environment;
- Communicate with children in a child centred and age appropriate way;
- Safeguard the child or young persons' physical, mental and emotional welfare;
- Recognise and support the child or young persons' needs in respect of their gender, religion, ethnic origin, language, culture, disability and sexuality;
- Promote and support the child or young person' education and health;
- Work closely with the child or young persons' family where possible;
- Work as part of a team with all others involved to promote the well being of the child or young person;
- Participate in ongoing training and support and development groups.

ii. Child Protection

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council has child protection procedures, largely concerned with internal lines of responsibility and communication. There are also inter-agency child protection procedures that are shared between South Lanarkshire Council, the Police and Health services.

What is a child protection investigation?

When it is suggested that a child may be in a danger or is being harmed, social workers and police have a legal duty to investigate and make sure that the child is safe. Social workers and the Police will work in consultation with health and education services. Information will usually be sought from those who have regular contact with the child, such as carers and teachers.

A definition of categories of child abuse:

- **Physical injury** – actual or attempted physical injury to a child under the age of 16 (or 18 for children with special needs or

subject to supervision requirement) where there is knowledge or suspicion that the injury is deliberately inflicted.

- **Physical neglect** – when the child's basic needs are not being met and this is likely to cause impairment to physical health and development
- **Failure to thrive** – when a child is not growing or developing as expected and there is no obvious medical reason for this
- **Emotional abuse** – when failure to provide for the child's basic emotional needs result in a severe effect on the behaviour and development of the child.
- **Sexual abuse** – when a child is involved in any sexual activity with an adult or is being exploited by another child. Sexual activity need not involve actual contact, any activity intended to lead to the sexual arousal of the adult and initiated by them can be regarded as sexual abuse.

If carers have concerns that a child in their care (full time or respite) may be at risk in this way, they should report it immediately to the child's social worker or manager or the Standby Service.

The Investigation

The responsible manager in accordance with the procedures plans the investigation. Information is gathered from anyone close to the child including foster carers and anyone who has knowledge of the alleged abuse. Depending on the nature of the allegation it may be decided that a doctor should see the child.

The main reasons for medical examination in these circumstances are to:

- Make sure there are no injuries, infection or other problems that may require treatment
- To ensure that any evidence of abuse is assessed to help the police find out what has happened
- To save the child from the experience of repeat examinations by different doctors

What happens next

If those investigating are satisfied that the child is not at risk of harm, there will often be no further action. If there is enough information to suggest that the child may be at risk of harm then a case conference will be arranged as soon as possible (this will be within days of the investigation). The purpose of a case conference is to share information and make plans about any action that should be taken. Carers may play an essential part through sharing what they have witnessed and recorded, and through their knowledge of the child.

iii. Medical care

Response
Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

To ensure that the Child/Young Person's medical and dental care needs are met, having regard to the medical information supplied and, whenever practicable, in consultation with the child's or young person's parents or guardians and the child's or young person's social worker:

- (i) by consulting medical and dental practitioners when necessary, following their advice and following up on prescribed treatment or referrals for specialist opinion
- (ii) by keeping to any arrangements for reviewing the Child/Young Person's health if advised by the medical practitioner or required by the Council
- (iii) keeping a record of significant illnesses, consultations or treatments, and advising the Child/Young Person's parents or guardians and the Child/Young Person's social worker of any events.

iv. Children's physical wellbeing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Payment for Skills Policy:

Work with Children

The carer must be able to evidence:

- The use of different methods of communication with children/young people appropriate to their age and understanding.

- Help children develop an understanding of themselves, their past and their identity, including 'race', culture, language and religion.
- Work with children in anti-discriminatory way to ensure foster care respects all children and their families.
- To be aware of the possibility of child abuse and neglect.
- Be committed as a family to share and respond to the needs of children placed.
- To promote a healthy environment and monitor the child's health, have an awareness of normal childhood illnesses and deal with them appropriately. Ensure that a child receives medical and dental assistance where necessary (In accordance with National Standards 10.1 – 10.13).

Foster Carers' Handbook

Comprehensive health assessments

South Lanarkshire Council is required to seek a written assessment of the state of the child's health when first accommodated away from home and to identify their future health care needs in the child care plan. Where possible, this assessment should take place before the child is accommodated but if not, as soon as possible thereafter.

The child's social worker is responsible for ensuring the child has a medical assessment at the point of being looked after and accommodated. This medical is usually undertaken by the child's family GP. Where there are health issues that require further assessment or possible specialist intervention, the child's social worker should make an appointment for the child with the agency medical adviser.

While the child is accommodated in foster care the child should be registered with the foster carer's GP.

The social worker will make arrangements for the assessment but it is important for the carer to be there, and the parent if possible. Health assessments need to be informed by issues such as:

- Hereditary conditions
- Factors such as alcoholism or drug abuse in the parents' history that may effect the child's development
- Difficulties affecting the child such as wetting or soiling problems, sleeping difficulties, eating disorders, or mental health problems
- Lifestyle factors that may affect the child or young person's health such as smoking, drug use or sexual activity
- Information about previous abuse, neglect, self harm or depression that may indicate a need for referral to mental health services.

These factors will not all be known on the basis of a medical examination. Background information is required and if it is not available should be sought out as soon as possible.

v. Children's emotional and mental wellbeing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

The fostering task will vary according to the type of placement and the needs of individual children but common to all types of placement are the following tasks and responsibilities:

- Provide a high quality of child-care;
- Provide a safe, healthy and nurturing environment;
- Communicate with children in a child centred and age appropriate way;
- Safeguard the child or young persons' physical, mental and emotional welfare;
- Recognise and support the child or young persons' needs in respect of their gender, religion, ethnic origin, language, culture, disability and sexuality;
- Promote and support the child or young person' education and health;
- Work closely with the child or young persons' family where possible;
- Work as part of a team with all others involved to promote the well being of the child or young person;
- Participate in ongoing training and support and development groups.

- **Psychologists**

Each social work service has varying arrangements with the Educational Psychologists for their Council and with Child and Adolescent Mental Health Team. Both these services, in addition to undertaking direct work with children and young people can offer advice and assistance to carers. The mental health of accommodated children is known to be significantly worse than the general population of children and young people. Often advice and reassurance to the carer is the best service that can be offered. If carers themselves require counselling, South Lanarkshire Council will seek to provide an appropriate service. Ask your supervising social worker for advice if you feel that you require this sort of support.

Health and Wellbeing

National Care Standards – foster care and family placement services – Standard 2.6

You know that the agency makes sure that your foster carer:

- *Helps you get the healthcare you need*
- *Gets involved in your healthcare.*

A report on the mental health of children and young people looked after by local authorities in Scotland, in 2004 found that two thirds of all looked after children were reported to have at least one physical complaint. The most commonly reported physical complaints were eye and sight problems, bedwetting, speech or language problems, asthma and difficulty with co-ordination. Among children and young people, aged 5 – 17 years, 45% were assessed as having a mental disorder; ranging over conduct disorders characterised by awkward, troublesome, aggressive and anti-social behaviours; emotional disorders such as anxiety, depression and obsessions; and hyperactivity disorders such as inattention and over activity.

The health care for children and young people who are looked after is often poor because it is not clear who has responsibility for ensuring that medical treatment is arranged and carried out. When children are accommodated, the continuity and treatment of conditions can be broken and records not passed on to those who should have them. The Lanarkshire Health Care Trust and South Lanarkshire Council have recognised these difficulties and have in place structures and procedures that are designed to ensure that looked after children do not fall through the net and their health needs are met.

vi. Schooling/education

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above. Also, the Officer/Member Report on Child Care (1978) stressed the need to develop links with the school and particularly with the class teacher, guidance teacher and head teacher.

The Key Worker approach in the Home and Away Policy involved the identified staff member for a particular resident to liaise and offer task centred work which included both families and schools.

The residential Child Care Action Plan states that the most appropriate option for schooling must be discussed at the earliest opportunity, and at least within two working days of admissions.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Education

National Care Standards – foster care and family placement services – Standard 2.6

You know that the agency makes sure that your foster carer:

- *Provides you with an educationally rich environment*
- *Helps to meet your educational needs*

South Lanarkshire Council has in place policies and procedures that are designed to ensure that children who are looked after and accommodated:

- Are immediately identified to their school
- Are enabled to continue receiving their education in their home school
- Receive additional support as necessary to compensate for loss of education
- Have their educational (and other) needs tracked by a senior member of staff in the school
- All professional staff involved with the child will work in partnership with each other and with parents and carers to support the child's learning.

Educationally rich environments

This phrase has been used by social work and education inspection reports to refer to the opportunities and support provided to children who are accommodated. Providing such support means that carers need to think about the environment of their own homes, the personal support they can offer to a child and the opportunities they can provide outside the home.

Some aspects to consider include:

- Reading to and with a young child
- Taking young children regularly to the local library to borrow books and encourage the habit of reading
- Taking an interest in school projects and helping a child with the work involved
- Limiting the time a child spends watching television
- Outings that provide new experiences
- Space in the home for children to do their homework and study in peace
- Access to books and other learning materials via the library and the Internet

Liaison with school

There are formal mechanisms for informing the child's school that the child is now living with foster carers but it is always advisable to make contact with the school yourself and if possible visit to meet with the teacher (primary school) and the senior member of staff with responsibility for 'looked after' children (secondary). Being placed in foster care inevitably means that disruptive events have occurred in the child's life that will affect their behaviour and performance at school. Close liaison between the carer and the school will help both to understand and provide the extra help that will be needed. The child should also be aware of the carers' interest and contact with the school so that there is no room for misinformation or misinterpretation of events or information.

Parents will normally retain parental rights and responsibilities in respect of their accommodated children. These will be acknowledged by the school who unless otherwise advised will continue to provide reports and extend invitations to parents' evenings to the parents. Separate appointments may need to be arranged so that carers are also kept up to date with the child's progress.

South Lanarkshire Council has an exclusion policy that aims to keep to a minimum the numbers of children who are excluded and the time they are excluded for. Accommodated children, particularly of secondary school age sometimes do feel alienated from school often as a result of having missed vital stages at school and having little support for education from their parents. Carers should support and encourage a positive attitude to teachers' authority and promote in children and young people negotiation skills and acceptance of reasonable rules and expectations.

Looking after children materials

The various LAAC forms are detailed above under 'Care Planning'. The care plans and review of care plans contain sections on educational assessment and needs. The social worker shall ensure that the child's school completes these parts of the forms. The assessment will also identify what supports may require to be provided, these may include time with a support for learning teacher or assistant, a mentor or buddy who may be a senior pupil or an individually designed curriculum.

Special needs/additional support for learning

Legislation now requires that mainstream education should be available for every child with special needs whose parents choose it. There is still local specialist provision particularly for children with complex or severe learning difficulties and these schools are often co-located with mainstream school in order to maintain strong links.

The definition of 'special educational needs' has been widened by the *Education (Additional Support for Learning) (Scotland) Act 2004*. It is anticipated that this Act will be implemented in late 2005. It will remove the Record of Needs system that currently operates and it will be replaced by a wider concept of additional needs that can arise from any factor, which causes a barrier to learning. These

may be social, emotional, behavioural or arising from a child's family or care circumstances. Where a child is assessed as having 'enduring, complex or multiple' barriers to learning a planning document called the Co-ordinated Support Plan will be drawn up. The Plan will focus on achieving learning outcomes and will draw together support and services from within South Lanarkshire Council and from outside agencies such as Health.

If you think that the child in your care may require additional support for learning, speak with the child's social worker. Further information on this legislation can be obtained by contacting the Additional Support Needs Division at the Scottish Executive Education Department, Area 3B North, Victoria Quay, Edinburgh EH6 6QQ.

For respite carers of children with disabilities, the child's school is a source of support and information. For example, children receiving regular respite are often brought to the foster home directly from school and the school can advise (along with parents) about management techniques and helpful ways to develop the child's capacity to learn and play. Making links with the child's school is therefore helpful. Wherever possible, special school and health reviews of children with disabilities will coincide with the looked after child care review so that parents, carers and professionals have an opportunity to meet and discuss all aspects of the child's care.

vii. Discipline

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above. There are various guidelines on discipline for schools, approved schools and residential homes. The Officer/Member group on Child Care (1978) recommended the Council consider their position concerning punishment in Children's Homes in general, but in particular corporal. At that time it had been left to the discretion of the Head of each home. The group recommended that the whole question of punishment and the use of smacking in residential homes be examined in detail and a policy statement issued to all – as guidelines for practice.

The Home or Away Strategy that to resort to corporal punishment or excessive physical restraint was not appropriate and recommended new methods of intervention in respect of behavioural issues.

Practice notes for social work residential staff on "Attendance at School and Exclusions from School relative to Children in Care" were issued in March 1986.

The Young People in Trouble Report by the Directors of Education and Social Work and the Reporter to the Children's Panel, April 1988, included recommendations for discipline in school, April 1988.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In south Lanarkshire Council, the Service Aims and Objectives in fostering, include "The undertaking not to use corporal punishment"

Payment for Skills:

The carer must be able to evidence

- A good standard of child care in order to develop the child or young person's potential
- A knowledge of standard child and adolescent development with the ability to recognise physical and emotional development and behaviour which is outside the norm.
- Be able to set appropriate boundaries and incentives without the use of physical punishment, or punishment which is inappropriate taking into account the child/young persons past experiences.
- A basic knowledge of the difference in care needs of children who are fostered from those of birth children.

viii. Activities and holidays for children

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above. Also, the 1979 Social Work Fostering Manual provides details of centres offering holidays to children in care of the authority.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, Foster Carers are asked not to plan holidays during term time. Carers are encouraged to enable children placed with them to

participate in school camps, activities and trips. Financial assistance can be made available to meet any exceptional costs incurred.

More exceptional school trips such as a foreign holiday are open to negotiation and would be dependent on a number of factors. If you think a child or young person could benefit from such a holiday, speak to both the child's social worker and your own worker well in advance of the holiday.

Sporting and outdoor activities

Many children who are accommodated will have opportunities for the first time to take part in extra curricular sporting and outdoor activities. South Lanarkshire Council has policies and procedures that guide schools in maintaining safety if taking children away or involving them in 'risky' activities. The school should always be aware if a child is in foster care but it is helpful if you make contact with the school directly so that extra notice can be given if possible to obtain the necessary consents for activities.

If you intend to involve the child in a family activity for example, skiing, riding, hill-walking, check it out with the child's social worker first and let the social worker know what your normal safety precautions are. Some children may make out that they are more proficient than they are in an activity, such as swimming. Be cautious and always supervise an activity until you are confident of the child's ability. If the child is learning a new skill ensure that the leader is a qualified instructor.

South Lanarkshire Council aims to enhance opportunities for children who are looked after and accommodated and there may be preferential access to some schemes or programmes. Ask your child's social worker or your worker about any regular or special holiday schemes

ix. Sharing a bedroom

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

The policy in South Lanarkshire Council was that children should not share beds. Anyone going into a child's bedroom with a child should leave the door open. Many children of carers and foster carers do share bedrooms, but the child's need

for privacy should be taken into account if this is a feature of the placement. Likewise, the carers own children's views need to be taken into account.

x. Contact with family members

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, helping families to maintain contact is one of the most important tasks foster carer are asked to do. It can also be one of the most difficult. A number of considerations require thought, preparation and ongoing support for all those directly involved in contact. The following are some of the considerations. Foster carers are also advised to read the Fostering Network signpost booklet titled, *"Contact, maintaining links with families", 2002.*

- Arrangements for contact should be discussed at the planning stage of the placement or in the case of emergency placements, as soon as the placement has been made. Specific arrangements should be recorded in the placement agreement and include details of frequency, venue, supervision (if required), transport and any restrictions. Preferably parents should be directly involved in agreeing the arrangements.
- The early days and weeks of a placement are particularly crucial in determining if a child will be able to return home. The relationship that develops between the parents, the social worker and the carers will contribute to the success or otherwise of the contact and impact on the long-term outcome of the child.
- Many parents feel guilty about their child being accommodated and find it hard to accept that a foster carer is looking after their child. The parents' attitude to the carer may be defensive or hostile. Carers are not expected to put up with threats or abuse but are asked to understand and defuse potentially awkward situations and be as welcoming as possible to the parents or relatives.
- Children will pick up the carers' attitude quickly and it is confusing for a child if they know their carer feels negative towards the parent.

- It can be hard to witness a child's distress before, or after, contact and to be the one who has to try and comfort the child. Do not be too quick to interpret what this may mean. Grief at the pain of separation is normal in children and healthier than feelings being denied. Of course, children may be upset for other reasons or angry with their parents. Talking with the child and helping them express their emotions and wishes will be helpful to the child and assist in case planning.
- If you are asked to facilitate or supervise contact in your own home or elsewhere (to varying degrees this is a requirement of each of the payment for skills levels) be fully aware of the expectations of your role including the recording and reporting requirements.
- Observation of the child's response to contact before, during and after can be vital in gathering information for future planning. If it is thought that it is in the best interests of the child that contact is restricted or terminated altogether, such a decision requires to be evidenced. The carer's record of the impact of contact (this may include failed contact where the parents are so inconsistent that it is deemed harmful to the child) will be an important contribution to the assessment made.

xi. Contact with siblings

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

See section x.) above.

xii. Celebration of birthdays and other special occasions

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, specific mention is made to additional allowances available in order to provide a nurturing environment.

xiii. Information sharing by the foster carer with family members

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (ii) b) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's Carers' Handbook noted:

Every foster carer will be given a diary, which is for recording visits, appointments (concerning yourself as well as the children you care for) and significant events. It is important to use your diary in this way, you will need it for future reference when writing reports. You should also keep a notebook for each child for detailed individual recording. In addition to the formal requirements of record keeping, retaining mementoes including photographs for the child to keep or take with them, will help to build the child's sense of identity and history.

Recording, why it is necessary

Keeping a record of your work with children and families is important, because:

- Foster carers are often asked to provide reports that relate details of the child in their care to children's hearings, child care reviews and sometimes to a court.
- It helps carers reflect on events and recognise patterns, for example a child's reaction to contact with a parent.

- It helps carers protect themselves by ensuring factual information is recorded immediately or soon after an event which may be maliciously or mistakenly interpreted. For example, a child sustaining bruising as a result of a tussle or play fights between children.
- It meets the Service's requirements for accountability.
- It provides evidence for carers portfolios required for the 'Payment for Skills' scheme.

What to record – examples:

- Accidents or illnesses and medical and dental appointments
- Notable progress and achievements
- Request for help made to any agency
- Contact arrangements with the child's family, and missed appointments
- Child's reactions to contact with family
- Specific care arrangements for the child if staying elsewhere
- Information from, and to, school
- Visits, meetings and arrangements with social workers
- Things the child has said which cause concern
- Details of problem behaviours, including what happened before and after
- Details of occasions the child has gone missing and where they were found
- Important events or changes in the circumstances for the child
- Police involvement, damage to property.

How to record:

Some carers may be anxious about putting pen to paper as they may have had little call to do so since leaving school. Your supervising worker can help you and there are occasionally training sessions on recording. Remember it is the content that matters not the form. Here is an example:

1. This child's emotional difficulties are manifested in extremely difficult behaviour.
2. ■■■■ is missing his Mum. He picks fights with the younger children. When I try to stop him he calls me a cow and then goes out of the house for a couple of hours until he calms down and comes back.

While the first is accurate, the second is more descriptive and gives a clearer picture of the child's actions and the kinds of behaviour which carers are expected to manage.

- Keep language simple
- Assume that what you write could be shared with child, parents or future carers
- Keep recording short and factual. Make it clear if it is an opinion being recorded
- Keep recording up to date
- Date and sign records.

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Within South Lanarkshire Council, Senior Managers and Family Placement Team Managers compiled fostering policies and procedures.

f) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

These policies date back to the 1930s- 1990s.
(Information provided by the Mitchell Library).

Period 1996 to 2014

In South Lanarkshire Council, the earliest found policies and procedure were 2007.

g) Were such policies and/or practices reviewed?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council did review its policies and practices in line with regional and national guidance.

h) If so, what was the reason for review?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

To meet statutory and regulatory changes.

In addition, in 1975/6 and 1986 Strathclyde Region produced comprehensive policy and guidance specifically targeting foster care which was part of key strategy to improve child care in general and foster care specifically.

(Info provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council updated practice and guidance to reflect changes from, for example, the Fostering Network, The Care Commission and changes to legal framework.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 4.2 (i) above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, procedures were changed to reflect issues in relation to sharing bedrooms and the smoking policy.

j) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

To meet statutory and regulatory changes in line with priorities of Strathclyde Regional Council in respect of Child Care.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, these changes were made to reflect updated guidance, new regulations and National Care Standards.

k) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, these changes were documented.

l) Was there an audit trail?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire, dates of changes were noted.</p>

Present

- m) With reference to the present position, are the answers to any of the above questions different?

Response
Yes.

- n) If so, please give details.

Response
Policies and guidance are be updated in line with regional and national guidance.

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures relating to the care of children in foster care?

Response
Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, there is a range of evidence to suggest policies and procedures were adhered to.

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

- i. Safeguarding

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council there is a range of evidence to indicate safeguarding policies were adhered to.

- ii. Child Protection

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate that child protection procedures were adhered to.

iii. Medical care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate policies and procedures were adhered to.

iv. Children's physical wellbeing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate policies and procedures were adhered to.

v. Children's emotional and mental wellbeing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. South Lanarkshire Council's records indicate policies and procedures were adhered to.

vi. Schooling/education

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. South Lanarkshire Council's records indicate policies and procedures were adhered to.

vii. Discipline

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, records indicate some allegations concerning carers physically chastising children. Records accessed indicate these were responded to appropriately.

(Appendix 35. and 36.)

viii. Activities and holidays for children

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate policies and procedures were adhered to.

ix. Sharing a bedroom

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, there was no specific guidance regarding this issue outlined pre 2014.

x. Contact with family members

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. South Lanarkshire Council's records indicate support for contact with family members and adherence to policy.

xi. Contact with siblings

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. South Lanarkshire Council's records indicate support for contact.

xii. Celebration of birthdays and other special occasions

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. South Lanarkshire Councils' records indicate a generally nurturing environment and payment of finance to buy gifts.

xiii. Information sharing by the foster carer with family members

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is historic evidence of Strathclyde Regional Council adhering to its policy and procedure in this area.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, records available indicate policy adhered to.

c) How was adherence demonstrated?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, adherence was demonstrated through accountable record keeping, audits, reviews, checks and balances.</p>

d) How can such adherence be demonstrated to the Inquiry?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 By examining records in c) above. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, adherence can be demonstrated though a range of documents and minutes. Records will also be available and staff will be able to provide testimony.</p>

e) Were relevant records kept demonstrating adherence?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, these are in current offices or archives.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, many will be, in line with guidance about record retention.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Not applicable.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, this would be due to individual failure to meet agreed standards and follow guidance. Where carers did not meet the standards we set, we addressed this in reviews, panels and at times deregistered carers.

- h) If policy/procedure was not adhered to in practice, what was the practice?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Not applicable. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, this was addressed through carer supervision, reviews and panels. This could lead to the monitoring of performance and an early review or a return to the panel. Some carers maybe put on hold whilst practice examined, and further training undertaken.</p>

Present

- i) With reference to the present position, are the answers to any of the above questions different?

Response
No.

- j) If so, please give details.

Response
Not applicable.

4.4 Foster carers

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in relation to foster carers?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Strathclyde Regional Council introduced new fostering policies/guidelines in 1975/76 and in 1986. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 South Lanarkshire Council had a Fostering Procedures and Practice Guide, Carers Handbook and a Payment for Skills policy. (Please see appendix 15., 23. and 42.)</p>

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

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, each relevant section which applied to foster carers had specific aims and intentions outlined. Overarching aim</p> <p>Councils, in taking on the role of parent, and whatever the legislative basis for placements, must provide a safe environment and one which helps children and young people have their educational, emotional and developmental needs met</p>

and which takes account of their traumatic/damaging life experiences and missed opportunities. There must be opportunities for children and young people to maintain appropriate contact with their birth families, provided it is in their interests, in terms of s.17(1)(c) of the 1995 Act. In placing a child or young person, the Council must take account of religious, cultural and ethnic factors in children and young people's backgrounds, in terms of s.17(4)(c) of the 1995 Act. And the views of children and young people, and of their families, must be taken account of in terms of s.17 (3) and (4) of the 1995 Act.

In recruiting, assessing, supporting, monitoring and training foster carers to undertake this role, Councils must be mindful of the need for safety and to keep children and young people safe from harm and abuse.

The Particular Needs of Children being looked after and accommodated

Children and young people placed in foster care have a lot of specific and individual needs. All will experience loss, trauma, disruption and dislocation of, and from, everything that is familiar. This will be so, even if there are aspects of their home circumstances which have been very detrimental and traumatic. Some will have had experience of physical, emotional and sexual abuse and neglect. They will have experienced a combination of trauma and inconsistency in the provision of positive experiences. These experiences will often be seen in their behaviours.

It is important that foster carers understand the very special tasks that are involved in caring for a child with these experiences.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, these procedures and policies were recorded locally within Fostering Procedures, Carers' Handbook and Payment for Skills documents.

- d) What did the policies and/or procedures set out in terms of the following?
- i. Recruitment

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014</p> <p>In South Lanarkshire Council the Fostering Procedures outlined the recruitment of Foster Carers as follows:</p> <ul style="list-style-type: none"> • Raising public awareness of the fostering service and the need for carers. • Developing and maintaining good administrative systems. • Partnership working between family placement staff, those with a responsibility for recruitment and publicity, and children and families workers. • Consideration of co-operative initiatives with neighbouring authorities. • Ensuring and developing clear communication skills and effective presentation of the information being given to enquirers. • Development and maintenance of a clear recruitment strategy. • Monitoring the effectiveness of the recruitment programme in terms of quantity and quality of response and feedback from those responding. <p>Procedures</p> <p>Ongoing public information</p> <p>There will always be people who enquire or seek information about fostering, unprompted by any specific publicity or initiative by the Council and it will always be important to have up-to-date and appropriate information available. It will be the responsibility of the family placement team to ensure that this material is reviewed and updated at least annually or whenever there has been a significant change in the Council's policy in relation to carers. This up dating should include:</p> <ul style="list-style-type: none"> • Details of where posters/information leaflets are situated; • Updating of website; • Checking and updating of relevant contact numbers. <p>All council staff should know of the contact point for enquirers. There should be a shared responsibility for ensuring an efficient and speedy response. The</p>

Adoption and Fostering Manager holds responsibility for overseeing these activities.

Publicity campaigns

These will normally be planned well in advance as part of an annual strategy. Such campaigns may be:

- Planned independently by the Council;
- A joint initiative between authorities in the West of Scotland;
- Timed to coincide with wider publicity throughout Scotland or the UK.

Normally, those sections of the Council likely to be affected by these campaigns will have been involved in their planning and organisation and will therefore be aware of the impact on the service. However, before publicity appears, the planning group should circulate information around the Council, briefing staff about what is happening, indicating possible implications and spin offs, how to handle responses from the public outwith the Council area, and requirements regarding monitoring etc.

Targeted and specific recruitment in fostering is likely to be issue based, for example age, disability, etc, and not focused on particular children. However, it is important for those organising such recruitment to be aware of the Council's policies on profiling children and young people.

Responding to enquiries

Information should be sent out promptly to those enquiring – within 2 working days. The initial information pack should include some, or all, of the following:

- Information on the children and young people who need foster care;
- What being a carer will involve;
- Guidance on requirements; Council criteria; accommodation needed; checks which will be undertaken; any previous convictions; and matters which it would be helpful to discuss at an early stage, for example health;
- Allowances and payments;
- How applicants will be prepared;
- A clear statement about the application process and the point at which enquirers will formally apply;
- What to do next – Information on how to respond, and who to contact within the Council;

Enquirers through the Council's website should be asked for their postal address. Enquiries coming from outwith the Council's recruitment area should either receive advice and be directed to their local family placement team or have the option of meeting with a member of South Lanarkshire's family placement team to discuss what they can specifically offer.

Monitoring

All enquiries should be logged with the date; ethnicity of enquirer; source of enquiry (for example, letter, website); type of enquiry (fostering, specialist scheme etc); and where possible, how the enquirer saw or heard about the Council's need

for Carers. This is important during a recruitment campaign.

Information

Information should be held and updated at the contact point for enquirers about the Council's services and for translating into other languages or formats, such as audio, large print, or Braille. Where enquirers indicate particular communication issues at the outset, these should be immediately passed on to the family placement team for consideration, as they will have implications for handling any subsequent application.

The initial information pack will include clear information about the next step. A prospective applicant will be invited to complete an enquiry form requesting an interview and it would be hoped that the interview would be held within 4 weeks.

The initial interview will:

- Expand on information already given about the children and young people who need placement;
- Endeavour to establish a link between those needs and the expectations of those who have enquired;
- Be clear about the criteria for application: legal (for example regulations) and any agency criteria that apply (for example bedroom space or a home based carer);
- Explain the next step and the processes of the Council – preparation groups, checks, references, home study and panel;
- Provide an opportunity for questions and any personal issues.

ii. Standard and size of accommodation

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, the policy reflects the British Association for Adoption and Fostering health and safety procedures which requires checks of accommodation. Latterly a spare bedroom was required for use of child unless siblings can share.

- iii. Number, age and gender of children accommodated/in the household

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the Fostering Procedures 2007/ 2013 states:</p> <p>The assessor will make a clear recommendation in relation to approval or non approval and summarise the evidence for this. If the recommendation is for approval it will also indicate the number, age and gender of children and young people who can be cared for and whether the applicants can care for any special needs of the children and young people.</p>

- iv. Pre-approval/registration checks

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council's Fostering Procedures states:</p> <p>Following the enquiry being received by the Family Placement Team an initial</p>

interview will be organised within 4 weeks. It is the Council's policy to advise the applicants that certain checks will be undertaken as soon as the assessment begins before inviting applicants to attend the Preparation groups and this should be clearly explained to applicants.

Stage 2: Preparation

The purpose of this stage is to ensure that applicants/prospective foster carers have sufficient information to make a decision about whether to make an application and move forward to assessment, or not. This includes:

- Comprehensive Information about why and how children and young people enter the care system.
- The implications of this for carers' families.
- How applicants' capacity to understand this and offer care will be assessed.
- The Council's expectations of carers in relation to: discipline; provision of care that meets defined standards; safe caring; openness and honesty in talking with children and young people about their circumstances; capacity to work with birth parents; and capacity to work with a range of professionals and systems.
- How the Council will deal with issues arising from checks, references, medicals.
- Details of what is involved following the completion of an application.

And prospective applicants need to know that;

The Council will have to establish whether there is any reason why it should not accept an application from the prospective applicant. Reasons may include:

- Concerns raised at this early stage about the quality of care or safety of children and young people.
- The reality of being able to place a child or young person, given the knowledge of those needing placement and their expressed hopes and expectations.

Much of this stage can be undertaken as part of a group preparation process which will include, amongst others, experienced carers and the perspectives of young people who have experience of foster care. Where applicants have relevant and previous experience then an assessment may begin prior to preparation being completed.

Group leaders will make it clear to those attending that there will be a report prepared on the group and feedback on participants' responses and involvement will be included. Where issues arise applicants will be invited into the office to meet with a preparing social worker and social worker who completed the initial interview to discuss issues raised during preparation and decide the way forward.

Stage 3: Full assessment

Following the group preparation process, attendees will be asked whether they wish to continue with a full application and homestudy process. Where people wish to proceed, full application forms will be completed and the homestudy process will begin. This involves:

- Remaining checks will be completed – referees, schools (if the applicants have children), previous spouses and/or partners and employers.
- Completion of Form F Part 1B which gives permission for initial Checks; PVG, Local Authority, Health, Proof of Identity.
- Applicants will complete a full factual history and chronology to date.
- Discussions with the applicants will cover:
 - their own life experiences;
 - their motivation to foster;
 - their experience of child rearing;
 - racial, cultural, language issues;
 - experience of difference and discrimination;
 - attitudes to health and mental health;
 - approaches and attitudes to discipline and punishment;
 - sexual attitudes;
 - caring for children and young people not born to you;
 - working with birth families;
 - the needs of children and young people who are accommodated;
 - impact on other members of the household and family, particularly children and young people;
 - understanding of attachment theory;
 - understanding of, and feelings about, child abuse; emotional, physical and sexual;
 - how they parent, were parented, want to parent;
 - what experience do they have of working in partnership and as part of a team;
 - what sort of family are they, for example open, closed, hospitable;
 - education, their experiences of it and how they approach learning.
- Schedule 3 of The Looked After Children (Scotland) Regulations 2009 has the statutory list of matters to be covered.
- Visits to the applicants' home will include an assessment of space, condition, cleanliness, and health and safety issues.
- Children, young people and others living in the household will be met and talked with about the foster care task, their views about the application, and how it might affect them.
- It is the policy of the Council that, where a worker identifies potential difficulties in relation to an assessment, and following discussion with his/her line manager, an interim report will be prepared for presentation to the panel. The applicants will be invited to attend for part of such a panel and it can offer advice on how to proceed.
- The final report will include descriptive information and an assessment of how the applicants meet the competencies required for fostering. It will also clearly describe the assessment process and the meetings with the applicants and others in the household. It will outline strengths and

vulnerabilities, offer an assessment of future learning and training needs and identify gaps in competencies and how these will be filled.

- The assessor will make a clear recommendation in relation to approval or non-approval and summarise the evidence for this. If the recommendation is for approval, it will also indicate the number, age and gender of children and young people who can be cared for and whether the applicants can care for are any special needs attaching to the children and young people.
- The team leader will meet with the applicants during the assessment and complete a second opinion report as part of the assessment process.

The report prepared for the applicants will be shared with them in full, including the recommendation(s) but excluding third party confidential information.

The procedures for arranging a panel meeting and preparing the applicants for this are set out in Section H4.4.

1.1 G5 Useful resources

- *A Child's Journey through Placement*, V Fahlberg, BAAF 2004
- BAAF Good Practice Guide: *Recruiting, assessing and supporting lesbian and gay carers and adopters*, G P Mallon and B Betts, 2005.
- BAAF Good Practice Guide: *Recruiting black and minority ethnic adopters and foster carers*, G Rule, 2006.
- BAAF Practice Notes: 40 *Undertaking Competence Assessments*, 1998;
- 43 *Checking Applicants to Foster or Adopt in Scotland*, 2003
- 44 *Assessing Lesbian and Gay Foster Carers and Adopters*, 2003.

v. References

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, Fostering Procedures outlined the need to pursue referees and this reflects the British Association for Adoption and Fostering guidance as above.

vi. Foster care agreements

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, Carers must each have a Foster Carer Agreement with the Council, as per Fostering Procedures below:

Fostering Procedures.

Carer Agreement (FCA)

At the time of carer approval, South Lanarkshire Council will enter into a written agreement with the foster carer in terms of Regulations. 24 and Schedule 6 of The Looked After Children (Scotland) Regulations 2009. This will include:

- The Council's responsibilities to the carer in terms of fees, payments, conditions, training support and supervision, including legal liability insurance provided by the Council;
- the general care expected for any child or young person placed with the carer, including treating them as if part of the family and promoting their welfare;
- procedures for review of approval;
- procedures for handling any complaints against the carer. This will include full information about the Council's procedures if a complaint or allegation is made against the carer and the support system for the carer in those circumstances.
- provision that there will be an Agreement for each child or young person placed and what that will cover, including financial

arrangements, legal liabilities which might arise and how the carer may make representations to a placing authority or agency.

- the carer's responsibilities to the Council in relation to the changes that must be notified to the Council, for example change of address, employment, household composition, etc, and any criminal charges or convictions.
- the carer's obligation not to use corporal punishment for any placed children;
- the carer's duty to keep confidential all information about placed children and young people;
- the carer's responsibility to notify the Council of any significant incident, illness, injury, unauthorised absence, death of a child or young person and clear information about how to do this;
- the carer's general responsibilities in relation to contact, report writing etc;
- the carer's obligation to allow placed children and young people to be moved from the house when placements end;
- the carer's obligation to notify the Council of any outcome of any application made by them to any other foster care agency

FCA will be placed in the carer's file and a copy given to the carer. The terms of the FCA will be regularly reviewed, considered and updated with the carer in a forum or other meeting looking at the carer conditions of service. Carers should receive and have in their possession a Handbook which gives Council policy and information on all aspects of the foster care task.

Foster Placement Agreement (FPA)

- At the time of each placement of a child or young person, a Foster Placement Agreement (FPA) will be made between the Council and the carer, using the Placement Arrangement's documentation.
- The FPA will be as complete as possible so that effective plans may be made for each child or young person.
- The FPA will cover all the matters listed in Schedule 4 of The Looked After Children (Scotland) Regulations 2009
- When the placement is planned, the FPA will be signed and provided in advance of, or at the time of the placement.
- When the placement is an emergency one, the FPA will be signed and provided within 72 hours of the placement.
- Where the FPA is signed and does not contain all the information about the child or young person as required in Schedule 4, this will be provided to the carer within 14 days of signing.
- The FPA will include any specific tasks about support and respite arrangements for the child or young person.

- This FPA will be considered at each Child Care Review and amended as appropriate.
- The matters in Schedule 4 of The Looked After Children (Scotland) Regulations 2009, to be covered in the FPA, are:
 - all information which the Council thinks is necessary for the carer to have to care for the child or young person, particularly:
 - the care plan for the child or young person and the placement objectives;
 - details of the child or young person's legal status, including any supervision requirement, court orders, etc;
 - the personal history, religious persuasion, cultural and linguistic background and racial origin of the child or young person;
 - the health and medical needs of the child or young person and her/his GP; and
 - the educational needs of the child or young person.
 - financial support arrangements for the child or young person;
 - details about who consents to medical treatment etc and to activities etc for the child or young person;
 - when it will be necessary to obtain advance Council approval for the child or young person to live away from the carer's home or for someone else temporarily to care for her/him;
 - arrangements for Council visits to the child or young person and the frequency of visits and reviews;
 - contact arrangements for the child or young person;
 - compliance by the carer with the terms of her/his FCA;
 - co-operation by foster carer with arrangements made by the Council.

vii. Induction

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

An Induction in South Lanarkshire Council requires consideration of the issues below:

Agreements and general matters

- Carers must each have a Foster Carer Agreement (FCA) with the Council (*see Section I*) and this covers their contract, role and relationship with the Council; their general responsibilities as carers; the Council's responsibilities and those of its staff; and general processes and procedures.
- Carers also have Foster Placement Agreements (FPAs) in relation to each child or young person placed with them (*see Section I*) and these include information on working relationships with the child or young person and the family; the responsibilities of carers in relation to the specific placements.
- These Agreements should be used as part of the support mechanisms for carers in their general work and in relation to individual placements.
- Training and support will cover the issues listed in Section K.3.

Training

- The training strategy group will prepare an annual training programme for carers. This will follow discussion within the team.
- Some training will be provided by family placement staff and some by external trainers or consultants.
- Opportunities will be provided for joint staff and carer training.
- Workers will prepare a training and development programme with, and for each of their carers, which will be monitored and reviewed during supervision visits. Carers' training and development programmes will take into consideration any recommendations from their Foster Carer Review.
- These programmes will be informed by the needs of the children being placed, current research and needs identified by carers and workers.
- A record will be kept of training offered, undertaken, and feedback on it.
- This information will form part of carers' annual reviews.
- Information on the training programme will be part of the Annual Report on the Fostering Service.

Support

- Day-to-day support will be provided by the carers' supervising social workers.
- Membership of Fostering Network will ensure that carers can be supported independently, particularly in the event of allegations or complaints against, or, by them.
- Peer support will be provided by Carer Support Groups and a buddy system. There will also be opportunities for consultation, where workers will be able to discuss Council policy and strategy.

and inform planning.

- Good and adequate financial underpinning of the service is essential and fees and allowances will be reviewed annually and carer information updated each year in April.
- Carers are self employed and responsible for their own taxation arrangements. However, the Council will provide advisory statements on these matters annually and review them regularly.
- The Council has an aim of having all information relating to carers, including finance, agreements, reviews, responsibilities in relation to record keeping etc, complaints etc, gathered together in a Carers' Handbook.
- This will be given to each carer at the time of approval.
- This will be updated as necessary in line with legislative requirements and Council policy.

viii. Transfer of foster carers to or from other organisations or local authorities

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, the Fostering Network Protocol was developed towards the end of this period.

Transfer of foster carers protocol Scotland

This protocol has been developed by The Fostering Network, the joint forum of Independent and Voluntary fostering providers Scotland and ratified by Social Work Scotland (SWS).

Fostering legislation and issues are very complex. This protocol recommends best practice guidelines to be followed when a prospective or approved foster carer wishes to transfer their application or registration from one registered fostering provider to another, i.e. between one independent, voluntary or local authority fostering provider and another.

It is not intended to cover: ☐ Block transfers of foster carers, i.e. where a fostering provider ceases to carry out its fostering functions. ☐ Contractual or commissioning arrangements which are out with this document.

1. Underlying principles

- 1.1. Safeguarding the needs and welfare of any child in placement are paramount. These must be upheld in any transfer.
- 1.2. Consideration must be given to the views of the child, and where applicable their parent(s)/person with parental responsibilities and any other relevant parties including the placing authority.
- 1.3. Legal responsibility for the child lies with the placing authority. The continuation of any placements must be agreed as being in the best interests of the child.
- 1.4. Foster carers have the right to apply to and request a transfer to another fostering provider.
- 1.5. In general, applications will not be accepted from foster carers who have been approved for less than 12 months.

2. Aims of the protocol

- 2.1. To promote high standards of recruitment and practice within and between agencies.
- 2.2. To ensure continuity of care for children in placement during any transfer of foster carers between providers.
- 2.3. To ensure the child's plan is met by any transfer and throughout the transfer process.
- 2.4. To minimise the length of time taken in any transfer process.
- 2.5. To provide a framework for the negotiation of the financial implications of the transfer between fostering providers.
- 2.6. To promote openness, transparency and effective communication between all involved.
- 2.7. To ensure that where permanence with their existing foster carers has been agreed the best interests of the child are paramount.

ix. Review/supervision

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, Review of Carers' Approval: Fostering Procedures. These state that:

- All carers' approval must be reviewed at least annually in terms of Standard 11 of the National Care Standards.
- All foster carer's first annual reviews will be conducted at the Fostering Panel, thereafter at the Fostering Panel every three years, in terms of Regulation 8
- All carers' approvals should be reviewed whenever there is a significant incident or change in carers' circumstances.
- Reviews need to confirm or change the initial approval in light of experience, any changes in carers' households, or other significant matters.
- It is important that the processes of assessment and approval are seen by everyone involved as ongoing and continuing.
- The Council should consider on a regular basis what processes it has for reviews.
- Carers will be invited to, and expected, to attend their reviews, whether they are review meetings or foster panel meetings.
- All foster carers will be reviewed internally on an annual basis and thereafter presented to the panel in line with the regulations.
- The general outcomes of all reviews will form part of the annual report on the Fostering Service which is presented to the fostering panel. This will keep the fostering panel informed of significant issues in relation to retention of carers, changes of remit, etc.
- Review meetings and review fostering panels will require the information listed in M4.2.

Information and preparation for reviews

- The supervising social worker for the carers will gather the required review information:
 - confirmation of PVG, from health services, and of health and safety in the carers' home;
 - notes about unannounced visits to the carers' homes by the supervising social worker;
 - reports from the carers on their year;
 - reports from the carers' social worker and from placing workers;
 - comments from children and young people, birth family and other professionals who have worked with the carers;
 - records of training undertaken by the carers and the learning involved;
 - identification of the carers' future needs for training and

support;

- the outcome of any investigations where appropriate;
- any recommendations for change of remit if appropriate.
- Throughout the year, the carers' supervising social workers will gather information from carers and placing workers about training attended and learning needs.
- Prior to the formal review, the carers' worker will review this material, including a list of placements and feedback from them by children and young people and their families.
- The carers' worker will provide a written report and other information for consideration at the review, including information on any proposed change of remit.
- Where a review is called because of a significant incident or change, then all relevant information and the outcome of any investigation will also be available.
- Where there has been any decision or recommendation that a carer's approval should be terminated, this will be clearly documented and the formal review will be considered by the fostering panel, after an internal review.
- Carers will be invited and expected to attend their reviews, whether they are review meetings or fostering panel meetings.
- Carers will have access to the reports and information prepared for the review, excluding confidential third party information, two weeks in advance of the review.

Reviews

- Reviews may be carried out by the panel or by internal foster carer review meetings.
- The *foster* panel will consider certain reviews:
 - all first annual reviews for carers, and every three years thereafter;
 - reviews which are required as a result of a significant incident or change in a carer's circumstances; and where considered necessary;
 - reviews where the recommendation is to terminate approval for whatever reason, including where the carer wishes to withdraw from fostering.
- The review panel or meeting will consider the written reports and information prepared under M4.1.
- Where the review is the first annual one, the panel will have access to the original reports and the approving panel's minutes.
- The panel or meeting will review any training or developmental needs identified in previous reports, whether these have been taken forward, and identify tasks for the coming year.
- Consideration will be given to any changes that are needed in the approval.
- The review panel or meeting will make recommendations, including any changes to approval, and these will be shared at the time of the meeting.

- A record or minutes of the review panel or meeting will be made, including any comments by the carers, and will be retained as part of the carers' records.

After reviews

- The recommendations and minutes of the review foster panel, together with the reports discussed there, will be passed to the Agency Decision Maker for their decision, which should be made and notified in writing to the foster carers within 21 days of the foster panel.
- When the review was not conducted by the foster panel, carers will have the right to take any recommendation with which they disagree to the panel for further consideration, thereafter for consideration by the Agency Decision Maker. Following the Agency Decision Maker's decision, the foster carers will be notified within 21 days of the foster panel.

Audit of Skills

- A skills audit will be undertaken on an annual basis at the internal review.
- The audit will consider written information in the form of:
 - a report prepared by the carer's supervising social worker
 - a report prepared by the carers
 - the portfolio prepared by the carers
- A recommendation in relation to the carer's skill level is made by the supervising social worker to the chair of the payment for skills audit.
- Where there is a recommendation for a variation in a carer's skills level, the reports, minute and portfolio submitted at this meeting are sent to the Children and Justice Services Manager, who makes the final decision on this matter.
- If the carers do not agree with the decision made, they have the opportunity to request a review of the decision by writing to the Head of Children and Justice Services.

Rights of appeals

(see **Section O** – Appeals, Reconsiderations, and Representations and Complaints by Carers)

x. Training

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire, Section K of the Training and Support for Carers after Approval: Fostering Procedures, states:

Key policy and practice issues

- The development of effective working relationship between carers, supervising social workers and placing workers.
- Clarity about the range of support services available to carers, including opportunities for ongoing training and development.
- Clear processes by which carers can access support, including respite care, aids, adaptations, out-of-hours for example services and membership of Fostering Network (TFN).
- Comprehensive annual training and development programmes to build on initial preparation courses.
- A commitment to an ethos of continuing professional development for both carers and family placement staff.
- Opportunities for carers to register for accredited training programmes.
- Consideration of the specific training and development needs of gay and lesbian carers, single carers, black and minority ethnic carers and carers with disabilities.
- Carers' annual reviews to include consideration of training needs and how these have been met.
- Clarity about mandatory and optional training.
- Recognition that multi-disciplinary and multi-agency training creates positive opportunities for collaboration and mutual learning.
- unities for collaboration and mutual learning.

Procedures

Agreements and general matters

- Carers must each have a Foster Carer Agreement (FCA) with the Council (*see Section I*) and this covers their contract, role and relationship with the Council; their general responsibilities as carers; the Council's responsibilities and those of its staff; and general processes and procedures.
- Carers also have Foster Placement Agreements (FPAs) in relation to each child or young person placed with them (*see Section I*) and these include information on working relationships with the child or young person and the family; the responsibilities of carers in relation to the specific placements.
- These Agreements should be used as part of the support mechanisms for carers in their general work and in relation to individual placements.
- Training and support will cover the issues listed in Section K.3.

Training

- The training strategy group will prepare an annual training programme for carers. This will follow discussion within the team.
- Some training will be provided by family placement staff and some by external trainers or consultants.
- Opportunities will be provided for joint staff and carer training.
- Workers will prepare a training and development programme with, and for each of their carers, which will be monitored and reviewed during supervision visits. Carers' training and development programmes will take into consideration any recommendations from their Foster Carer Review.
- These programmes will be informed by the needs of the children being placed, current research and needs identified by carers and workers.
- A record will be kept of training offered, undertaken, and feedback on it.
- This information will form part of carers' annual reviews.
- Information on the training programme will be part of the Annual Report on the Fostering Service.

Support

- Day-to-day support will be provided by the carers' supervising social workers.
- Membership of Fostering Network will ensure that carers can be supported independently, particularly in the event of allegations or complaints against, or, by them.
- Peer support will be provided by Carer Support Groups and a buddy system. There will also be opportunities for consultation, where workers will be able to discuss Council policy and strategy and inform planning.
- Good and adequate financial underpinning of the service is essential and fees and allowances will be reviewed annually and carer information updated each year in April.
- Carers are self employed and responsible for their own taxation arrangements. However, the Council will provide advisory statements on these matters annually and review them regularly.
- The Council has an aim of having all information relating to carers, including finance, agreements, reviews, responsibilities in relation to record keeping etc, complaints etc, gathered together in a Carers' Handbook.
- This will be given to each carer at the time of approval.
- This will be updated as necessary in line with legislative requirements and Council policy.

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

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Period 1996 to 2014

South Lanarkshire Council had a Core Skills of Payment for Skills which recognised and developed the foster care workforce as outlined below.

Skills Level 1**Basic Child Care** (In accordance with National Standards and 6.1 – 14)

2. The carer must be able to evidence

- A good standard of child care in order to develop the child or young person's potential
- A knowledge of standard child and adolescent development with the ability to recognise physical and emotional development and behaviour which is outside the norm.
- Be able to set appropriate boundaries and incentives without the use of physical punishment, or punishment which is inappropriate taking into account the child/young persons past experiences.
- A basic knowledge of the difference in care needs of children who are fostered from those of birth children.

2.1 Work with Children

The carer must be able to evidence:

- The use of different methods of communication with children/young people appropriate to their age and understanding.
- Help children develop an understanding of themselves, their past and their identity, including 'race', culture, language and religion.
- Work with children in anti-discriminatory way to ensure foster care respects all children and their families.
- To be aware of the possibility of child abuse and neglect.
- Be committed as a family to share and respond to the needs of children placed.
- To promote a healthy environment and monitor the child's health, have an awareness of normal childhood illnesses and deal with them appropriately.

Ensure that a child receives medical and dental assistance where necessary (In accordance with National Standards 10.1 – 10.13).

Work with Families (In accordance with National Standards 9.1 – 9.11)

The carer must be able to:

- Have an awareness of the importance of parental and familial relationships for a child.
- Allow and encourage parents to have a high level of contact with children/young people, often in the carer's own home and ensure a non-judgmental approach, which enables the contact to be maintained.
- Have the ability to involve/support those with parental responsibility and significant others in their work on a day to day basis.
- Have the ability to observe, record and pass on information to the child/young person's social worker on the quality of contact with parents and family members.

Work with Education (In accordance with National Standards 11.2 – 11.11)

The carer must be able to:

- Liaise and work clearly with school/nursery staff to promote attendance, inclusion and attainment.
- Ensure that the child/young person has school uniform and equipment.
- Encourage the child's involvement in school activities and offer support and encouragement where necessary, with homework.

2.2 Work with Social Services

The carer must be able to:

- Have the ability to work with other professional people and to challenge other members of Child & Family Services appropriately.
- Contribute to the Service's planning for the child/young person.
- Have the ability to work within a written agreement, including the undertaking of specific tasks.
- Participate in and express views in meetings, Children's Hearings and court appearances.
- Maintain confidentiality.
- Keep clearly recorded non-judgemental information
- Have the ability to recognize their own limitations and seek help accordingly from their Link Social Worker.
- Develop a working knowledge of the statutory and legal basis of a carer's role and that of Social Services.

2.3 Caring for a child/young person who has been sexually abused

- A child/young person who is known to be sexually abused would not be placed with a carer at Level 1.
- If sexual abuse is disclosed in the course of a placement with a Level 1 carer an assessment would be undertaken to consider whether the placement could continue with added support.

2.4 Development

The carer must be able to:

- Acknowledge the impact of fostering upon self and family and to seek advice and support from their Link Worker.
- Develop skills using training and support offered. (In accordance with National Standards 15.1 – 15.2).
- Regularly attend support and training groups.

Skills Level 2

All Level 2 foster carers must evidence that they meet the competencies in full for Level 1 carers and have worked at that level for the minimum of 2 years before they can be considered to progress to Level 2.

On occasions carers may be able to enter the Service at Level 2 if they can evidence that they have appropriate qualifications or have worked in a relevant of child care field.

Level 2 Carers must be able to:

- Assist children to develop appropriate social behaviour, to help them become more independent and help them cope with their emotions as appropriate to their age.
- Assist children develop basic aspects of memory, thinking, imagination and manipulative skills through play etc.
- Help children develop their language and self-expression skills.
- Help children learn the boundaries of acceptable behaviour without resorting to physical punishment, deal with children's negative reactions and unacceptable behaviour and encourage positive behaviour patterns.
- Plan for and provide a varied and appropriate routine for children which balances the child's needs, including those of play and learning and give goals which can be achieved in measuring the child's cognitive development.
- The ability to observe and respond appropriately to the possibility of child abuse and neglect.

- The ability to observe and assess children and clearly record development (In accordance with National Standards 8.1 – 8.12).
- An ability to challenge, appropriately, to ensure that foster care practice is anti-discriminatory and respects all children and their families.
- An ability to work closely with other professionals in carrying out individual therapeutic programmes, help children and young people develop life skills, where necessary help to modify behaviour and also to work, along with others, on specific educational programmes.
- An ability to identify own training needs.
- An ability to assist at training events and participate in the recruitment process.

Skills Level 3

There would be an expectation that people moving to become Level 3 carers would have moved through the foster care career structure. However, there may be a place for people with professional qualifications to enter this grade immediately if they can prove that they have appropriate qualifications and child care work experience.

All Level 3 foster carers must meet the requirements set out in Levels 1 and 2 carer profiles. In addition to these, Level 3 Carers must:

1. Have proven child care experience, which would include fostering or have a related child care qualification and worked in the child care profession for a number of years.
2. Be able to accept and deal with children/young people and assess presenting behaviour, which causes serious management problems.
3. Be able and willing to take a lead role in intensive, therapeutic work and individual programmes with children, their families and other professionals.
4. Maintain an awareness and up to date knowledge of current legislation and an understanding of foster carer's role in those processes – such as Children's Hearing, court procedures and Child Care Reviews.
5. Be able to take a lead role with the Service in training other carers.
6. Be able to offer formal support to other carers by involvement in visiting, group work and recording.
7. Be able to work with the Service with a view to preventing children/young people being removed from their home environment by providing direct support at home where necessary.
8. Be able and willing to supervise contact visits where it is not deemed safe or desirable for contact to occur without a third party and where it cannot happen within the child's current placement.
9. To be able to take responsibility for seeking out training appropriate for own needs.
10. To represent South Lanarkshire Council's Fostering Service and attend external training courses and related conferences.
11. To be invited to South Lanarkshire Council's Adoption and Fostering Panel.

There would not be an expectation that carers would be asked to undertake all these tasks at the same time. They would however, have to demonstrate their ability to undertake them and be available and willing to do so depending on the needs of the child/young person.

xii. Disciplinary actions

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council's Fostering Procedures gives the following information in relation to disciplinary actions:</p> <ul style="list-style-type: none"> • Whenever an allegation is made the designated Field Work Manager should be informed without delay. Within the same working day the Fostering Manager and Child and Families Team Leader should undertake discussions about the nature of the allegation and the actual or potential impact on the child. • An interagency discussion should take place as soon as possible but no later than 5 working days after an allegation has been made. • An inter-agency planning meeting should take place within 3 working days of initial inter-agency discussions. Copies of the minutes should be distributed. • Timescales for completing investigations should be agreed at the planning meeting. • If the complaint or allegation involves Child Protection matters, then it will be dealt with under the Council's Child Protection Procedures. • As soon as a decision is taken to initiate a Child Protection investigation, the Fostering Manager will inform the Agency Decision Maker and the Care Inspectorate. • This should be fully explained to the foster carer by the supervising social worker and arrangements made for

independent support for the foster carer(s). This should also include legal advice.

- Appropriate support should continue until the investigation is completed.
- A date should be set for a planning meeting to reconvene no later than one month from the date of the first meeting in order to review progress.
- Any necessary steps to remove children or young people from the carer's home, including her/his own children, should be taken under the Council's Child Protection Procedures.
- If children are to be moved from a placement because of an allegation, the reasons for this should be explained carefully to the child, using appropriate methods of communicating with younger children or children with special needs.
- Any decision to end a Child Protection investigation should result in the Agency Decision Maker, Fosters Carers, relevant staff and the Care Inspectorate being informed of the outcomes.
- Once the Child Protection investigation is completed, the carer's supervising social worker will prepare a report and arrange a review meeting.
- The report should summarise the nature of the allegation, circumstances which may have contributed to it being made and if applicable the outcomes of the child protection investigation. Any implications for the carers' current suitability to foster, and training or support needs should also be highlighted.
- Foster carers should be given the option of requesting that the foster carer review be carried out by someone independent. In these instances a designated Field Work Manager will carry out the review.
- If the review recommends that the carer's approval should be varied or terminated, a review fostering panel should be arranged within 6 weeks from that decision having been taken.
- The Fostering Manager should inform the foster carer, both verbally and in writing, within 3 working days of a decision to refer to the fostering panel for a review of their approval.
- If there is a recommendation for termination of approval, this must be made to the Agency Decision Maker by the fostering panel.
- If the investigation indicates that a carer or member of the carer's family should be referred to the Disqualified from Working with Children list, notification should be made.
- The procedures for Reviews and Terminations in Sections M and N should be followed.
- The procedures for Appeals in Section O if the carer is not satisfied with the outcome of the Fostering panel and Agency Decision Maker's decision should be followed.
- Following an allegation there should be opportunity for family placement staff to reflect on their experiences of managing the allegation and any implications for future practice.
- Consideration should be given to arrangements for informing

birth parents that an allegation has been made against the carers looking after their child. The child's social worker will normally carry out this task.

Other complaints or allegations

- If the complaint or allegation does not require Child Protection Procedures to be activated, the matter should be investigated by the carer's supervising social worker or other worker if that is appropriate.
- The process for this should be fully explained to the carer by the supervising social worker and information provided to the foster carer, to allow them to access independent support and advice.
- This investigation should be carried out within 28 days of receipt of the complaint or allegation, or as soon thereafter as is reasonably practical.
- The investigating supervising social worker will prepare a significant incident report and this will be shared with the foster carer, excluding third party confidential information.
- In some circumstances a foster carer review should be arranged as soon as possible to discuss the report and the recommended outcomes. If no further action is required this may be discussed at the next arranged foster carer review.
- If the foster carer review recommends that the carer's approval should be varied or terminated, the review should be carried out by the fostering panel within 6 weeks from that decision having been taken.
- If there is a recommendation for termination of approval; this must be made to the Agency Decision Maker by the fostering panel.
- If it is decided that the Carer is to be de-registered, then the fee payments for each child who was removed will cease on the date of de-registration. If it is decided that the Carer is to continue to be registered, then the usual rules for payments of fees and allowances will be reinstated.
- The procedures for Reviews and Terminations in Sections M and N should be followed
- The procedures for Appeals in Section O if the carer is not satisfied with the outcome of the foster panel and Agency Decision Maker's decision should be followed.
- Following an allegation there should be opportunity for family placement staff to reflect on their experiences of managing the allegation and any implications for future practice.
- Consideration should be given to arrangements for informing birth parents that an allegation has been made against the carers looking after their child. The child's social worker will normally carry out this task.

xiii. Removal of approval/registration

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's Fostering Procedures provides the following information on the removal of approval/registration:

When it is necessary to terminate approval of a carer, that is, to de-register a carer, this will always be done formally at the Fostering Panel.

All carers, whose approval is terminated, must be given information on how to complain about, or appeal against the process or the recommendation of the fostering panel or the decision of the Agency Decision Maker.

Preparation and panel review

- A recommendation to terminate a carer's approval must be made formally by the panel at a review panel.
- The panel will have available reports and information from the supervising social worker, carer, and any information and preparation procedures set out in M4.1.
- Where the carer has requested termination of approval, the reasons for this will be clearly set out in the reports.
- The carer will have access to the reports and information being considered by the panel.
- The carer will be invited to attend the panel and to make representations and present any written information.
- At the start of the panel meeting, the chair will explain clearly to the carer and the review panel:
 - that the purpose of the panel is to review the carer's approval and consider terminating it;
 - the process of the panel review; and
 - the carer's rights to complain and/or appeal, with support such as from Fostering Network.
- The carer will be asked to explain her/his views and wishes as part of the review.
- At the end of the review, the panel will make its recommendation to the Agency Decision Maker.
- A record or minutes of the review panel will be made, including any comments by the carers.

- Where the carer has requested termination of approval, this will be outlined in the minutes including the reasons for the withdrawal.
- The recommendation will be shared with the carer, at the fostering panel, or if not present, as soon as practicable thereafter.

After panel

- The reports discussed there, will be passed to the Agency Decision Maker for their decision, and the carers written to thereafter
- The Agency Decision Maker will make the decision within 14 days of the panel recommendation, deciding whether or not to terminate the carer's approval.
- The decision will be intimated in writing to the carer within 7 days thereafter.
- Where the Agency Decision Maker agrees with a recommendation from the panel to terminate the carer's approval, the letter sent to the carer should include information about:
 - the reasons why the decision was made
 - the Council's process for reviewing a decision to terminate approval.
- The information should include information about support available to the carer.
- Procedures for reviews and complaints by carers are detailed in Section O.
- Where the panel recommendation was **not** to terminate approval and the Agency Decision Maker disagrees with this, the Agency Decision Maker **may** ask the panel to reconsider its recommendation but does not have to do so.
- Such a reconstituted reconsideration panel will be arranged within 28 days of the Agency Decision Maker's request for a reconsideration.
- Carers have the right to request a reconstituted reconsideration panel.
- The procedures in N4.1 for before, at, and after the panel will be followed.
- An alternative Agency Decision Maker will make a decision within 14 days of the reconsideration panel's recommendation.
- Where the alternative Agency Decision Maker decides to terminate the carer's approval, whatever the panel recommendation, the letter sent to the carer should include information about:
 - the reason for the decision
 - any subsequent routes to appeal the decision

After any termination of approval

- Any other local authority using the carer will be informed of this as soon as possible.
- The carer's file will have the termination recorded with all the

reports and minutes, and will be closed.

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council policy and procedure were compiled by officials of the relevant departments of the local authority.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

The policies and procedure in South Lanarkshire Council were compiled by Family Placement team Manager and Senior Managers within Social Work Resources.

f) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The policies and procedures were introduced by the responsible departments of Strathclyde Regional Council over the lifetime of the local authority. See section 1.8 (ii) a-k
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's earliest documents in relation to fostering are dated 2006.

g) Were such policies and/or practices reviewed?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes.</p>

h) If so, what was the reason for review?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the review was taken in relation to The National Care Standards specific to fostering agencies and Regulation of Care Act which led to enhanced practices and the introduction of specific fostering agency inspections.</p> <p>The National Care Standards laid out clear expectations of fostering agencies.</p> <p>South Lanarkshire Council's Payment for Skills scheme was introduced to enhance carers' professional development Training programme was developed Scotland Excel procurement to promote accountability, Equality Act (Sexual Orientation) Regulations 2007, (S.I. 2007/1263) made under the Equality Act 2006; Protection of Vulnerable Groups (Scotland) Act 2000 Looked After Children (Scotland) Regulations 2009.</p>

Guidance on Looked After Children (Scotland) Regulations 2009

- i) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1986 Strathclyde Regional Council Fostering Guidelines brought together existing policies and procedures and introduced new ones. These included that all fostering assessments should be presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Carers Reviews and the further right of appeal. Please also refer to information contained in section 1.8 (ii) a-k above
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's Payment for Skills scheme was introduced to enhance carers' professional development. A training programme was developed and expectations of carers increased. Scotland Excel was developed to promote a more robust procurement system.

PVG checks and rechecks introduced.

Participation policies introduced and children's contribution to discussions increased.

- j) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

To meet new legislative and regulatory requirements and with Strathclyde Regional Councils priorities for improving the fostering service.
(Information provided by The Mitchell Library, Glasgow)

Period 1996 to 2014

In South Lanarkshire Council these changes were made to meet National Care Standards and adhere to legal requirements, to reflect ongoing research in respect of child development, to reflect best practice and to respond to feedback from carers and young people and their advocates.

k) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

l) Was there an audit trail?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

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Present

- m) With reference to the present position, are the answers to any of the above questions different?

Response
<p>Yes. There have been some changes since 2014 mainly in response to Looked After Children (Scotland) Regulations and Children and Young People Scotland Act.</p>

- n) If so, please give details.

Response
<p>More current developments include:</p> <p>New Placement Descriptors are used in carers' approval and review.</p> <p>Continuing Carers have been approved for young people over 18 years who remain in foster placement.</p> <p>Carers can no longer look after more than 3 unrelated children.</p>

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to foster care?

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Documentary evidence of non-adherence has been sighted in relation to the frequency of visits to foster children and carers.</p>

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

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

- i. Recruitment

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council there is information available to demonstrate this.

- ii. Standard and size of accommodation

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records indicate relevant checks were made.

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- iii. Number, age and gender of children accommodated/in the household

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council records indicate policies and procedures were adhered to.</p>

- iv. Pre-approval/registration checks

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council records indicate policies and procedures were adhered to.</p>

- v. References

Response
Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records available demonstrate this.

vi. Foster care agreements

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire records indicate policies and procedures were adhered to.

vii. Induction

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council training records and other recordings indicate policies and procedures were adhered to.

- viii. Transfer of foster carers to or from other organisations or local authorities

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, records indicate policies and procedures were adhered to.

- ix. Review/supervision

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records indicate these policies and procedures were adhered to.

x. Training

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council records indicate these policies and procedures were adhered to.</p>

xi. Personal development

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council records indicate these policies and procedures were adhered to.</p>

xii. Disciplinary actions

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records indicate policies and procedures have been followed.

xiii. Removal of approval/registration

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records indicate policies and procedures were followed.

c) How was adherence demonstrated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, adherence can be demonstrated through recordings, minutes, file audits, carer and staff supervision and reports.

d) How can such adherence be demonstrated to the Inquiry?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, adherence can be demonstrated to the Inquiry through a range of records which are available, including:

Carer supervision

Carer training records

Carer Review and audit minutes

Panel Minutes

Staff supervision records

Training plans

Training feedback

Records of development events

Sub Group Minutes including training, neo natal abstinence, education.

e) Were relevant records kept demonstrating adherence?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council a range of records are still available.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council a range of records are still available.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

Present

h) With reference to the present position, are the answers to any of the above questions different?

Response

No.

i) If so, please give details.

Response

Not applicable.

4.5 Other members of the foster carer's household

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in place in relation to other members of the foster carer's household?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

See section 1.8 (ii) a-k above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the Fostering Procedures in relation to assessment included: assessing impact on other members of the household and family, particularly children and young people;

- Children, young people and others living in the household will be met and talked with about the foster care task, their views about the application, and how it might affect them.
- The final report will include descriptive information and an assessment of how the applicants meet the competencies required for fostering. It will also clearly describe the assessment process and the meetings with the applicants and others in the household. It will outline strengths and vulnerabilities, offer an assessment of future learning and training needs and identify gaps in competencies and how these will be filled.

Carers' Handbook

The Carer/s will notify the Council immediately, in respect of a Child/Young Person placed, of

- (i) death or any serious illness
- (ii) any other serious occurrence affecting the child or young
- (iii) any instance of running away or unauthorised or unexplained absence
- (iv) any instance of being taken away from the home without authorisation or agreement

Carer/s will notify the Council promptly and in writing of any of the following:

- (i) any intended change of address by the carer/s
- (ii) any change in the composition of the carer household
- (iii) any other change in the carer/s' personal circumstances
- (iv) any event affecting either her/his/their capacity to care for any Child/Young Person placed or the suitability of the carer household (including health issues)
- (v) any criminal proceedings or convictions or proceedings by the Reporter to the Children's Hearings in respect of any members of the household
- (vi) 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).
- (vii) to notify and consult with Social Work Resources before acquiring any type of pet that may present a danger or require special arrangements for care and/or containment. This requirement includes looking after such pets for short periods on behalf of others.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, the aim/intention was:

- To ensure that all assessments of departmental carers are carried out in accordance with legislation, regulations, guidance and National Care

Standards.

- To provide family-based care options for children and young people who are looked after and accommodated which are safe and meet their health and developmental needs.
- To give prospective carers sufficient opportunity and information to consider the impact on themselves and their family of caring for a vulnerable child or young person.
- To give prospective carers enough information to begin the process of assessment, and to form a basis for providing care for looked after and accommodated children and young people.
- To provide the basis of future training.
- To provide a framework within which the Council can develop and maintain a high quality family-finding service.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council these were included in the Fostering Procedures and the Carers' Handbook.

d) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Officers of Strathclyde Regional Council
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council these policies and procedures were compiled by the Family Placement Team Manager.

e) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In the 1970s and 1980s, Strathclyde Regional Council produced the first suite of Fostering Policies in 40 years.
(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire council the Earliest policies and procedure were found dated 2006.

f) Were such policies and/or practices reviewed?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

g) If so, what was the reason for review?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council responded to changes in legislation; regulations; government policies and guidelines as well as its own determination to transform foster care in the local authority.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council a review took place to reflect safer recruitment of foster carers by undertaking checks on other young people in household.

It also considered the continuing development of the council's matching considerations and the experience of the fostering family.

h) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1986 Strathclyde Regional Council Fostering guidelines brought together existing policies and procedures and introduced new ones. These include all fostering assessments being presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Homes Reviews and the further right of Appeal.

See also section 1.8(ii) a-k above.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, over time, Police checks were undertaken on all young people in households and on any significant other person.
 Consideration of age difference in matching considerations with preferred 2 year age gap between carers' youngest birth child and foster child.
 Foster children could no longer share rooms with birth children.

i) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1986 Strathclyde Regional Council Fostering guidelines brought together existing policies and procedures and introduced new ones. These include all fostering assessments being presented to Adoption and Fostering Panels; the role of the link worker; a written report on every placement; Foster Homes Reviews and the further right of Appeal.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire, changes were made to adhere to legal requirements and developing practice guidance.

j) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

k) Was there an audit trail?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Yes. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 Yes.</p>

Present

l) With reference to the present position, are the answers to any of the above questions different?

Response
No.

m) If so, please give details.

Response
Not applicable.

(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?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

b) How was adherence demonstrated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, adherence can be demonstrated in relation to the checks undertaken and the matching considerations.

c) How can such adherence be demonstrated to the Inquiry?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council is able to provide relevant carers records to demonstrate the above as well as audits of disclosure checks.

d) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, checks were effectively audited and information is held in carers supervision records, matching discussions and the minutes of foster carers reviews.

e) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

f) If policy/procedure was not adhered to in practice, why not?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the policy was adhered to and where problems arose, in respect of other family members, they were addressed through supervision, reviews and panels.</p>

Present

- g) With reference to the present position, are the answers to any of the above questions different?

Response
No.

- h) If so, please give details.

Response
Not applicable.

4.6 Placement of children by the local authority with foster carers approved/registered by other local authorities or organisations

(i) Policy

Past

- a) 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?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In April 1976 the Social Work Committee of Strathclyde Regional Council approved recommendations of the Convention of Scottish Local Authorities (COSLA) regarding the supervision of children placed in other regions. Due to the lack of staff resources, it is noted that many authorities were unable at the present time to accept responsibility for supervision of Strathclyde Regional Council children.

The arrangements for supervision were that:

- The receiving authority should accept responsibility for the effective supervision of children received within their area.
- social workers from both care and receiving authorities should meet at least annually to review the progress of the child and continually plan for his/her long-term future; and should exchange quarterly reports to cover the development and wellbeing of the child and the changing circumstance of his/her own home situation.

Period 1996 to 2014

South Lanarkshire Council's Fostering Procedures notes the arrangements for placing children with Voluntary and Not-for-Profit Organisations. South Lanarkshire Council also works alongside Excel Scotland, which is the centre for procurement for the local government sector. It is a non-profit shared service funded by Scotland 32 local authorities. This organisation identifies social care contracts, one of which is in relation to fostering services. The organisation has a framework to develop positive outcomes for people accessing their services.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

Yes. In South Lanarkshire Council, the aim/intention was:

- To ensure that the Council meets the needs of the children and young people whom it is looking after by providing as wide a range of carers as is required.
- To ensure that when making arrangements to place children and young people with voluntary, not-for-profit organisations, the Council fulfils its statutory responsibilities.
- To ensure that the Council has appropriate arrangements to manage placements with non-Council foster carers.
- To be clear about the nature of the agreements and arrangements made and that a contract is for an individual placement and not for the Council's responsibilities for the whole foster care service or for the service to looked after children and young people.
- To be clear that the Council remains responsible for all looked after children and young people and their welfare, and for all the arrangements for them including Foster Placement Agreements, notifications, records, education and issues around medical consent.
- To have a clear system for establishing the capacity of the organisation to provide appropriate care for children and young people.

Procedures

- The Council will, when necessary, consider making an arrangement for a child or young person to be fostered by a voluntary, not-for-profit organisation.
- The senior manager responsible for the foster care service will hold necessary information on the voluntary/independent foster provides organisations operating in Scotland which might from time to time, be used.
- Senior management will, on an annual basis, update such information and be satisfied that the service provision and all standards match those applied in the Council.
- Referrals for a place outwith the Council's own resources with a voluntary organisation will be passed through the team leader to the senior manager who has the authority to authorise exploration of the resource and agree funding
- The Council remains responsible for all looked after children and young people placed with voluntary organisations, including for:
 - their welfare;
 - the Foster Placement Agreements;
 - case management of placements;
 - notification of placements;
 - record keeping for the children and young people; and
 - any other matters such as arrangements for education and medical consent issues.
- The manager of the fostering service will have:
 - a link role with voluntary organisations; and

- a record of all placements made with voluntary organisations.
- Placing workers will continue to hold responsibility for the children and young people placed with voluntary organisations.
- In particular, they will be responsible for visiting and supporting the children and young people as they would be for those placed with Council foster carers.
- Looked After Children's Reviews will be conducted by the Council.
- Managers and supervising social workers of the relevant voluntary organisations will be invited to these reviews.
- In terms of reg.48/49 of the Looked After Children (Scotland) Regulations 2009:
 - the child or young person's worker or senior will visit her/him within 14 days of any request by the voluntary organisation to do so;
 - the child or young person's worker or senior will visit as soon as possible and in any case within 3 days if and when any questions are raised about the welfare of the child or young person;
 - the manager of the fostering team will be kept informed of all such visits;
 - a record will be kept of all concerns raised in terms of reg. 17.
 - arrangements will be reviewed at intervals of no more than 12 months.
 - no fostering service shall be permitted to place a child outside the UK.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council the policies and procedures were in the Fostering Procedures.

d) Who compiled the policies and/or procedures?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Glasgow Corporation agreed to implement policies proposed by COSLA. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council this was undertaken by the Fostering and Adoption Manager.</p>

e) When were the policies and/or procedures put in place?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 1976. (Information provided by The Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council procedures date from 2007.</p>

f) Were such policies and/or practices reviewed?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

g) If so, what was the reason for review?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, these procedures were reviewed when a National framework was introduced in 2014, to support local authorities to identify quality services which met children's needs and represented good value. (Check this date) Reviews were also conducted to reflect management structure and titles in respect of funding authorisation.

h) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, procedures have remained fairly consistent since it introduced its own procedures. In 2014, referrals were required to be made via a national framework.

i) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

To reflect updated details and changes as outlined above.

j) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

k) Was there an audit trail?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

Present

l) With reference to the present position, are the answers to any of the above questions different?

Response

No.

m) If so, please give details.

Response

Not applicable.

(ii) Practice

Past

- a) 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?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 During the period of South Lanarkshire Council, the use of external placements was very limited, to an average of 6. Evidence suggests procedures were adhered to.</p>

- b) How was adherence demonstrated?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, adherence was demonstrated with reference to contracts and meetings.</p>

- c) How can such adherence be demonstrated to the Inquiry?

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, adherence can be demonstrated to the Inquiry through Business Panel minutes, staff testimony, previous managers records and commissioning records.

d) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

e) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

f) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, policies and procedures were adhered to.

Present

g) With reference to the present position, are the answers to any of the above questions different?

Response

No.

h) If so, please give details.

Response

Not applicable.

4.7 Complaints and Reporting

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in place in relation to complaints and reporting about foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 The Strathclyde Regional Council Home and Away Strategy details the Complaint Procedures and the Right of Appeal.</p> <p>The Children's Charter adopted by Strathclyde Regional Council included a leaflet advising children and young people of the complaints procedures.</p> <p>In 1994 Strathclyde Regional Council Social Work Department established a complaints procedure. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the Carers' Handbook 2007, noted:</p> <p>Complaints by and about carers</p> <p>South Lanarkshire Council has procedures and guidelines for dealing with complaints about services, including foster care. The Scottish Care Standards for Fostering require that information is made available to service users (this includes fostered children and their parents as well as carers themselves) about how to make a complaint. Complaints can also be made to the Care Commission directly on 01786 406363, or at the local office in Hamilton on 01698 208150.</p> <p>The principle that guides all complaints procedures is that they are dealt with at the level closest to the personnel with responsibility. For example, if you wish to complain about a lack of service such as a repeated failure on the part of a child's social worker to return calls or to visit as arranged, the complaint should be taken up with the worker or his/her immediate manager. If matters cannot be resolved the formal complaint procedure can be invoked by making contact with the Directorate Support and Policy Officer for South Lanarkshire Council who will initially respond with information about timescales, prior to making direct contact with the complainant and undertaking investigation (see Appendix 4).</p> <p>Children and their families may use this process to make a complaint about a foster carer. This is a fairly rare occurrence as most complaints by children or their families are dealt with in a face-to-face way by talking through differences and</p>

seeking to resolve them. A fostered child is also more likely to 'complain' to their social worker and should have knowledge of, and access to the Who Cares? Worker and the Children's Rights Officer.

South Lanarkshire Council's Complaints procedure 2011 noted:

Social Work Resources has a statutory obligation to have a complaints procedure. In March 1996 the Social Work Services Group issued circular number SWSG5/1996 entitled "Local Authority Complaints Procedures." This circular outlines the statutory framework for a social work complaints procedure. Detailed guidance as to the operation of the procedures are contained in the Social Work (Representations Procedure) (Scotland) Directions 1996. Complainants can also use other ways to seek redress, for example, they may approach the Scottish Care Commission, the Scottish Public Services Ombudsman or by taking legal action. A complaints procedure should allow people to make complaints personally or to have representations made on their behalf. The guidance issued by the Scottish Government in operating complaints procedures indicates that complaints will in the main be made by or on behalf of service users or carers about the provision or non provision of services, the quality and extent of services, and the operation of services and associated issues. Complaints may be made, for example, about a delay in receiving a service or about the conduct or attitude of staff.

Legislative framework

Source legislation and related reference material:

- Social Work (Scotland) Act 1968 section 5B
- NHS and Community Care Act 1990 Section 52
- Social Work (Representations Procedure) (Scotland) Order 1990 (No 2519 (s213) and Directions 1996 (Circular SWSG5/1996)
- Children (Scotland) Act 1995
- Adults with Incapacity Act 2000

Key principles of the social work complaints procedure

The main objective of a complaints procedure is to resolve complaints as quickly and as close as possible to the point of service delivery. Key principles of the procedure are that:

- it should be clear, concise, and easily understood by members of the public and employees of Social Work Resources. Easily understood information about the complaints process must be displayed at every point of service delivery across the resource. A public information leaflet explaining the complaints process with a complaints form attached has been published and should be made available at all social work offices and facilities. The social work comments, compliments and complaints form is available on the Council's internet and intranet sites
- it should clearly set out how service users / carers can challenge decisions on the service provision / non provision or other matters of concern to them
- it must operate uniformly throughout the resource at all levels
- complaints should be acted on and timescales detailed in the procedure must be followed

- a large number of complaints are subject to local resolution and this should be the first step in the process. However, there may be occasions when the decision to proceed with the complaint should be at stage 2 if it is sufficiently serious or complex
- for those wishing to use the procedure they are entitled to arrange representation from whoever they choose, both to prepare and if necessary to present their case. Any costs would be the responsibility of the complainant
- an employee should not be involved in investigating a complaint relating to their own actions or judgement. An independent element must be built in to the process, with a right of appeal to a Complaints Review Sub Committee chaired by an independent person
- it should provide the Resource Management Team and members of Social Work Committee with information about the extent to which quality assurance and service objectives are being achieved
- it is a discrete and self contained process and is distinct from the Council's disciplinary and grievance procedures. As noted above, complainants can also use other means for seeking redress such as approaching a local Councillor, the Scottish Public Services Ombudsman or by taking legal action. Complaints referred in the first instance to the Scottish Public Services Ombudsman or to a body such as the Mental Welfare Commission must be passed to Social Work Resources in the first instance.

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council the aim/intention was:

- To ensure that complaints and allegations against carers are dealt with in a fair, clear, robust, open and accountable way.
- To ensure that the welfare and protection of children and young people remain at the centre of the process, while being fair to carers.

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

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 These were recorded in Strathclyde Regional Council Minutes/Meeting Papers. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 In South Lanarkshire, these procedure and policies were recorded in the Fostering Procedures, the Carers' Handbook and the Complaints Procedures.</p>

d) What did the policies and/or procedures set out on the following:
i. Complaints by children

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance. (Information provided by the Mitchell Library, Glasgow).</p> <p>Period 1996 to 2014 South Lanarkshire Council has procedures and guidelines for dealing with complaints about services, including foster care. The Scottish Care Standards for Fostering require that information is made available to service users (this includes fostered children and their parents as well as carers themselves) about how to make a complaint. Complaints can also be made to the Care Commission directly on 01786 406363, or at the local office in Hamilton on 01698 208150. The principle that guides all complaints procedures is that they are dealt with at the level closest to the personnel with responsibility. For example, if you wish to</p>

complain about a lack of service such as a repeated failure on the part of a child's social worker to return calls or to visit as arranged, the complaint should be taken up with the worker or his/her immediate manager. If matters cannot be resolved the formal complaint procedure can be invoked by making contact with the Directorate Support and Policy Officer for South Lanarkshire Council who will initially respond with information about timescales, prior to making direct contact with the complainant and undertaking investigation (see Appendix 4).

Children and their families may use this process to make a complaint about a foster carer. This is a fairly rare occurrence as most complaints by children or their families are dealt with in a face-to-face way by talking through differences and seeking to resolve them. A fostered child is also more likely to 'complain' to their social worker and should have knowledge of, and access to the Who Cares? Worker and the Children's Rights Officer.

ii. Complaints by foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's Fostering Procedures noted:

Key policy and practice issues

- To ensure clear processes for carers in relation to appeals, complaints and representations in relation to:
 - a child or young person in their care; or
 - themselves.
- To establish mechanisms for hearing appeals, and dealing with representations and complaints.
- To ensure that carers have clear information in writing, as part of their Foster Carer Agreement and in the Carer's Handbook, about how to:
 - appeal against decisions such as to vary or terminate approval;
 - complain within the Council; and
 - complain to the Care Inspectorate.
- To consider the support carers need when involved in these processes

and how the Council can help them receive this, for example through The Fostering Network, particularly when Council staff are in dispute with carers.

- To establish a forum for discussion and exchange of views and concerns about the development of the service and carers' conditions of service.
- To provide a Carer's Handbook which includes clear information on these processes.

Procedures

General matters

- All carers will have, as part of their Foster Carer Agreement, information on the process for making appeals, representations and complaints. All staff will be trained to deal with enquiries and contact from carers in relation to appeals, representations and complaints.
- A note will be kept of all appeals, representations and complaints and these will be considered and analysed annually and will form part of the Annual Review Report of the Fostering Service.

Complaints and representations

- All complaints by carers for themselves or on behalf of children or young people will be dealt with under the Council's Complaints Procedures.
- Where a carer is making representations for her/himself or on behalf of a child or young person, the supervising social worker and the child or young person's worker (when appropriate) will meet with the carer as soon as possible to discuss matters and resolve them if possible.
- Part of this meeting will be to:
 - ascertain whether the issue may be resolved;
 - ascertain whether it will be treated as a formal complaint; or
 - should it be the subject of an appeal by the carer, or be taken forward under Child Care Procedures.
- If the matter is to be treated as a complaint, the carer should be helped to make a written or formal verbal complaint to the Council, on behalf of her/himself or the child or young person.
- The complaint will be passed to the senior staff member designated to deal with these matters.
- It will be acknowledged within 3 working days.
- A full response must be made to the complainant within 28 days of receipt of the complaint. However the complaint will be responded to as quickly as possible.
- The Council's complaints processes will be activated.
- At the conclusion of the process, the detail of the complaint, the process of investigation, and the outcome will be fully recorded and become part of the carer's file.
- Where the complaint was made on behalf of a child or young person, the detail of the complaint, the process of investigation, and the outcome will be fully recorded and become part of the child or young person's file.

iii. Complaints by family members of children

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire, the Fostering Procedures indicate:

- Whenever an allegation is made the designated Field Work Manager should be informed without delay. Within the same working day the Fostering Manager and Child and Families Team Leader should undertake discussions about the nature of the allegation and the actual or potential impact on the child.
- An interagency discussion should take place as soon as possible but no later than 5 working days after an allegation has been made.
- An inter-agency planning meeting should take place within 3 working days of initial inter-agency discussions. Copies of the minutes should be distributed.
- Timescales for completing investigations should be agreed at the planning meeting.
- If the complaint or allegation involves Child Protection matters, then it will be dealt with under the Council's Child Protection Procedures.
- As soon as a decision is taken to initiate a Child Protection investigation, the Fostering Manager will inform the Agency Decision Maker and the Care Inspectorate.
- This should be fully explained to the foster carer by the supervising social worker and arrangements made for independent support for the foster carer(s). This should also include legal advice.
- Appropriate support should continue until the investigation is completed.
- A date should be set for a planning meeting to reconvene no later than one month from the date of the first meeting in order to review progress.
- Any necessary steps to remove children or young people from

the carer's home, including her/his own children, should be taken under the Council's Child Protection Procedures.

- If children are to be moved from a placement because of an allegation, the reasons for this should be explained carefully to the child, using appropriate methods of communicating with younger children or children with special needs.
- Any decision to end a Child Protection investigation should result in the Agency Decision Maker, Fosters Carers, relevant staff and the Care Inspectorate being informed of the outcomes.
- Once the Child Protection investigation is completed, the carer's supervising social worker will prepare a report and arrange a review meeting.
- The report should summarise the nature of the allegation, circumstances which may have contributed to it being made and if applicable the outcomes of the child protection investigation. Any implications for the carers' current suitability to foster, and training or support needs should also be highlighted.
- Foster carers should be given the option of requesting that the foster carer review be carried out by someone independent. In these instances a designated Field Work Manager will carry out the review.
- If the review recommends that the carer's approval should be varied or terminated, a review fostering panel should be arranged within 6 weeks from that decision having been taken.
- The Fostering Manager should inform the foster carer, both verbally and in writing, within 3 working days of a decision to refer to the fostering panel for a review of their approval.
- If there is a recommendation for termination of approval, this must be made to the Agency Decision Maker by the fostering panel.
- If the investigation indicates that a carer or member of the carer's family should be referred to the Disqualified from Working with Children list, notification should be made.
- The procedures for Reviews and Terminations in Sections M and N should be followed.
- The procedures for Appeals in Section O if the carer is not satisfied with the outcome of the Fostering panel and Agency Decision Maker's decision should be followed.
- Following an allegation there should be opportunity for family placement staff to reflect on their experiences of managing the allegation and any implications for future practice.
- Consideration should be given to arrangements for informing birth parents that an allegation has been made against the carers looking after their child. The child's social worker will normally carry out this task.

Other complaints or allegations

- If the complaint or allegation does not require Child Protection Procedures to be activated, the matter should be investigated by the carer's supervising social worker or other worker if that is

appropriate.

- The process for this should be fully explained to the carer by the supervising social worker and information provided to the foster carer, to allow them to access independent support and advice.
- This investigation should be carried out within 28 days of receipt of the complaint or allegation, or as soon thereafter as is reasonably practical.
- The investigating supervising social worker will prepare a significant incident report and this will be shared with the foster carer, excluding third party confidential information.
- In some circumstances a foster carer review should be arranged as soon as possible to discuss the report and the recommended outcomes. If no further action is required this may be discussed at the next arranged foster carer review.
- If the foster carer review recommends that the carer's approval should be varied or terminated, the review should be carried out by the fostering panel within 6 weeks from that decision having been taken.
- If there is a recommendation for termination of approval; this must be made to the Agency Decision Maker by the fostering panel.
- If it is decided that the Carer is to be de-registered, then the fee payments for each child who was removed will cease on the date of de-registration. If it is decided that the Carer is to continue to be registered, then the usual rules for payments of fees and allowances will be reinstated.
- The procedures for Reviews and Terminations in Sections M and N should be followed
- The procedures for Appeals in Section O if the carer is not satisfied with the outcome of the foster panel and Agency Decision Maker's decision should be followed.
- Following an allegation there should be opportunity for family placement staff to reflect on their experiences of managing the allegation and any implications for future practice.
- Consideration should be given to arrangements for informing birth parents that an allegation has been made against the carers looking after their child. The child's social worker will normally carry out this task.

iv. Complaints by third persons

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

See iii) above.

v. Whistleblowing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council's Fostering Procedures there is no specific reference whistleblowing.

vi. Support, including external support, for those who made the complaint or those who were the subject of complaint

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's Fostering Procedures and Carers' Handbook set the following in relation to support for those complaining or for those a complaint was made against.

Support to Carers:

- Day-to-day support will be provided by the carers' supervising social workers.
- Membership of Fostering Network will ensure that carers can be supported independently, particularly in the event of allegations or complaints against, or, by them.
- Peer support will be provided by Carer Support Groups and a buddy system. There will also be opportunities for consultation, where workers will be able to discuss Council policy and strategy and inform planning.
- Good and adequate financial underpinning of the service is essential and fees and allowances will be reviewed annually and carer information updated each year in April.
- Carers are self employed and responsible for their own taxation arrangements. However, the Council will provide advisory statements on these matters annually and review them regularly.
- The Council has an aim of having all information relating to carers, including finance, agreements, reviews, responsibilities in relation to record keeping etc, complaints etc, gathered together in a Carers' Handbook.
- This will be given to each carer at the time of approval.
- This will be updated as necessary in line with legislative requirements and Council policy.

South Lanarkshire Council also has a duty of care towards carers. Carers against whom an allegation of abuse has been made will receive clear advice about the process and timing, although not necessarily about the detail of the investigation. Your supervising social worker will have a role in ensuring carers have adequate information about what is happening, and about potential sources of advice and support, such as Fostering Network. When allegations are made against carers that fall within the definition of child abuse (see below) it is important for everyone involved to ensure that rigorous investigations takes place using the joint investigation arrangements with the Police where appropriate. If there is apparent substance to the allegation made, a senior social work manager will nominate an investigating officer and it is likely that an investigation planning meeting will be chaired by the Child Protection Co-ordinator or another manager. A carer's own supervising worker will not be part of the investigation but will, in so far as possible, keep the carer informed.

- vii. Response to complaints (including response by the local authority)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council Fostering Procedures state:

- All complaints by carers for themselves or on behalf of children or young people will be dealt with under the Council's Complaints Procedures.
- Where a carer is making representations for her/himself or on behalf of a child or young person, the supervising social worker and the child or young person's worker (when appropriate) will meet with the carer as soon as possible to discuss matters and resolve them if possible.
- Part of this meeting will be to:
 - ascertain whether the issue may be resolved;
 - ascertain whether it will be treated as a formal complaint; or
 - should it be the subject of an appeal by the carer, or be taken forward under Child Care Procedures.
- If the matter is to be treated as a complaint, the carer should be helped to make a written or formal verbal complaint to the Council, on behalf of her/himself or the child or young person.
- The complaint will be passed to the senior staff member designated to deal with these matters.
- It will be acknowledged within 3 working days.
- A full response must be made to the complainant within 28 days of receipt of the complaint. However the complaint will be responded to as quickly as possible.
- The Council's complaints processes will be activated.
- At the conclusion of the process, the detail of the complaint, the process of investigation, and the outcome will be fully recorded and become part of the carer's file.
- Where the complaint was made on behalf of a child or young person, the detail of the complaint, the process of investigation, and the outcome will be fully recorded and become part of the

child or young person's file.

viii. External reporting of complaints

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures applied across the whole of the Social Work function and all complaints regarding foster care were to fall within this general guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, issues with regard to complaints or concerns raised about foster carers, the Care Inspectorate required to be informed about any allegation of abuse or misconduct.

Complaints about foster carers could be made directly to the Care Inspectorate and this was outlined in the policy.

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Officers of Strathclyde Regional Council.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

These policies and procedures were compiled by Senior Managers in South Lanarkshire Council and the Adoption and Fostering Manager.

f) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Complaints procedures are covered in Strathclyde Regional Council's Home and Away Strategy for the Eighties, the Charter for Children's Rights in 1988, and in the Strathclyde Regional Council 1994 overarching complaints procedure which was introduced in 2004.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council's policies and procedure were put in place in 2006/2007.

The Social Work Complaints procedures were put in place in 2011.

g) Were such policies and/or practices reviewed?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

h) If so, what was the reason for review?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

To meet regulatory and statutory requirements and to respond to the changes in professional standards/guidance.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council this was done as a matter of routine.

- i) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures covered the entire Social Work function.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

During this time period, the role of the Care Inspectorate, who inspected fostering services against National Care Standards and regulations, enhanced responses to allegations and complaints against carers. Complainants could approach Care inspectorate directly to raise concerns.

- j) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

The 1994 Strathclyde Regional Council complaints procedures were introduced with the 1001 SWSG Circular SW5/1551 "Local Government Complaints Procedures and reflects those guidance notes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, changes were made to reflect the Care Inspectorate's role in complaints.

k) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

l) Was there an audit trail?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Yes.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

Yes.

Present

m) With reference to the present position, are the answers to any of the above questions different?

Response

Yes

n) If so, please give details.

Response

The Scottish Parliament approved the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016 on 16 March 2016 and this came into force on 1 April 2017. The Order amends the Scottish Public Services Ombudsman Act 2002: abolishes the existing social work complaints process; allows the Ombudsman to look at the actions taken by social workers and consider the merits of social work decisions in terms of professional judgement in the course of complaints investigation; and, allows for the sharing of information between the Scottish Public Services Ombudsman (SPSO), the Care Inspectorate and the Scottish Social Services Council.

The SPSO have worked with a range of stakeholders to develop the Social Work model complaints handling procedure (CHP). The new model has two stages and the focus of the procedure is on early frontline resolution as close to the point of service delivery as possible. The timescales for early resolution is five working days. More complex complaints or those that have not been resolved to the customer's satisfaction at the first stage can be investigated at stage 2 within 20 working days. The SPSO have recognised the complexity of situations in social work and have provided an extension at the frontline resolution stage of an additional 10 days (not to exceed 15 days and only to be used in exceptional circumstances with senior management approval).

The Social Work Model CHP applies to all social work services, whether they are delivered through local authorities or Health and Social Care Partnerships. Complaints about other local authority or NHS services will fall under the respective CHP for their sector. The main difference between the CHPs is the guidance given to staff and the extension to 15 days at the frontline resolution stage for social work.

The SPSO have new powers to look at the actions of social workers and consider the merits of social work decisions in terms of professional judgement. This is in line with the SPSO powers to consider the clinical judgement of health

practitioners. Expert evidence will come from Independent Professional Advisers who have been recruited by the SPSO. The standard used in relation to professional judgement is whether a decision was reasonable. This means that the SPSO do not consider whether another decision or course of action was possible but whether the judgement and resulting decision and actions of the organisation were reasonable.

From 1 April 2017 the SPSO will be able to share information, which may come to light in the course of their investigation into complaints handling, with the Care Inspectorate and the SSSC, where it is relevant to regulatory functions.

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to complaints and reporting about foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

- b) Did the local authority adhere in practice to its policy/procedures on the following:
- i. Complaints by children

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, records available indicate procedures were followed in general. However, we have been unable to access full information on responses in some occasions and would be unable to fully comment.

ii. Complaints by staff

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, records available indicate procedures were followed.

iii. Complaints by family members of children

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, records available indicate policies and procedures were followed.

iv. Complaints by third persons

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, records available indicate policies and procedures were followed.

v. Whistleblowing

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, the Fostering procedures had no information on whistleblowing. Social workers in the locality office and the Family Placement team followed the procedure and policies in relation to whistleblowing.

- vi. Support, including external support, for those who made the complaint or those who were the subject of complaint

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, records indicate carers have been supported and policies and procedures have been followed. Some children's files do not provide such evidence.</p>

- vii. Response to complaints (including response by the local authority)

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, the Family Placement Team responded to all complaints, establishing if formal complaints procedures should be invoked or informal investigation should be undertaken and addressed through carer supervision and review. However, it is clear the professionalisation of foster care has led to more effective responses and more robust follow up of complaints.</p>

- viii. External reporting of complaints

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. South Lanarkshire reported complaints externally.</p>

c) How was adherence demonstrated?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959 did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982 did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council adherence can be demonstrated from the records maintained.</p>

d) How can such adherence be demonstrated to the Inquiry?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p>

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council adherence to the Inquiry can be demonstrated from the records available including:

Carers' supervision
 Carers' Reviews
 Panel Minutes
 Significant Incident Records
 Case Records
 Formal Complaints Records (centrally held)
 Children's files

e) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, it is unclear if on some occasions policy was not adhered to or if records were missing or lacked detail.

Present

h) With reference to the present position, are the answers to any of the above questions different?

Response

No.

i) If so, please give details.

Response

Not applicable.

4.8 Internal Investigations

(i) Policy

Past

- a) What policies and/or procedures did the local authority have in place in respect of internal investigations relating to abuse or alleged abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

There is no documentary evidence sighted in relation to internal investigations in relation to foster care between 1975 and 1978.

There were various child protection policies and procedures produced in 1979, 1983, 1989, 1993 (amended supplementary procedures), and in 1996 (interim procedures). There were Child Protection Procedures produced by authorities in the West of Scotland in 2001.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

There were Child Protection Procedures produced by authorities in the West of Scotland in 2001.

(See appendix 43.)

South Lanarkshire Council had its own Social Work Resource Child Protection Procedure which were developed from Strathclyde Regional Council's procedures and reviewed and further enhanced, during the period of the Council's existence, culminating in the present 2011 procedures.

(See appendix 37.)

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council recognised that there had been a number of major developments since the introduction of its previous Child Abuse procedures in 1983. These developments had been influenced by the lessons learned from a number of enquiries into child abuse deaths and serious incidents both nationally and within Strathclyde. The Jasmine Beckford, Kimberley Carlile, Tyra Henry and Cleveland Enquiries had all produced lessons which needed translated into better procedural guidance, while within Strathclyde there had been a constant process of learning from the lessons of practice, both good and bad.

A major development had been the much greater identification of sexual abuse of children. It was clear that this was now a social phenomenon of considerable magnitude, one that requires a different response in some aspects than the more common forms of child abuse

Since 1983 there have been considerable developments in joint working and multi-disciplinary work in relation to abused children and their families and this has led to much greater understanding about the different roles and emphases of agencies like the Police, Procurator Fiscal, Health and Education as well as Social Work and the Reporters Department.

Since 1983, public interest in and the awareness of child abuse has increased significantly, and this has led both to a major rise in the volume of referrals and greater degree of public concern about the framework within which Local Authorities operate.

(Extract from Strathclyde Regional Council Child Abuse Procedure for Staff 1989 – Appendix 44.)

Period 1996 to 2014

South Lanarkshire Council's child protection procedures were to be used in conjunction with the National Child Protection Guidance 2010 which provides a national framework within which agencies and practitioners at local level, individually and jointly, could understand and agree processes for working together to safeguard and promote the welfare of children. The national child protection guidance set out expectations for strategic planning of services to protect children and young people and highlighted key responsibilities for services and organisations, both individual and shared. It also served as a resource for practitioners on specific areas of practice and key issues in child protection. This guidance replaced the previous version, *Protecting Children - A Shared Responsibility: Guidance on Inter-agency Co-operation*, which was published in 1998 and incorporated the Scottish Government guidance, *Protecting Children and Young People: Child Protection Committees* (2005).

Protecting children means recognising when to be concerned about their safety and understanding when and how to share these concerns, how to investigate and assess such concerns and fundamentally, what steps are required to

ensure the child's safety and well-being. The revised social work procedures are to support staff that face or could face child protection issues. Social workers and anyone else who works with children and their families, as well as members of the community, need to appreciate the important role they can play in remaining vigilant and providing robust support for child protection. The national child protection guidance and the social work procedures provide the framework for that understanding. It enables managers and practitioners to apply their skills collectively and effectively and to develop a shared understanding of their common objective - to support and protect children, particularly those who are most vulnerable.

(Extract from South Lanarkshire Council Social Work Resources Child Protection Procedure 2011 – Appendix 38.)

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

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Procedure and manuals were printed and distributed to relevant staff for reference and copies held in Social Work Offices.

Period 1996 to 2014

In south Lanarkshire Council procedures and manuals were printed and distributed to relevant staff for reference and copies held in Social Work Offices.

d) What did the policies and/or procedures set out on the following:

i. Approach to/process of internal investigations

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Chapter 11 of the Strathclyde Regional Council Child Abuse Procedure for Staff outlined the approach to internal investigation of allegations against foster carers. It stated:

Although any referral alleging abuse by a foster parents should be investigated with the same thoroughness as other referrals, it is recognised that foster carers who are caring for other people's children can be particularly vulnerable to allegation of abuse. It is not uncommon for children in foster care to allege they have abused. This is not surprising given of foster care which is often inherently stressful for all concerned, and where children from troubled backgrounds often have difficulty in adjusting to alternative family life. An effective balance must be achieved between safeguarding the foster child, and allowing the foster parents the opportunity to hear the allegations, and formally respond to them by giving their version of events.

The foster parents Link Social Worker should not be directly involved in the investigation for the following reasons:

- (a) It is recognised that foster parents will require support during the investigation. The Link Worker is the most appropriate person to provide this support.
- (b) Given that the foster parents are colleagues rather than clients of the Social Work Department and in view of the supportive role of the Link Worker, it is recognised that it could prove difficult for the Link Worker to be actively involved in the investigation at the same time as acting as a source of support for the foster parents.

The Link Social Worker should however be kept fully informed throughout the investigation.

If the referral alleges abuse by a foster parent, both the District Manager responsible for the supervision of the foster parent, and the District Manager responsible for the child should be informed immediately. The Depute Director (Child Care) should also be informed immediately.

In the case of allegations involving foster parents from the specialist schemes operated by the Regional Family Finding Centre, immediate notification of the referral should be given to the Regional Family Finding Centre Manager, in addition to the District Manager responsible for the child and the Depute Director (Child Care).

The investigation should be undertaken by the Social Worker for the child and another Social Worker from the same Area Team. However in exceptional cases, where the seriousness of the referral indicates that the child is at immediate risk and where the geographic distance mitigates against an immediate response, the investigation should be undertaken by staff from the Area Team responsible for the foster parents. In these exceptional cases the Area Manager responsible for the foster parents should liaise closely the Area Manager for the child throughout the investigation. Any disputes concerning responsibility for undertaking the investigation should be resolved by the relevant District Manager. If necessary the matter should be referred for final decision to the Depute Director (Child Care).

In the event of a Case Conference being held and where there has been more than one District involved in the investigation or where the referral involved foster parents from one of the specialist schemes, the Area Manager for the child will be responsible for convening and chairing the Case Conference.

Although foster parents do not have an automatic right to attend the Case Conference their presence and participation could be very helpful, ensuring that full and accurate information is available. Foster parents should not be invited to the fact finding session of the Initial Case Conference but may be invited to attend the rest of the Case Conference.

Consideration should be given to the attendance of the child, depending on his/her level of maturity and understanding.

Foster parents who attend the whole of the Case Conference should be sent a copy of the minute. Foster parents not in attendance or in part attendance should get a written summary of the Case Conference including the recommendation. The wording of the summary should be submitted by the Chairman to all other participants for approval along with the minute, before being sent to the foster parents.

Foster parents should be advised of the outcome of the investigation whether or not the allegation of abuse have been substantiated. This should be done by the Senior Social Worker for the child in conjunction with the Link Worker. In addition the District Manager for the child should send written confirmation of the outcome of the investigation to the foster parents. A copy of this letter should be sent to the District Manager for the foster parents for placing in the foster parents file. In cases involving foster parents from one of the specialist schemes, a copy of this correspondence should be sent to the Regional Family Finding Centre Manager.

If as a result of the investigation, the foster child had been removed from the placement, a Disruption meeting should be held as soon as possible but within two weeks at the latest. The District Officer (Child Care) for the child will be responsible for convening the Disruption meeting.

Included in the objectives of this meeting are:

- (a) To give the foster parents an opportunity to explain further their point of view, and to ventilate their feelings;
- (b) To make further examination of the event leading to removal;
- (c) To decide if possible at this stage whether or not the child should be returned to the placement.

After the Disruption meeting the Link Worker should arrange a meeting when further discussion will take place with the foster parents about their future use, which will be followed by a Foster Home Review.

Whether or not the allegations of abuse are substantiated, a Foster Home Review must be held as soon as possible and at least within 6 weeks of the investigation.

Foster parents should receive the minute of the Review and also a letter from the District Manager indicating whether any change in their status as foster parents will result from the investigation. A copy of this letter should be placed in the foster parents' file.

In the case of foster parents from the specialist schemes this letter will be sent by the Depute Director (Child Care).

If the referral alleges that the natural children of the foster parents have been abused by a foster child or that a foster child has been abused by the natural children of the foster parents, both the District Manager responsible for the foster parents and the District Manager responsible for the child must be informed immediately. Although such referrals do not fall within the definition of child abuse, any such alleged incidents must be investigated thoroughly. A Case Discussion involving all the relevant staff must be held and the outcome of the investigation notified to the Depute Director (Child Care).

If the referral involves foster parents from the specialist schemes, the Regional Family Finding Centre Manager must be notified.
(See appendix 44.)

Period 1996 to 2014

Chapter 11 of south Lanarkshire Council's Social Work Resources Child Protection Procedure 2011 outlined the approach to internal investigation of allegations against foster carers. It stated:

Investigation of allegations of abuse of children in foster care

This chapter lays out the procedures to be followed when allegations of abuse of children placed with approved foster carers are made. It is important to emphasise that the expectations of staff or substitute carers are different from those of birth parents and that while the process of investigation may be similar the range of outcomes is very different. It is important that consideration is given to the specific circumstances of the placement being investigated. One major difference between these procedures and those for investigating allegations of abuse of children in the community is that registration is not included within the process for dealing with allegations of abuse in residential or foster care.

Inter-authority issues

Where an investigation involves more than one local authority or agency the authority receiving the complaint must notify the chief social work officer of any other authority which may be involved.

If a child protection investigation is undertaken in relation to a foster carer, the investigating authority must notify the authority where the foster carer lives and alert them to any concerns regarding any other children in the family. The investigating authority must also notify the managing authority of the foster care resource (if different).

Deciding how to respond

As with any families there may be a range of concerns or complaints which necessitate investigation and intervention. It is important that a clear decision is made at the outset of any investigation about whether child protection procedures are being used by the fieldwork manager.

When a child makes an allegation a decision has to be made regarding whether it is in fact an allegation of abuse. If it appears that the child may have suffered or is at risk of suffering significant harm from a foster carer then it should be dealt with as an allegation of abuse.

Immediate action

The principles outlined in Section 1 (Notification of child protection concerns and Initial Inquiries) apply to investigations of allegations of abuse in foster care.

Any action will be determined by a range of factors including:

- the nature of the alleged abuse
- the length of the placement
- whether the placement is permanent or temporary
- the implications of the allegation for other foster children in the placement
- the implication for birth children in the placement.

Consideration should be given at an early stage to the appropriateness of continuing with the placement.

As with any other child protection investigation the appropriateness of removing the alleged perpetrator rather than the child should be considered.

Where an investigation of concerns in respect of foster children leads to concerns regarding other children in the household there should be:

- separate recording of concerns
- separate child protection conferences
- clear and separate decisions for each child.

Deciding on how the matter should be investigated and by whom

The decision to investigate using child protection procedures should be made by the fieldwork manager responsible for the child. The investigation should ordinarily be undertaken by the social worker for the child and another appropriately experienced member of staff. The practice in terms of undertaking the investigation should follow the procedures and guidance for investigations outlined in Section 2.

Social workers undertaking investigations must have access to all information available to the social work department in respect of:

- the child
- the foster carer.

Medicals

Where medical examination is deemed appropriate this should be carried out in accordance with the procedures outlined in Section 5.

Where a foster placement is terminated in the context of a child protection investigation the child must be medically examined before commencing their

new placement. This applies irrespective of whether the circumstances of the investigation would in themselves merit a medical examination.

Advising relevant others

The decision to initiate child protection procedures should be conveyed to the foster carer by the investigating social workers, unless it would jeopardise the child's safety or hamper inquiries.

They should generally be advised of the procedures to be used and the likely timescale.

They should be advised of the availability of support from the social work department. This should normally be provided by the link worker who should not be involved in the process of investigating the allegation.

Foster carers should be advised of the availability of support from independent sources, e.g. Fostering Network.

Where an investigation is to be undertaken in terms of child protection procedures the fieldwork manager responsible for the child must:

- ensure that the child's birth parents are advised or record in writing the reasons why this is not appropriate
- liaise with the police in respect of the appropriate level of police involvement
- notify the Authority Reporter.

Role of the link worker

The link worker should not be directly involved in the investigation of any alleged abuse.

The link worker should ensure that the carers are fully aware of the procedures to be followed and fully understand the process.

The link worker should assist the carers to express their views. They should encourage carers to:

- seek independent advice
- seek independent support e.g. Fostering Network
- prepare for any interviews
- commit their views in writing.

The link worker should advise foster carers that a foster carer's review may take place.

Keeping relevant parties informed

Efforts must be made to keep all relevant parties informed of progress where possible throughout the course of the investigation.

Any actions decided upon as a result of the investigation must be communicated, at the earliest possible opportunity, to the child, his/her family and the foster carers.

Maintaining records

Any investigation which is undertaken must use the approved stationery (e.g. CP1) and the process for recording the interview process and the decision making should be as outlined in Section 2.

A copy of the child protection investigation documentation should be maintained in the foster carer's file.

A separate record will be maintained of all allegations made by children in foster care by the keeper of the local child protection register.

Child protection conferences

Although foster carers do not have an automatic right to attend the child protection conference their presence and participation could be very helpful, ensuring that full and accurate information is available. Foster carers should not be invited to the fact finding session of the initial child protection conference but may be invited to attend for the rest of the conference. Consideration should also be given to the attendance of the child, depending on his/her level of maturity and understanding.

Foster carers who attend the whole of the child protection conference should be sent a copy of the minute. Foster carers not in attendance or in part attendance should receive a written summary of the child protection conference including the recommendations. The wording of the summary should be submitted by the chairperson to all other participants for approval along with the minute before being sent to the foster carers.

The only way in which the function of the child protection conference differs when dealing with a child/young person in foster care is that there is no provision for registration of a child/young person in foster care.
(See appendix 38.)

ii. Identifying lessons/changes following internal investigations

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, lessons learned on an individual investigation relating to staff/or a situation will have been identified through a quality assurance exercise. If a concern was noted, this will have been passed to the Service Manager for consideration. If the lessons/changes related to one individual, this would be raised by the member of staff's line manager. If the Service Manager was of the view that the learning/changes were of significant concern, he/she could escalate this to South Lanarkshire's Child Protection Committee. This could result in a Reflective Learning Review or a Significant Case Review. Any lessons identified from these exercises would be disseminated to staff via briefings.

iii. Implementation of lessons/changes following internal investigations

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire, lessons learned on individual case basis have been identified in disruption meetings. These relate to decision making about placements. However, we have not identified any policy changes. Also, see information in d) ii) above.

iv. Compliance

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, all staff who work and/come into contact with children and their families have a role to play in child protection. That role will range from identifying and sharing concerns about a child or young person, to making an active contribution to joint decision making and/or planning an investigation to supporting the child or young person and their family. Staff should be alert to signs that a child may be experiencing significant harm. When they recognise that a child's safety is compromised and/or that they are likely to experience, significant harm, they have a responsibility to follow local procedures for reporting and sharing these concerns (Taken from South Lanarkshire Council's Child Protection Procedures 2011).

v. Response (to child and abuser)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

The Child

In South Lanarkshire Council, the child protection policies and procedures set out the following in relation to the child:

Convention on the Rights of the Child

These principles, enshrined in legislation and practice in child protection, are derived from Articles of the UN Convention on the Rights of the Child, ratified by the UK Government and endorsed by the Scottish Government. They should underpin all code and practice in child protection. While not directly enforceable in domestic Scottish courts, it is Scottish Government policy to implement the Convention wherever possible. The principles of the UN Convention include:

- each child has a right to be treated as an individual;

- every child who can form a view on matters affecting them has the right to express those views if they so wish, and those views should be given due weight in accordance with the child's age and maturity;
- parents should normally be responsible for the upbringing of their children and should share that responsibility;
- each child has the right to protection from all forms of abuse, neglect or exploitation;
- insofar as is consistent with safeguarding and promoting the child's welfare, public authorities should promote the upbringing of children by their families; and
- any intervention by a public authority in the life of a child must be properly justified and should be supported by services from all relevant agencies working in collaboration.

The Children's Charter and the Framework for Standards

In addition to the Convention, the Children's Charter was drawn up following consultation with children and young people as part of the Scottish Government's child protection reform programme. The Charter sets out a list of demands children should feel entitled to make:

- get to know us;
- speak with us;
- listen to us;
- take us seriously;
- involve us;
- respect our privacy;
- be responsible to us;
- think about our lives as a whole;
- think carefully about how you use information about us;
- put us in touch with the right people;
- use your power to help;
- make things happen when they should; and
- help us be safe.

The Charter reflects children and young people's own views regarding what they need and the standard of care they expect when they have problems or are in difficulty and need to be protected. It shows that children and young people place more value on relationships and attitudes than processes and events. This should be reflected in the planning and implementation of all child-focused interventions. The Framework for Standards is the detailed means for translating the commitments made in the Children's Charter into practice. In working with children and their families, all practitioners should strive to adhere to the following best practice standards.

The Abuser

In South Lanarkshire Council, the child protection policies and procedures set out the following in relation to the abuser:

The decision to initiate child protection procedures should be conveyed to the foster carer by the investigating social workers, unless it would jeopardise the child's safety or hamper inquiries.

They should generally be advised of the procedures to be used and the likely timescale.

They should be advised of the availability of support from the social work department. This should normally be provided by the link worker who should not be involved in the process of investigating the allegation.

Foster carers should be advised of the availability of support from independent sources, e.g. Fostering Network.

Where an investigation is to be undertaken in terms of child protection procedures the fieldwork manager responsible for the child must:

- ensure that the child's birth parents are advised or record in writing the reasons why this is not appropriate
- liaise with the police in respect of the appropriate level of police involvement
- notify the Authority Reporter.

Role of the link worker

The link worker should not be directly involved in the investigation of any alleged abuse.

The link worker should ensure that the carers are fully aware of the procedures to be followed and fully understand the process.

The link worker should assist the carers to express their views. They should encourage carers to:

- seek independent advice
- seek independent support e.g. Fostering Network
- prepare for any interviews
- commit their views in writing.

The link worker should advise foster carers that a foster carer's review may take place.

Keeping relevant parties informed

Efforts must be made to keep all relevant parties informed of progress where possible throughout the course of the investigation.

Any actions decided upon as a result of the investigation must be communicated, at the earliest possible opportunity, to the child, his/her family and the foster carers.

- vi. Response to complaints (including response by local authority)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Please refer to the Forward of the Complaints Handling Procedure, Have Your Say, Appendix 39.

vii. External reporting following internal investigations

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, any concerns following internal investigations would be reported to South Lanarkshire's Child Protection Committee. Depending on the outcome, a Reflective Learning Review of a Significant Care Review could be undertaken. All Significant Case Review's are report to the Care Inspectorate.

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Officers of Strathclyde Regional Council.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council, these were compiled by officers of South Lanarkshire Council.

f) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Strathclyde Regional Council produced child protection procedures in 1979, 1983, 1989, 1993 and in 1996.

(Information provided by The Mitchell Library, Glasgow).

Period 1996 to 2014

In South Lanarkshire Council the Child Protection Procedures were reviewed in 2011.

g) Were such policies and/or practices reviewed?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

As per f) above.

Period 1996 to 2014

(As per f) above).

h) If so, what was the reason for review?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, policies and procedure were reviewed in line with regional and national guidance and regulations.

i) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council the substantive changes were in relation to joint investigations with the police and the interview techniques undertaken when interviewing children.

j) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council the Legislation and Acts which led to changes in the Child Protection Procedures are listed in the appendix of the procedures. (Appendix 38).

k) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council these changes were documented.

l) Was there an audit trail?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes. In South Lanarkshire Council there was an audit trail.

Present

- m) With reference to the present position, are the answers to any of the above questions different?

Response

No

- n) If so, please give details.

Response

Not applicable.

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in respect of internal investigations relating to the abuse or alleged abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes.

- b) Did the local authority adhere in practice to its policy/procedures on the following:

- i. Approach to/process of internal investigations

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014. Yes.</p>

- ii. Identifying lessons/changes following internal investigations

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014. Yes.</p>

- iii. Implementation of lessons/changes following internal investigations

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes. South Lanarkshire Council adhered to implementing lessons/changes following internal investigations.

iv. Compliance

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes.

v. Response (to child and abuser)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes.

- vi. Response to complaints (including response by local authority)

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014. Yes.</p>

- vii. External reporting following internal investigations

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014. Yes.</p>

- c) How was adherence demonstrated?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council such adherence was demonstrated through the quality assurance exercise undertaken by staff from South Lanarkshire's Child Protection Committee.

d) How can such adherence be demonstrated to the Inquiry?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council each child protection investigation was overseen by a member of staff from South Lanarkshire's Child Protection Committee. Written feedback was provided to locality managers on each investigation.

e) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Relevant records are kept in the case file of children and in the files of foster carers.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Yes. In South Lanarkshire this is the case.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Not applicable.

Present

- h) With reference to the present position, are the answers to any of the above questions different?

Response
No.

- i) If so, please give details.

Response
Not applicable.

4.9 Record keeping

(i) Policy

Past

- a) What policies and/or procedures did the local authority have on record keeping in relation to foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 The 1971 and 1979 manuals provide instruction on report writing and case files. This was updated by Strathclyde Regional Council in the early 1980s. (Information provided by The Mitchell Library)</p> <p>Period 1996 to 2014 South Lanarkshire Council Social Work Resources Retention Schedule v6.2 2018. This will have been updated throughout the life of South Lanarkshire Council</p>

- b) What policies and/or procedures did the local authority have on record keeping by foster carers?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

In view of the emphasis that was required to be placed on record keeping in relation the Children Act 1975, there was a need to instigate a formal system for the storage and retrieval of records and in order to prevent any gaps in child care records.

(Information provided by the Mitchell Library, Glasgow).

Period 1996 to 2014

South Lanarkshire Council Carers' Handbook 2007 contained information of record keeping by foster carers.

Record keeping and confidentiality

Every foster carer will be given a diary, which is for recording visits, appointments (concerning yourself as well as the children you care for) and significant events. It is important to use your diary in this way, you will need it for future reference when writing reports. You should also keep a notebook for each child for detailed individual recording. In addition to the formal requirements of record keeping, retaining mementoes including photographs for the child to keep or take with them, will help to build the child's sense of identity and history.

Recording, why it is necessary

Keeping a record of your work with children and families is important, because:

- Foster carers are often asked to provide reports that relate details of the child in their care to children's hearings, child care reviews and sometimes to a court.
- It helps carers reflect on events and recognise patterns, for example a child's reaction to contact with a parent.
- It helps carers protect themselves by ensuring factual information is recorded immediately or soon after an event which may be maliciously or mistakenly interpreted. For example, a child sustaining bruising as a result of a tussle or play fights between children.
- It meets the Service's requirements for accountability.
- It provides evidence for carers portfolios required for the 'Payment for Skills' scheme.

What to record – examples:

- Accidents or illnesses and medical and dental appointments
- Notable progress and achievements
- Request for help made to any agency

- Contact arrangements with the child's family, and missed appointments
- Child's reactions to contact with family
- Specific care arrangements for the child if staying elsewhere
- Information from, and to, school
- Visits, meetings and arrangements with social workers
- Things the child has said which cause concern
- Details of problem behaviours, including what happened before and after
- Details of occasions the child has gone missing and where they were found
- Important events or changes in the circumstances for the child
- Police involvement, damage to property.

How to record:

Some carers may be anxious about putting pen to paper as they may have had little call to do so since leaving school. Your supervising worker can help you and there are occasionally training sessions on recording. Remember it is the content that matters not the form. Here is an example:

3. This child's emotional difficulties are manifested in extremely difficult behaviour.
4. [REDACTED] is missing his Mum. He picks fights with the younger children. When I try to stop him he calls me a cow and then goes out of the house for a couple of hours until he calms down and comes back.

While the first is accurate, the second is more descriptive and gives a clearer picture of the child's actions and the kinds of behaviour which carers are expected to manage.

- Keep language simple
- Assume that what you write could be shared with child, parents or future carers
- Keep recording short and factual. Make it clear if it is an opinion being recorded
- Keep recording up to date
- Date and sign records.

- c) In relation to (a) and (b) above, was there a particular policy and/or procedural aim/intention? Where were such policies and/or procedures recorded?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council the aim and intention of record keeping was:

Keeping a record of your work with children and families is important, because:

- Foster carers are often asked to provide reports that relate details of the child in their care to children's hearings, child care reviews and sometimes to a court.
- It helps carers reflect on events and recognise patterns, for example a child's reaction to contact with a parent.
- It helps carers protect themselves by ensuring factual information is recorded immediately or soon after an event which may be maliciously or mistakenly interpreted. For example, a child sustaining bruising as a result of a tussle or play fights between children.
- It meets the Service's requirements for accountability.

It provides evidence for carers portfolios required for the 'Payment for Skills' scheme

- d) What did the policies and/or procedures set out in relation to record keeping on the following:

- i. Children in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's Carers' Handbook noted:

Every foster carer will be given a diary, which is for recording visits, appointments (concerning yourself as well as the children you care for) and significant events. It is important to use your diary in this way, you will need it for future reference when writing reports. You should also keep a notebook for each child for detailed individual recording. In addition to the formal requirements of record keeping, retaining mementoes including photographs for the child to keep or take with them, will help to build the child's sense of identity and history.

Recording, why it is necessary

Keeping a record of your work with children and families is important, because:

- Foster carers are often asked to provide reports that relate details of the child in their care to children's hearings, child care reviews and sometimes to a court.
- It helps carers reflect on events and recognise patterns, for example a child's reaction to contact with a parent.
- It helps carers protect themselves by ensuring factual information is recorded immediately or soon after an event which may be maliciously or mistakenly interpreted. For example, a child sustaining bruising as a result of a tussle or play fights between children.
- It meets the Service's requirements for accountability.
- It provides evidence for carers portfolios required for the 'Payment for Skills' scheme.

What to record – examples:

- Accidents or illnesses and medical and dental appointments
- Notable progress and achievements
- Request for help made to any agency
- Contact arrangements with the child's family, and missed appointments
- Child's reactions to contact with family
- Specific care arrangements for the child if staying elsewhere
- Information from, and to, school
- Visits, meetings and arrangements with social workers
- Things the child has said which cause concern
- Details of problem behaviours, including what happened before and after
- Details of occasions the child has gone missing and where they were found
- Important events or changes in the circumstances for the child
- Police involvement, damage to property.

How to record:

Some carers may be anxious about putting pen to paper as they may have had little call to do so since leaving school. Your supervising worker can help you and there are occasionally training sessions on recording. Remember it is the content that matters not the form. Here is an example:

5. This child's emotional difficulties are manifested in extremely difficult behaviour.
6. ■■■■■ is missing his Mum. He picks fights with the younger children. When I try to stop him he calls me a cow and then goes out of the house for a couple of hours until he calms down and comes back.

While the first is accurate, the second is more descriptive and gives a clearer picture of the child's actions and the kinds of behaviour which carers are expected to manage.

- Keep language simple
- Assume that what you write could be shared with child, parents or future carers
- Keep recording short and factual. Make it clear if it is an opinion being recorded
- Keep recording up to date
- Date and sign records.

ii. Foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council the Fostering Procedures noted:

Establishment and maintenance of records

- At the point of application by a prospective carer, a file or record will be opened.
- The record will contain details of the assessment, homestudy, fostering panel meeting, recommendation and decision to approve or not approve.
- The record will include:
 - the Foster Carer Agreement for Services
 - a front sheet for the carer's file that includes note of each placement made with the carer. This will include the age, sex, ethnicity and name of the child, the date(s) of the placement and reasons for ending the placement;
 - all Foster Placement Agreements for children and young people placed with the carer;
 - annual review reports;
 - updated statutory checks; and
 - a record of any information disclosed and to whom.
- The records for each carer should specifically include:

- the carer's address and date of birth;
- the name, address and for example number of the carer's next of kin, or of any person authorised to act on the carer's behalf;
- the date when the service was first provided to the carer;
- incidents detrimental to the carer's health or welfare;
- any complaints by the carer about the service, with the outcome of the complaint and any action taken; and
- where applicable, details of the death of the carer.
- a chronology of significant events
- The records should reflect the key policy and practice issues outlined in L3, particularly to ensure that relevant information is cross-referenced appropriately.
- Where any information in a carer's records (or in children and young people's records) forms part of the Council's or any other adoption agency's Adoption Records, this must be clearly marked because the rules about access are different.
- Carer's file will be audited on an annual basis by the supervising social worker's line manager to ensure that records and checks are maintained.
- When a carer's approval is terminated, and s/he ceases to care, the records will be reviewed and kept for at least 25 years, or her/his death, whichever is earlier.
- When a carer's approval has been terminated because of concerns, allegations, etc, this will be clearly flagged so that files may be kept for longer if this is appropriate.

Access to records

- Carers will be entitled to see their files when they request to see them under the Data Protection Access procedures, subject to any restrictions under that Act, or, under the Adoption Agencies Regulations 2009 when the information is part of an adoption agencies records.
- Any other person wanting access to open or closed carers' records should make a formal request to South Lanarkshire Council subject to any restrictions under the Adoption Agencies Regulations 2009 when the information is part of an adoption agencies records.
- Such requests should be processed following the Council's Data Protection Access procedures, and a record of the information disclosed must be kept.
- Requests for access to children and young people's information and records should be dealt with under the Council's child care, looked after and Data Protections Access procedures.
- Where any information in carers' records or in children and young people's records forms part of the Council's or any other adoption agency's Adoption Records, that information is not subject to the Data Protection Access subject access rules and should only be disclosed in terms of reg.27 and 28 of the Adoption Agencies Regulations 2009.

iii. Visits to children and foster carers

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council's Fostering Procedures noted:</p> <p>Reviews</p> <ul style="list-style-type: none"> • The supervising social worker for the carers will gather the required review information: <ul style="list-style-type: none"> ○ confirmation of PVG, from health services, and of health and safety in the carers' home; ○ notes about unannounced visits to the carers' homes by the supervising social worker; ○ reports from the carers on their year; ○ reports from the carers' social worker and from placing workers; ○ comments from children and young people, birth family and other professionals who have worked with the carers; ○ records of training undertaken by the carers and the learning involved; ○ identification of the carers' future needs for training and support; ○ the outcome of any investigations where appropriate; ○ any recommendations for change of remit if appropriate. • Throughout the year, the carers' supervising social workers will gather information from carers and placing workers about training attended and learning needs. • Prior to the formal review, the carers' worker will review this material, including a list of placements and feedback from them by children and young people and their families. • The carers' worker will provide a written report and other information for consideration at the review, including information on any proposed change of remit. • Where a review is called because of a significant incident or

change, then all relevant information and the outcome of any investigation will also be available.

- Where there has been any decision or recommendation that a carer's approval should be terminated, this will be clearly documented and the formal review will be considered by the fostering panel, after an internal review.
- Carers will be invited and expected to attend their reviews, whether they are review meetings or fostering panel meetings.
- Carers will have access to the reports and information prepared for the review, excluding confidential third party information, two weeks in advance of the review.

iv. Complaints

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's Social Work Complaints procedures notes:

All complaints must be recorded in a systematic way so that we can use the complaints data for analysis and management reporting.

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received
- the service the complaint refers to
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)

- action taken at the investigation stage (where appropriate)
- the date the complaint was closed at the investigation stage (where appropriate)
- the outcome of the complaint at each stage
- the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers. The current retention schedule states that complaints records should be kept current financial year plus an additional 6 years.

v. Investigations (both internal and external)

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council the procedure noted the information below in relation to maintaining records:</p> <p>Any investigation which is undertaken must use the approved stationery (e.g. CP1) and the process for recording the interview process and the decision making should be as outlined in Section 2.</p> <p>A copy of the child protection investigation documentation should be maintained in the foster carer's file.</p> <p>A separate record will be maintained of all allegations made by children in foster care by the keeper of the local child protection register. (See appendix 38)</p>

vi. Discipline

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council's Carers' Handbook noted:</p> <p><i>What to record – examples:</i></p> <ul style="list-style-type: none"> • Accidents or illnesses and medical and dental appointments • Notable progress and achievements • Request for help made to any agency • Contact arrangements with the child's family, and missed appointments • Child's reactions to contact with family • Specific care arrangements for the child if staying elsewhere • Information from, and to, school • Visits, meetings and arrangements with social workers • Things the child has said which cause concern • Details of problem behaviours, including what happened before and after • Details of occasions the child has gone missing and where they were found • Important events or changes in the circumstances for the child • Police involvement, damage to property.

- vii. Responding to requests from former children in foster care for information/records

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p>

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, requests for access to children and young people's information and records is dealt with under the Council's child care, looked after and Data Protections Access procedures.

We have structured systems for recording requests for information and records are retained for the current financial year plus 3 additional years.

viii. Other issues relevant to foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In relation to South Lanarkshire Council's Access to records:

- Carers will be entitled to see their files when they request to see them under the Data Protection Access procedures, subject to any restrictions under that Act, or, under the Adoption Agencies Regulations 2009 when the information is part of an adoption agencies records.
- Any other person wanting access to open or closed carers' records should make a formal request to South Lanarkshire Council subject to any restrictions under the Adoption Agencies Regulations 2009 when the information is part of an adoption agencies records.
- Such requests should be processed following the Council's Data Protection Access procedures, and a record of the information disclosed must be kept.
- Requests for access to children and young people's information and records should be dealt with under the Council's child care, looked after and Data Protections Access procedures.
- Where any information in carers' records or in children and young people's records forms part of the Council's or any other adoption agency's Adoption Records, that information is not subject to the Data Protection Access subject access rules and

should only be disclosed in terms of reg.27 and 28 of the Adoption Agencies Regulations 2009.

e) Who compiled the policies and/or procedures?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council these procedures and policies were compiled by Family Placement Team Managers and Council Officers.

f) When were the policies and/or procedures put in place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council these policies and procedures were put in place in 2006/2007.

The Social Work Complaints procedures were put in place in 2011.

g) Do such policies and/or procedures remain in place?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes.</p>

h) Were such policies and/or practices reviewed?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. In South Lanarkshire Council these policies and procedures were reviewed in 2010 and 2014.</p>

i) If so, what was the reason for review?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material</p>

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council these policies and procedures were updated to meet National Care Standards and reflect legal requirements on records which the service should hold.

- j) What substantive changes, if any, were made to the policies and/or procedures over time?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council Data Protection information was included. Also, expectations relating to the information held by foster carers about children was enhanced. Incident recording was more robust. Notifications to the Care Inspectorate were required.

- k) Why were changes made?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire changes were made due to standards and Act mentioned below:

National Care Standards outlined clear guidance about record keeping.

Regulation of Care Act outlined records which needed to be kept.

Data Protection Act changed legal framework in relation to consent and other areas.

l) Were changes documented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

m) Was there an audit trail?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

Present

- n) With reference to the present position, are the answers to any of the above questions different?

Response

No.

- o) If so, please give details.

Response

Not applicable.

(ii) Practice

Past

- a) Did the local authority adhere in practice to its policy/procedures in relation to record keeping?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council records available indicate policy and procedures were followed.

- b) Did the local authority check adherence in practice to its policies and/or procedures in relation to record keeping by foster carers?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2104

Yes. In South Lanarkshire Council records available indicate policy and procedures were followed.

- c) Did the local authority adhere in practice/check adherence in practice to its policy/procedures in relation to record keeping on the following:
- i. Children in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council in undertaking this Section 21 Notice recognises that there are some missing/incomplete records in children's files following allegations/complaints. These allegations/complaints are contained in the foster carer's files.

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ii. Foster carers

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. South Lanarkshire Council records available indicate policy and procedures were followed.</p>

iii. Visits to children and foster carers

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Yes. South Lanarkshire Council records available indicate policy and procedures were followed.</p>

iv. Complaints

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. South Lanarkshire Council records available indicate policy and procedures were followed.

v. Investigations (both internal and external)

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. In South Lanarkshire Council, social work resources adhered to its practices in relation to record keeping in terms of investigations, through manager's monitoring quality and timescales in relation to the completion of investigations.

vi. Discipline

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes. South Lanarkshire Council records available indicate policy and procedures were followed.

- vii. Responding to requests from former children in foster care for information/records

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014</p> <p>In South Lanarkshire Council, Subject Access Requests were dealt with by the Resources Performance, Governance and Planning Team. When a young person or adult requested access to their files, this would be passed to the local office for completions. At this point a qualified social worker would identify the file and work the young person adult in providing the information they required.</p>

- viii. Other issues relevant to foster care

Response
<p>Period 1930 to 1975</p> <p>Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p> <p>Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014</p>

South Lanarkshire Council has no records of this.

d) How was adherence demonstrated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Adherence to this in South Lanarkshire Council was demonstrated in Carers' Files, Carers' Supervision notes, Carers' Reviews, Staff supervision records and Staff contact records.

e) Were relevant records kept demonstrating adherence?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Yes.

f) Have such records been retained?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council these records have been retained.

g) If policy/procedure was not adhered to in practice, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, policies and procedures were adhered to.

h) Did the local authority undertake any review or analysis of its records to establish what abuse or alleged abuse of children cared for in foster care may have taken place?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

In South Lanarkshire Council undertook this work at an individual level for each case and in relation to foster carers, these issues were considered at the Foster Carers Review.

- i) If so, when did the reviews take place, what documentation is available, and what were the findings?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, Foster Carer reviews took place annually. Minutes of these meetings are held in the foster carers files.

- j) How have the outcomes of investigations been used to improve systems, learn lessons?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

As stated earlier, in South Lanarkshire, when any issue is identified as concerning, the Service Manager has the ability to refer the matter to South Lanarkshire Council's Child Protection Committee who are able to undertake reviews and investigate these matters. These are reported back to Social Work, who in turn will undertake staff briefings.

k) What changes have been made?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire no central register of changes which have been made are recorded.</p>

l) How are these monitored?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, any changes to procedures in relation to record keeping are monitored by Team Leaders and Fieldwork Manager's with the locality offices.</p>

m) Did the local authority afford former children in care access to records relating to their time in foster care?

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

Yes. In South Lanarkshire Council this was done if the young person/adult requested access to their files.

n) If so, how was that facilitated?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council, requests for access to files would be allocated to a Qualified social worker. The social worker would identify the file and meet with the young person/adult to go through details of the file.

o) If not, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014
Not applicable.

Present

- p) With reference to the present position, are the answers to any of the above questions different?

Response

No.

- q) If so, please give details.

Response

Not applicable.

- r) Please provide details of the types of any records currently held relating to the children in foster care in respect of the following:

- i. Children in foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

South Lanarkshire Council hold locality children's case files on all children in foster care.

- ii. Staff with responsibilities for foster care

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

South Lanarkshire Council Family Placement Team hold Recruitment Records, Staff supervision/appraisal records and Team Meeting minutes.

iii. Foster carers

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

South Lanarkshire Council holds the information on foster carer as indicated below:

- At the point of application by a prospective carer, a file or record will be opened.
- The record will contain details of the assessment, homestudy, fostering panel meeting, recommendation and decision to approve or not approve.
- The record will include:
 - the Foster Carer Agreement for Services
 - a front sheet for the carer's file that includes note of each placement made with the carer. This will include the age, sex, ethnicity and name of the child, the date(s) of the placement and reasons for ending the placement;
 - all Foster Placement Agreements for children and young people placed with the carer;
 - annual review reports;
 - updated statutory checks; and

- a record of any information disclosed and to whom.
- The records for each carer should specifically include:
 - the carer's address and date of birth;
 - the name, address and for example number of the carer's next of kin, or of any person authorised to act on the carer's behalf;
 - the date when the service was first provided to the carer;
 - incidents detrimental to the carer's health or welfare;
 - any complaints by the carer about the service, with the outcome of the complaint and any action taken; and
 - where applicable, details of the death of the carer.
 - a chronology of significant events

iv. Complaints

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, formal complaints records are held centrally. Records of complaints/ allegations are held within the Family Placement Team in significant incident records. Carers' files hold details of complaints/ allegations/ incidents.</p>

v. Investigations (both internal and external)

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p>

Period 1996 to 2014

In South Lanarkshire Council these records are kept in children's files in locality offices or in foster care files in the Family Placement Team.

- vi. Responding to requests from former children in foster care for information/records

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In South Lanarkshire Council this information will be contained in the files of the young people/adults and held in locality offices.

Part D – Abuse and Response

The questions in Part D should be answered in respect of abuse or alleged abuse relating to the time frame 1930 to 17 December 2014 only.

5. Abuse**5.1 Nature**

- a) What was the nature of abuse and/or alleged abuse of children in foster care, for example, sexual abuse, physical abuse, emotional abuse?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

During the period of South Lanarkshire Council's existence, investigations took place into children in foster care being subject to physical abuse, neglect, emotional abuse and sexual abuse from other children placed in the foster carers home.

5.2 Extent

- a) What is the local authority's assessment of the scale and extent of abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

South Lanarkshire Council's Social Work Resources identified 125 children/family groups, who made allegation/complaints of abuse. The allegations/complaints were made against 62 couple foster carers and singleton foster carers. From the records available, no foster carers have been convicted of abuse. Four foster carers admitted to abuse (two of which were neglect – leaving young children in cars unattended and two of which were physical abuse – slapping/smacking children).

Of the 156 children reviewed, only 84 case files were available for interrogation. Of these 84 cases:

- 11 were investigated under Child Protection Procedures with the police
- 1 was dealt with via a Child Protection Planning Meeting
- 2 were dealt with through a planning meeting
- 1 was investigated by local social work staff
- 2 were investigated by local social work staff and Family Placement staff
- 11 were dealt with by local social work staff
- 1 was dealt with through a disruption meeting
- 1 was dealt with by the police
- 3 were dealt with through discussion with the foster carer

- 2 were risked assessed
- 5 were not applicable
- 1 had a letter sent to the young person
- 2 were not investigated
- 4 are not known about
- 37 had no allegation held within

b) What is the basis of that assessment?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council based this assessment on the review of 181 foster care files and 84 children's files.

c) How many complaints have been made in relation to alleged abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

The number of alleged allegations and complaints during the period of South Lanarkshire Council is 181.

- d) Against how many foster carers have the complaints referred to at (c) above been made?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 The number of foster carers that alleged abuse/complaints have been made against during the existence of South Lanarkshire Council is, 62 couple foster carers and singleton carers</p>

- e) How many foster carers have been convicted of, or admitted to, abuse of children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>1996 to 2014 Investigation of South Lanarkshire Council records available, indicate that no foster carers have been convicted of abuse. Four foster carers admitted to abuse (two of which were neglect – leaving young children in cars unattended and two of which were physical abuse – slapping/smacking children). (See appendix 35.)</p>

- f) How many foster carers have been found by the local authority to have abused children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, there are cases where suspicions or allegations of abuse have informed risk assessments and decision making about foster carer continued registration, but there is no evidence of any formal findings. (See appendix 35.)</p>

- g) Against how many family members of foster carers have complaints been made in relation to alleged abuse of children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 The number of family members of foster carer where complaints have been made in relation to alleged abuse of children during the period of South Lanarkshire Councils existence is 9. (See appendix 35.)</p>

- h) How many family members of foster carers have been convicted of, or admitted to abuse of children?

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

No family members of foster carers have been convicted of, or admitted, to the abuse of children during the period of South Lanarkshire Council's existence.

(See appendix 35.)

- i) How many family members of foster carers have been found by the local authority to have abused children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, there are cases where suspicions or allegations of abuse have informed risk assessments and decision making about foster carer continued registration, but there is no evidence of any formal findings.

(See appendix 35.)

- j) Against how many other children placed in foster care in the same placement have complaints been made in relation to the alleged abuse of children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, 22 children placed in foster care in the same placement have had complaints made against them in relation to the alleged abuse of children.

- k) How many other children placed in foster care in the same placement have been convicted of, or admitted to abuse of children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 1996

During the period of South Lanarkshire Council's existence, no children placed in foster care in the same placement have been convicted and two admitted to the abuse of children.
(See appendix 35.)

- l) How many other children placed in foster care in the same placement have been found by the local authority to have abused children?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

In the period of South Lanarkshire Council's existence two children in foster care in the same placement have been found by the local authority to have abused children. In addition, there are cases where suspicions or allegations of abuse have informed risk assessments and decision making about a child remaining in a particular foster care placement.
(See appendix 35.)

5.3 Timing of Disclosure/Complaint

- a) When were disclosures and complaints of abuse and/or alleged abuse of children in foster care made to the local authority?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, the majority of complaints and/or alleged abuse were recent.
(See appendix 35.)

- b) To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council, with the exception of six, all other complaints and disclosures made were either ongoing or recent.
(See appendix 35.)

- c) To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, six complaints were made many years after the alleged abuse.
(See appendix 35.)

- d) Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

On reviewing the disclosure of abuse or alleged abuse, during the time of South Lanarkshire Council's existence, the majority of timing/disclosures were recent and in relation to allegations of physical and/or emotional abuse.
(See appendix 35.)

5.4. External Inspections

- a) What external inspections have been conducted relating to children in foster care which considered issues relating to abuse and/or alleged abuse of children?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, there have been no external inspections conducted relating to child in foster care which considered issues relating to abuse and/or alleged abuse of children.

For each such external inspection please answer the following:

- b) Who conducted the inspection?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

c) Why was the inspection conducted?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

d) When was the inspection conducted?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

e) What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

- f) What was the local authority's response to the inspection and its outcome?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

- g) Were recommendations made following the inspection?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

h) If so, what were the recommendations and were they implemented?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

i) If recommendations were not implemented, why not?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

5.5 External Investigations

a) What external investigations have been conducted relating to children in foster care which have considered issues relating to abuse and/or alleged abuse of children?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 In South Lanarkshire Council, from the records available, the Police were involved in relation to 18 allegations of abuse. (See appendix 35.)</p>

For each such external investigation please answer the following:

b) Who conducted the investigation?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 1975 In South Lanarkshire Council, the Police and Social Work jointly investigated the allegations. (See appendix 35.)</p>

c) Why was the investigation conducted?

Response
<p>Period 1930 to 1975</p>

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During South Lanarkshire Council's existence allegations of abuse were made and following consultation with Police, agreement was reached that allegations required to be jointly investigated by Police and Social Work.
(See appendix 35).

d) When was the investigation conducted?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, with the exception of one investigation, which related to allegations of abuse from many years ago, the rest were investigated at the time.
(See appendix 35.)

e) What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children in foster care?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

From the records available, within South Lanarkshire Council, the outcomes recorded are no further action, either by the Police or Procurator Fiscal. (See appendix 35.)

- f) What was the local authority's response to the investigation and its outcome?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Councils Social Work Resources was jointly involved in the investigations with Police. There is evidence of children being removed from placement following risk assessments being undertaken. There is evidence of safe care plans being reviewed and of additional supports and monitoring being provided to foster carers. Foster carer reviews were held to consider foster carers' registrations and foster carers' registrations were reviewed by Fostering Panels, which led to three foster carers being deregistered. (Appendix 35.)

- g) Were recommendations made following the investigation?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Councils Social Work Resources was jointly involved in the investigations with Police. There is evidence of children being removed from placement following risk assessments being undertaken. There is evidence of safe care plans being reviewed and of additional supports and monitoring being provided to foster carers. Foster carer reviews were held to consider foster carers' registrations and foster carers' registrations were reviewed by Fostering Panels, which led to three foster carers being deregistered.
(Appendix 35.)

h) If so, what were the recommendations and were they implemented?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Please see response for 5.4 f) for the recommendations which were implemented.
(See appendix 35.).

i) If recommendations were not implemented, why not?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material

used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

Not applicable.

5.6 Response to External Inspections/Investigations

- a) 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?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

External Inspections

In South Lanarkshire Council, there is no evidence of external inspections relating to abuse and/or alleged abuse of children in foster care, however during this time period the local authority was subject to general social work inspections and following the introduction of the Care Commission/Inspectorate, was subject to inspections by the them.

External Investigations

Child Protection Procedures and Fostering Procedures and Practice Guidance were followed where allegations were made.

- b) What was the local authority's procedure/process for responding to the outcomes of such external inspections and/or investigations?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Please see response for 5.6 a) above.</p>

- c) What was the local authority's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 Please see response for 5.6 a) above.</p>

5.7 Impact

- a) What is known about the impact of abuse on those children in foster care who were abused, or alleged to have been abused?

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

During the period of South Lanarkshire Council's existence, a number of differing impacts were discovered in relation to children who were alleged to have been abused whilst in foster care. The records indicate that two children in foster care committed suicide after leaving care. One child attempted self-harm whilst in foster care. Other files looked at advised that children were unhappy in placement, some went on to have long-term input with social work services and one had health issues. Some children who alleged abuse remained in placement and were settled. There were a number of cases where this information could not be specified.

(Please see appendix 36.)

- b) Where does the local authority's knowledge/assessment of that impact come from?

Response**Period 1930 to 1975**

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014

South Lanarkshire Council's knowledge and assessment of the impact of abuse or alleged abuse comes from reviewing the case files of children and the files of foster carers.

(Please see appendix 35. and 36.)

- c) What is known about the impact of abuse on the families of those children in foster care who were abused, or alleged to have been abused?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Councils review of case files for children who were abused in care, or were alleged to have been abused, did not highlight significant information on the impact of abuse on the families. Other than a few notes indicating that parents were worried or upset, no firmer details can be provided.</p>

- d) Where does the local authority's knowledge/assessment of that impact come from?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996 Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.</p> <p>Period 1996 to 2014 South Lanarkshire Council's knowledge and assessment of the impact of abuse or alleged abuse on the families comes from reviewing the case files of children. (Please see appendix 35. and 36.)</p>

5.8 Known Abusers and Alleged Abusers

- a) Does the local authority know of specific abusers, or alleged abusers, of children in foster care?

Response
See Appendix A.

- b) If so, what are the names of the abusers, and/or alleged abusers?

Response
See Appendix A.

- c) For each of these persons, please provide as much as possible of the following information:
- the period (dates) during which they are known or alleged to have abused children in foster care

Response
See Appendix A.

- if they were foster carers, or if not, their relationship with the foster carers or what other role they had during the period of abuse and/or alleged abuse

Response
See Appendix A.

- the knowledge sought or received about them by the local authority at the point of approval/registration of foster carers and thereafter

Response
See Appendix A.

- any information (including regarding abuse or alleged abuse) sought by, or provided to, third parties or future employers at any point after the allegation of abuse was made,

Response

See Appendix A.

- d) Were known abusers, or alleged abusers, of children permitted to continue as foster carers?

Response

See Appendix A.

- e) If so, why was this considered to be appropriate?

Response

See Appendix A.

- f) If so, what process of monitoring/supervision followed?

Response

See Appendix A.

5.9 Specific Complaints

- a. How many specific complaints of abuse of children in foster care have been made to the local authority?

Response

See Appendix A.

For each specific complaint, please answer the following:

- b. Who made the complaint?

Response

See Appendix A.

- c. When was the complaint made?

Response

See Appendix A.

d. Against whom was the complaint made?

Response

See Appendix A.

e. What was the nature of the complaint?

Response

See Appendix A.

f. When/over what period was the abuse alleged to have taken place?

Response

See Appendix A.

g. What was the local authority's process and approach in dealing with the complaint?

Response

See Appendix A.

h. What was the local authority's process and approach for investigating the complaint?

Response

See Appendix A.

i. What was the outcome of the complaint following that investigation?

Response

See Appendix A.

j. Did the local authority provide a specific response to the complaint?

Response

See Appendix A.

- k. If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?

Response
See Appendix A.

- l. If there was no response, why not?

Response
See Appendix A.

- m. Was the information/content of the complaint passed to police?

Response
See Appendix A.

- n. If not, why not?

Response
See Appendix A.

5.10 Civil Actions

- a) How many civil actions have been brought against local authority relating to abuse, or alleged abuse, of children in foster care?

Response
See Appendix A.

For each such civil action, please answer the following:

- b) Who brought the action?

Response
See Appendix A.

c) When was the action brought?

Response
See Appendix A.

d) Against whom was the action brought?

Response
See Appendix A.

e) What was the nature of the abuse, or alleged abuse, to which the action related?

Response
See Appendix A.

f) What were the names of the persons said to have, or alleged to have, committed abuse?

Response
See Appendix A.

g) When/over what period was the abuse said, or alleged, to have taken place?

Response
See Appendix A.

h) How did the action progress?

Response
See Appendix A.

i) What was the outcome?

Response
See Appendix A.

j) Was the action settled on a conditional basis of confidentiality?

Response
See Appendix A.

k) Who was/were the local authority's legal representative(s) in relation to the civil action?

Response
See Appendix A.

l) Did the local authority carry insurance for meeting civil claims at the time the action was live?

Response
See Appendix A.

m) How/where can copies of the court papers relating to the civil action be made available to the Inquiry?

Response
See Appendix A.

5.11 Criminal Injuries Compensation Awards

a) Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for in foster care?

Response
<p>Period 1930 to 1975 Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.</p> <p>Period 1975 to 1996</p>

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

1996 to 2014

South Lanarkshire Council is not aware of any criminal injuries compensation awards being granted in respect of abuse, alleged abuse of children cared for in foster care.

b) If so, please provide details if known.

Response

Period 1930 to 1975

Information not known. Examination of the County Council of the County of Lanark signed minutes from 1934 to December 1959, as well as reference to material used for previous Section 21 Notices, did not uncover any information on this matter.

Period 1975 to 1996

Information not known. Examination of the minutes of Strathclyde Regional Council from 1975 to 1982, as well as reference to material used for previous Section 21 Notices, did not uncover information on this matter.

Period 1996 to 2014.

Not applicable.

5.12 Police

a) How many complaints of abuse of children in foster care have been made to the police?

Response

See Appendix B.

In relation to each known complaint to the police, please answer the following questions:

b) Who was the alleged abuser or abuser?

Response

See Appendix B.

c) Did the police conduct an investigation in relation to the complaint?

Response
See Appendix B.

d) If so, who conducted the investigation and when?

Response
See Appendix B.

e) What was the outcome of the police investigation?

Response
See Appendix B.

f) What was the organisation/establishment's response?

Response
See Appendix B.

5.13 Crown

a) To what extent has the Crown raised proceedings in respect of allegations of abuse of children in foster care?

Response
See Appendix B.

In relation to each time the Crown has raised proceedings, please answer the following questions:

- b) What is the name of the person(s) against whom the proceedings were raised?

Response
See Appendix B.

- c) What was the nature of the charges?

Response
See Appendix B.

- d) What was the outcome of the proceedings, including disposal/sentence if there was a conviction?

Response
See Appendix B.

- e) What was the local authority's response to the proceedings and outcome?

Response
See Appendix B.