

## **The Dowans Report**

### **Part A - Background**

The majority of the questions have been approached in terms of two distinct time periods during which the establishment operated:

**The Orphanage Years** – 29 August 1953 to 1963, during which period the establishment formed part of the Orphanage and operated as a residential nursery and nursery school of the Orphanage; and

**The Group Home Years** – 1963 to 1970, during which period the establishment operated as a group home.

Throughout this report references to each time period shall be to the “Orphanage Years” and the “Group Home Years” as identified and explained above.

The establishment was operational between 29 August 1953 and 1970. The information in this report relates to the period August 1953 to 1970 unless stated otherwise.

During the Orphanage Years the establishment operated as a nursery school as well as providing residential care for nursery age children. The information in this report is provided in relation to the residential activities and services of the establishment only.

The information contained within this report is based on an investigation of the organisation's records between 1953 and 17 December 2014. The records reviewed include the minutes of meetings of the organisation's governing body and relevant management committees; HR records but please note, specific HR records for employees working at the establishment are not available for the period during which the establishment was operational (please note that HR records are not generally retained for longer than seven years); and individual case records of residential service users have also been examined where specific allegations or complaints of abuse involving those service users have been made.

The organisation has access to extensive records within its archives, including individual child records. It is likely to be possible to locate and review individual child records if specific allegations are raised.

### **1.2 Funding of Establishment**

#### **Past**

#### **i. How was the provision of residential care for children at the establishment funded?**

The establishment's operations and activities relating to the residential care of children were funded by:

- a) charitable donations and legacies;
- b) investment income of the organisation which was allocated to the establishment;
- c) contributions to the maintenance costs of a child from the local authorities placing that child at the establishment; and
- d) contributions to the maintenance costs of a child from the parent of that child who had placed the child at the establishment.

#### **ii. Was the funding adequate to properly care for the children?**

Yes, the establishment was part of the Orphanage which was well placed to provide a suitable residence and additional facilities (e.g. a swimming pool, day nursery school, laundry and clothing and shoe repair facilities), nutrition, additional activities (including sports classes, social clubs and holidays), healthcare, pocket money and clothing.

iii. **If not, why not?**

See response above.

iv. **What state support did it receive?**

The establishment received a basic contribution to the maintenance costs of children placed in its care by local authorities. This was based on standard costs and rates during this time.

There is no evidence of any additional state support received by the establishment.

### 1.3 **Legal Status of Establishment**

(b)

i. **What was the legal, statutory or other status of the establishment?**

The establishment did not have separate legal personality – it was an operation of the organisation.

The establishment formed part of the Orphanage (and was thus part of its registration as an establishment for residential child care) until it transitioned in full into a group home, at which time it would have been registered as an establishment for residential child care (a “children’s home”) with the secretary of state in accordance with statutory requirements (i.e. the Children Act 1948 and the Social Work (Scotland) Act 1968) during this period.

iii. **What was the legal basis which enabled the establishment to become responsible for managing the residential care of children?**

**Internal authorisation:**

The organisation's constitution as amended from time to time authorised the organisation to become responsible for the provision of residential care for children in Scotland and to operate the establishment. The purposes of the organisation as set out within its constitution from time to time are set out within Appendix 1.

**External authorisation:**

The organisation was originally authorised under the “Poor Laws” to provide residential care for children in Scotland.

Following the introduction of legislation such as The Children and Young Persons (Scotland) Act 1937 and The Children Act 1948, the responsibility of local authorities for providing residential care to children was formalised. Under this legislation (and later legislation such as the Social Work (Scotland) Act 1968)) local authorities could meet their duty by engaging voluntary organisations (such as the organisation) to provide residential care to children.

By referring children to the care of the organisation, the local authorities authorised the organisation to become responsible for the provision of residential care for those children

As explained above, the establishment was registered as an establishment for residential child care with the Secretary of State in accordance with statutory requirements during this period

These were the legal bases on which the establishment was authorised to become responsible for managing the residential care of children.

**iv. Please give details of any legal and/or regulatory requirements that applied in respect of children in its care?**

From 1948 (under the Children Act 1948) every residential child care facility was required to: a) be registered with the relevant body (the Secretary of State or, as of 1968, a relevant local authority); b) meet certain standards in relation to that registration as set out within the relevant legislation, as directed by the relevant body or as set out in additional regulations; and c) be subject to inspections by the relevant body.

During its operational period the establishment (as part of the Orphanage) was registered with the Secretary of State and the Secretary of State inspected the establishment (in connection with its inspection of the Orphanage) from time to time. From 1968 the establishment's registration with the Secretary of State transferred to the local authority in which it operated and inspection rights fell to the local authority.

The organisation was also obliged to ensure the establishment complied with any regulations made by the Secretary of State regarding the conduct of voluntary homes (for example, the Children (Boarding-Out Etc.) (Scotland) Rules and Regulations 1947 and the Administration of Children's Homes (Scotland) Regulations 1959).

#### **1.4 Legal Responsibility**

(b)

**i. Did the establishment, or those in charge of the establishment, have any separate legal responsibility (separate from the organisation) for children in its care?**

The establishment did not have any separate legal responsibility for children in its care. The establishment did not have separate legal personality and any legal rights and responsibilities would have rested with the organisation as a whole.

Please note, permission was sought from the relevant local authority prior to any child within the establishment attending any event or activity for which the child required permission to do so (e.g. trips or excursions, holidays with family members, operations, etc.).

**ii. If so, what was the nature of that responsibility?**

The establishment did not have any separate responsibility.

#### **1.5 Ethos**

(a)

**iii. What was the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there?**

There are no current employees who can describe the establishment's function, ethos and mission and the following comments are based on a review of historic records.

**Function:** the organisation saw the establishment's function as the provision of the following services to children placed within it: residential care; food and nutrition; health and dental care; education; and support and encouragement.

**Ethos:** the organisation's ethos has always been to operate in the best interests of the children resident with it. Historic records suggest that the organisation saw the establishment as having a family-focused ethos, welcoming all children who required a home and providing not only for their physical needs, but also for their emotional needs – the provision of love and family.

**Mission:** the organisation's mission at this time was to provide for a need in Scotland – the need for residential care for children who could no longer live with their families/guardians. The organisation saw this, along with the provision of a place for these children to belong and flourish, as the establishment's mission.

**vi. What, if any, changes were there over time to the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there?**

The establishment was initially opened as a nursery school, providing residential care and nursery schooling to children under five years old resident at the Orphanage. In 1963 the establishment transitioned into a mixed age and gender group home, in accordance with the organisation's service changes during this period. For this purpose its function changed from nursery provision to group home care.

By way of background, in the early 1960s the organisation transitioned its care services from one large establishment to a number of smaller establishments; intended to create a family-home environment and setting. This change was in response to external recommendations (national policy and local authority) and internal recommendations regarding the provision of residential childcare. The intention was to provide children requiring residential childcare with a family environment and to allow children from the same biological family to reside together in the same home.

In April 2017 the organisation provided to the Inquiry, in response to a request made on 17 March 2017, copies of documentary evidence of the development of the organisation's residential model. These documents will provide additional information about the way in which the organisation's (and therefore the establishment's) function changed over time.

**vii. When and why did any such changes come into effect?**

**Function:** the organisation has always seen its function as providing care and support for children in need.

In the Orphanage Years the organisation saw this function as being met through the provision of one large residential establishment. In the Group Home Years the organisation saw this function as being better met by the provision of a number of smaller "family-style" group homes – this is why there was a change in the establishment's function in 1963.

(b)

**i. What child care services were provided at the establishment?**

In the Orphanage Years the establishment provided residential care for children under five years of age (including the provision of meals, clothing and laundry services and health and dental care). The organisation also provided education at the nursery school

and leisure activities for children (e.g. dance classes, playing fields, indoor games, etc.).

From 1963 when the establishment transitioned to a group home, the establishment provided residential care for children in a family home environment which included the provision of residential accommodation; meals; clothing and laundry provision; health and dental care (or at least the sourcing of such services); and parental/family support from the staff at the establishment (including support for a child's future career/life).

Children were also encouraged to take part in external activities (for example clubs, community activities, school trips, sports clubs and trips, etc.) and their involvement in such activities was facilitated by staff at the establishment and often funded by the organisation.

**ii. Did the establishment care for children of both sexes?**

Yes.

**iii. What was the thinking behind any single sex policy?**

The establishment cared for children of both sexes.

**iv. Please provide details of any special child care, or child protection measures, taken in the light of that policy?**

The establishment cared for children of both sexes.

**v. What was the daily routine for boys/girls?**

Limited information is available about the practical routine of the children cared for at the establishment but historic records show the children's routine in the Orphanage in general included dressing and washing (bathing), attending nursery school on standard school days (Monday to Friday) and meals which included breakfast, dinner and supper.

The children also had leisure time during which they played outdoors or indoors within the communal areas. The children were encouraged to play outdoors as this was seen as beneficial for their health.

Within the Orphanage there were often sporting activities and classes arranged for the evenings (e.g. dance classes, boxing lessons, Brownies, Scouts, etc.) and movies were shown in the communal areas from time to time, however, it is not clear from the historic records to what extent these activities were available to the residents of the establishment during the Orphanage Years given they would have been very young children.

In terms of when the establishment operated as a group home, there is limited information about the practical routine of the children cared for at the establishment but historic records demonstrate that the intention was to operate the establishment as closely to a standard family life environment as possible.

This involved ordinary dressing and washing routines and getting ready for bed in the way a family would ordinarily do so, attending school on standard school days (e.g. Monday to Friday), eating meals together in a family environment and interacting with the other children and the houseparents in a family manner.

**vi. What were the on-site activities for children at the establishment?**

On-site activities during the Orphanage Years included:

- a) nursery school;
- b) meals;
- c) playing fields and sporting equipment;
- d) classes and activities arranged by the Orphanage (e.g. dance classes, boxing lessons, Brownies, Scouts, etc.) to the extent that the very young children resident at the establishment would have attended these;
- e) leisure activities (swimming, playing indoors and outdoors); and
- f) church.

In terms of when the establishment operated as a group home, there is limited information about the practical operations of on-site activities but the children appear to have had access to activities which would ordinarily be available to children in a family environment, for example, games (indoor and outdoor), help with homework and some sports equipment (e.g. footballs, skipping ropes, bicycles, etc.).

**vii. What were the off-site activities for them?**

During the Orphanage Years, the children were taken on annual holidays and trips and outings. The children were also encouraged to take advantage of the countryside surrounding the establishment by playing outdoors.

In terms of when the establishment operated as a group home, there is limited information about the practical operations of off-site activities but the children attended local schools and were taken on annual holidays and trips and outings.

The children were also encouraged to take part in external activities such as school trips, joining sports or social clubs in the community (e.g. Scouts or athletics clubs, etc.) and the older children were able to take part in activities such as visiting the local shops, cinemas, friends, etc.

**viii. Did children work manually, either at the establishment, or externally (e.g. farming work or other labour), or both?**

Children resident at the establishment during the Orphanage Years did not work manually.

In terms of when the establishment operated as a group home, to the extent that they were able and old enough to do so, the children would have assisted with cleaning the establishment in the context of a family environment – i.e. “everyone doing their part” – taking turns to clean the dishes and keeping their own bedrooms tidy.

There were domestic staff who undertook most of the cleaning duties.

Young people of working age may have had a part time or full time job for a period prior to moving out of the establishment. These were external employment opportunities for which the relevant young person would enter into an employment contract and be paid. The young person's wages would remain their own and the establishment staff encouraged children to budget and to save and invest the money they received.

## **1.6 Numbers**

(b)

**Past**

**i. How many children did the establishment accommodate at a time?**



During the Orphanage Years the establishment (operating as a nursery) could accommodate around twenty children at a time.

The organisation's records regarding the number of children in residence at the establishment provide the number of children in residence at the Orphanage as a whole; rather than separately providing the number of children resident at the establishment. For this reason, the average residential figures cannot be provided for the entirety of the establishment's operational period. In the last few years of the establishment's operations as a nursery, the number of children accommodated at the establishment was around fourteen to twenty.

The residential figures for the Orphanage have already been provided in response to a previous s21 Notice.

In line with the residential numbers at the Orphanage the organisation believes that the numbers resident at the establishment would have varied year to year.

**ii. Did this change, and if so, what were the reasons?**

From 1962 the establishment transitioned to operate, in part at first, as a group home, accommodating around ten to fourteen nursery aged children (age 2-5) and around ten children in a group home set-up (aged around 5-9) at a time.

The number of children decreased in the late part of the 1960s. The demand for the services provided by the establishment did not merit retaining it and for this reason the establishment did not take in any more children and closed.

**iii. How many children in total were cared for at the establishment?**

It is not possible to confirm the exact numbers of children cared for at the establishment over its operative period. The organisation holds records of each child cared for by the organisation but these records are not linked to the establishment in which children were resident.

**iv. What accommodation was provided for the children?**

In the Orphanage, the children slept in dormitories and the establishment had communal areas in which the children could play, gather and relax, including a conservatory and playrooms. The children ate their meals in the communal areas of the establishment.

When the establishment started to transition into a group home, a wing of the building was used as a group home. There is limited information within the organisation's historic records about the nature of the accommodation provided to children and no further information can be provided in this regard.

**v. How many children occupied a bedroom/dormitory/house?**

The exact number of children accommodated in each dormitory or bedroom within the establishment cannot be provided.

## **1.7 Children's Background/Experience**

**i. Did the children admitted to the establishment generally have a shared background and/or shared experiences?**

The establishment received a wide range of children and these children had varied backgrounds and experiences.

**ii. Were children admitted into the care of the organisation as a whole, or were they admitted into the care of the establishment?**

The organisation's establishments did not have legal personality therefore any arrangement with a local authority or parent/guardian for the care of a child by the organisation was with the organisation as a whole.

For this reason, children were admitted into the care of the organisation as a whole although the intention may always have been for their care to be undertaken by a particular establishment.

**iii. If children were admitted into the care of the organisation, did the organisation decide which establishment they would be admitted into?**

Admission of a child into the care of the organisation, including into which establishment the child would be admitted, was discussed with the local authority or parent/guardian responsible for the child and any associated care team (e.g. social workers, therapist, etc.) and was agreed by all parties prior to the child's placement.

**iv. Who placed children with the organisation?**

**The Orphanage Years:** local authorities and/or parents/guardians. As explained above, to a limited extent prior to 1948 children may have been placed with the organisation on a less structured basis.

**The Group Home Years:** local authorities and/or parents/guardians.

**v. From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the organisation/establishment receive children mainly from the Children's Hearing system?**

The establishment was not operational after 1970.

**vi. If not, how generally did children come to be admitted into the care of the establishment?**

The establishment was not operational after 1970.

**vii. Was there a gender or other admission policy or practice operated by the establishment?**

The organisation did not operate a gender admission policy. The ethos of the organisation was that "all would be welcome".

**The Orphanage Years:** during this period the establishment operated as a nursery and therefore only children under five years old were admitted.

During this time there was some concern within the organisation that local authorities were placing children within the Orphanage who could not be placed by the local authority elsewhere due to behavioural difficulties, difficult past experiences, disabilities or learning difficulties. At this time the Orphanage (including the establishment) was not equipped to provide for these children. The organisation did not operate a strict policy on admission which took account of these issues but operated a practice of allowing the child to be placed within the establishment for a trial period to assess whether it was a suitable environment for the child. If the



placement was not suitable the establishment would advise the local authority that the child would have to be placed elsewhere (in a more appropriate environment).

During the later Orphanage Years the organisation developed classes within the Orphanage School specifically designed for children with learning difficulties and sought to provide a home for these children within the Orphanage.

There is no evidence of any other admission policies and practices (formal or otherwise) operated by the organisation during this time.

**The Group Home Years:** there is no evidence of any admission policies or practices (formal or otherwise) operated by the organisation during this time.

**viii. What was the policy/procedure and practice regarding admission of siblings?**

The organisation has always sought to retain sibling groups.

**The Orphanage Years:** historic records show that the organisation sought to offer placements within the establishment to sibling groups in order to retain the family unit.

For the majority of the period for which the establishment operated, children were divided into groups based on age and gender within the establishment. This meant that sibling groups would have been unlikely to have lived within the same "House" within the establishment.

**The Group Home Years:** one of the key aims of transitioning the organisation from one establishment to a small group home structure was to replicate family environments. For this reason, families who were placed with the organisation would generally have been placed within the same group home unless there were reasons not to do so. Within the children's files reviewed for the purposes of drafting this Report there were no examples of families not being placed together.

**ix. How long did children typically remain in the care of the establishment?**

There is no typical length of time a child would spend in the care of the organisation. The length of time spent with the organisation would depend on the particular circumstances of the child in question.

Throughout its history children have been admitted to the organisation's care on both short term and long term bases.

**The Orphanage Years and the Group Home Years:** children could be admitted to the care of the organisation at any age (usually over 2 years old) and would not ordinarily reside with the organisation after reaching the relevant leaving age; school leaving age during the Orphanage Years and 17 or 18 during the Group Home Years (which age changed in accordance with local policy over the years).

During the Orphanage Years (the period in which the establishment operated as a nursery school) children usually only resided within the establishment until reaching 5 years of age, at which time they would transfer into a suitable house within the Orphanage.

During the Group Home Years, children often remained within the group homes after leaving school and after obtaining a job or further education. The young person would then usually move on at age 17 or 18 to adult services or accommodation.

The organisation did provide a range of after care options for children who had been resident in the Orphanage and group homes, including allowing individuals who had

left the care of the organisation to return to an organisation establishment for holidays or if that individual was unable to source a new place to stay.

**x. Were children moved between different establishments run by the organisation?**

The organisation's general practice has been to avoid moving children between establishments so far as possible. On rare occasions children may have been moved between establishments.

During the Orphanage Years, the establishment did not consider the establishment as separate from the Orphanage but rather a part of its operations.

**xi. If so, in what circumstances?**

**The Orphanage Years:** children moved from within the nursery (the "establishment" under this Report) into the houses within the Orphanage when they reached five years of age.

Prior to the closure of the transition of the establishment from a nursery into a group home, the children resident within the establishment were transitioned into group homes or the Orphanage.

During the early operation of the group home structure children were often received into the Orphanage for a very short period (e.g. one day) when first placed with the organisation and then placed within the group home (including the establishment operating as a group home) in which they would reside for the duration of their time with the organisation.

**The Group Home Years:** children were rarely moved between establishments.

In the early years of the operation of the group home structure children were initially received into the organisation's reception centre prior to their placement within the group home in which they would stay for the duration of their time with the organisation, unless the child was placed within the reception centre for the purposes of respite or short term care, in which case that child would not be placed within a group home.

The time spent in the reception centre would have been limited.

The reasons for moving children between establishments would have included, for example: where an establishment was closing and the children were to be cared for in a different location; where family relations were such that a child had to be moved to a different location to avoid contact; or where a child was not settling within the family environment in a certain establishment and it was thought best to try a different establishment with a view to arriving at a better fit.

**xiii. What provision was made for contact between siblings while siblings were at the establishment?**

**The Orphanage Years:** historic records demonstrate that the organisation sought to maintain family groupings and would prefer to take all siblings from a family into the establishment rather than these children separating into different residential organisations.

Nursery age children accommodated at the establishment would have been in direct contact as all were accommodated in the same residence. If siblings were older than five years of age, those siblings would have been accommodated separately within the Orphanage which meant brothers and sisters would not have slept in the same

accommodation, eaten meals together nor spent time within the same communal areas.

Brothers and sisters would have had contact with each other at Church or when outwith the establishment during leisure time.

There is limited evidence of any official efforts which were made to enable siblings to have contact within the establishment, however, historic photographs exist which show siblings together (a copy of one such photograph has been provided to the Inquiry), suggesting effort was made to encourage sibling contact.

**Group Home Years:** from 1963 when the establishment transitioned into a group home, siblings would generally have been placed at the same establishment unless the placing local authority had requested otherwise.

As the establishment operated as a small family home unit, there was ongoing and regular contact between siblings. There was no need to specifically provide for contact to occur as this would happen naturally within the small environment.

**xiv. What provision was made for contact between children and their parents and wider family while children were at the establishment?**

Where appropriate, contact between children resident at the establishment and their parents and wider family occurred unless such contact was damaging to the child.

Contact would have differed on a case by case basis. Historic records reveal that some children did not have parents or wider family willing or able to make contact with the children.

Those family and parents who were in contact with the children would write to and receive letters from the children, bring or send presents to the children, visit the children and from time to time take them on trips, days out or holidays. Some children also returned to live with their families for short periods at a time.

The extent of contact between a child and their parents and wider family may have been limited in agreement with the relevant local authority with responsibility for the child on the basis that it was considered detrimental to the child. This would have been of particular significance in cases where the child was removed from their parents' care on the basis of a court order related to abuse of, or danger to, the child.

**xv. What provision was made for information sharing/updates about the children to their parents?**

This would generally have been a matter for the local authority team responsible for a child placed with the establishment by that local authority.

In some circumstances a parent may still have contacted the establishment directly and, with the local authority's permission, the establishment would have shared information about that child with that parent (to the extent it would have been appropriate to do so in the circumstances).

During the Orphanage Years there is no evidence of a formal update system within the establishment although one may have been in place between parents and the local authorities. Generally parents contacted the establishment asking for information about their child in which case the establishment provided this unless it was prohibited from doing so by the relevant local authority or in the interests of the child in question.

During later years (i.e. following transition of the establishment into a group home), local authorities operated formal information sharing/update systems with parents/families. Arrangements would have been in place for regular updates and meetings with the local authority regarding each child in the organisation's care. Regular reporting, reviews and updates were conducted by the relevant social workers within the local authority. Such reviews and reports formed the basis of the information provided to parents and wider family by the local authority.

**xvi. What provision was made for information sharing/updates about parents to their children?**

There is limited evidence about the information shared about parents with the children resident at the establishment.

Again this would primarily have been a matter for the relevant local authority responsible for the child in question. No comment is made on the local authorities' practices in this regard.

Based on practice during this time period, limited information would have been given to children about their parents unless the children specifically asked for it as during the establishment's operational period it was considered unnecessary and inappropriate to burden children with the details of their parents' lives. Principles of transparency and taking account of children's views were not fully developed in Scotland during the establishment's operational period (a statutory requirement to take account of a child's wishes was only introduced by the Children Act 1975).

The main focus was on providing a safe and stable environment for those children – stability in particular being considered at risk if too much was shared with children about their parents.

The organisation's culture suggests that if a child had asked about their parents they would have been told about them (if it were appropriate to do so – even today it is not always considered appropriate to tell a child everything about their parents). There is no evidence of the establishment withholding unnecessarily information about a child's parents.

Where there was regular contact between parents and the children (e.g. letters, visits) children had an opportunity to share information directly with their parents. This contact had to be instigated by parents.

**xvii. What provision was made for the celebration of children's birthdays, Christmas and other special occasions?**

**The Orphanage Years:** the establishment staff sought to make Christmas a memorable celebration for the children and special arrangements were made in terms of celebrations, food and gifts for the children. The establishment also ran an annual Christmas pantomime and Christmas party.

Birthdays were also celebrated within the establishment and the children were allowed to pick a birthday gift.

The children resident at the Orphanage were taken away on holiday for two weeks during the summer each year. It is not clear whether the very young children resident at the establishment were included in this.

**The Group Home Years:** the organisation has always endeavoured to operate a family environment and provide children in its care with a family atmosphere. For this

reason the aim was to celebrate birthdays, Christmas and special occasions as would be the case in an average family home.

The establishment staff sought to make Christmas a memorable family celebration for the children and arrangements were made in terms of celebrations, food and gifts for the children.

The children were taken away on holiday for two weeks during the summer each year.

**xviii. What was the process for review of children's continued residence at the establishment?**

There is limited information on the review process for most children as this was the responsibility of the local authority responsible for the child.

There were regular meetings/reviews with the local authorities responsible for the children resident at the establishment to discuss the progress and wellbeing of these children. Review of the need for a child's continued residence at the establishment would have been dealt with at such meetings/reviews.

In accordance with public policy at the time, the relevant local authorities would have been working on an ongoing basis to return children to their own families or make arrangements for foster or adoptive parents.

From time to time children left the establishment in order to return to their families (such returns were sometimes only for short periods before the children had to be removed again by the local authorities or upon the request of the children); to be boarded out with foster or adoptive parents (which was the local authorities' preferred option); or to move to a different care facility (perhaps which was closer to their family or which provided more specialised care for the child's specific needs).

**xix. What was the process for discharge of children leaving the establishment?**

If a child was leaving the organisation's care ahead of school leaving age, this would generally be upon the request of or following discussion with the relevant local authority.

In these circumstances the local authority would have arranged for the child's next place of residence (back to family, boarding out or moving to a different care establishment). The Orphanage generally carried out a further health check on the child and then discharged the child to the care of the local authority and for transport on to their next residence.

There is limited additional information generally about the discharge of children from the establishment. Such information is generally recorded on a case by case basis in an individual child's records. If information about a specific previous resident is sought and the name of that resident is provided, the organisation can review its records and, if the previous resident's file is still held by the organisation, provide a copy of the relevant file.

During the Orphanage Years children moved from the establishment into the main building of the Orphanage upon reaching school age.

During the Group Home Years if a child was leaving the organisation's care at leaving age (which is only relevant for the establishment after it transitioned to a group home) there is evidence that the organisation supported the young person with acquiring a job or further training opportunities, in consultation with the child and the relevant local authority.

When discharged from the establishment (and the organisation's care) the child would return to the care of the local authority who remained responsible for those children until they had reached the age of 18 years old.

**xx. What support was offered to children when they left the establishment?**

There was limited scope for ongoing after-care provision to children who had been discharged from the organisation for the purposes of a return to their parents/guardians or for placement elsewhere (another child care organisation, fostering or adoption), unless a child returned to the organisation's care at a later date.

As explained above, there is limited general information about the discharge of children from the establishment. Such information is generally recorded in an individual child's records. If information about a specific previous resident is sought and the name of that resident is provided, the organisation can review its records and, if the previous resident's file is still held by the organisation, provide a copy of the relevant file.

If a child was leaving at leaving age (which is only relevant to the establishment after it transitioned to a group home) there is evidence (based on practice at the Orphanage and within the organisation's group homes), that the support outlined below was offered by the establishment/organisation.

If information is sought as to the particular support which was offered to a specific child resident at the establishment, if provided with the name of the previous resident, the organisation can review its records and (if the relevant file is held by the organisation) provide a copy of that file.

***Procurement of suitable employment/training*** – the organisation took an active role in procuring employment opportunities for children leaving its care. In many situations, the organisation retained contact with both the former resident and the new employer/education institute for a period after the individual had left the organisation and continued to provide support, encouragement and counselling on an employment/education front.

References were also provided by the organisation for young people entering employment/training/further education and those operating the organisation often called upon their own contacts to seek potential employment opportunities for ex-residents.

There is evidence that, due to the family nature of the organisation's group homes, the staff working within group homes had an ongoing supportive relationship with most children leaving their group home.

***Financial support*** – the organisation discharged young people from its establishments with clothing and basic financial support. The organisation also often provided additional financial support to ex-residents by way of, for example, "pocket-money", payment towards education or residential costs (in order to make up a shortfall from the ex-resident's wages) and payment towards wedding expenses of female ex-residents.

***Respite/return*** – the organisation often provided for the return of ex-residents to the organisation's premises for holidays, respite care or where the individual was temporarily unemployed or without a residence.

There is no information about how (or if) this was provided for at the establishment or how this operated following closure of the Orphanage buildings.



During the establishment's operational period local authorities developed provision for young people who had nowhere else to go and the local authorities may have provided this support and service to ex-residents of the establishment directly.

**Legal assistance** – there are a number of references within historic records of the organisation providing ex-residents with assistance where the ex-resident was in legal trouble (for example, where an individual had been charged with shop-lifting, etc.).

**xxi. What information was sought by the organisation and/or establishment about what children leaving its care planned to go on to do?**

A child was not discharged from the establishment unless there was a plan in place for that child's future or unless the placement broke down – in which case the local authority would resume responsibility for the child.

The organisation did not have control over planning for those children who were removed from the establishment in order to return them to their families or for the purposes of a move to another care organisation, foster place or for adoption.

For those children leaving at leaving age (which is only relevant for the establishment after it transitioned to a group home), historic records suggest that enquiries were made as to suitable work/training/further education and residence for those children and assistance was provided to the children in acquiring these placements.

**xxii. Was such information retained and updated?**

Yes, unless a child was removed for the purposes of a return to their family or of moving to another care organisation, fostering or adoption, the organisation maintained contact with young people after they left the establishment for a period of time.

Such information is not generally accessible but will predominantly be retained within the individual case records of former residents of the establishment.

**xxiii. What was provided in terms of after-care for children/young people once they left the establishment?**

Please see the answer to question 1.7.xx above which sets out the support and after care provided to children/young people after they left the establishment.

## **1.8 Staff Background**

**(b)**

**i. How many persons were employed in some capacity at the establishment?**

The organisation no longer holds comprehensive employment records for the period in which the establishment was in operation and it is therefore not possible to confirm how many people were employed at the establishment.

The following were employed at the establishment during the Orphanage Years:

- a) a warden (with overall responsibility for the management and operation of the Orphanage);
- b) a lady superintendent and her depute (responsible for the girls wing of the Orphanage and for overseeing the cooking, cleaning and clothing/laundry provision within the Orphanage);

- c) a nursery head mistress and her child care staff and nursery teachers (responsible for the establishment);
- d) domestic staff who undertook cooking, cleaning and laundry, etc.;
- e) handymen and gardeners; and
- f) painters and other contractors.

Following the transition of the establishment to a group home, the organisation does not have clear records as to the staffing of the establishment but historic records suggest the establishment was operated by two houseparents (who lived in the establishment) assisted by additional houseparents and a member of domestic staff who undertook cleaning and laundry, etc.

The establishment may also have benefitted from the services of relief houseparents in the event of holidays or sickness of the resident houseparents.

**ii. How many of those persons had the opportunity of unaccompanied access to any children cared for at the establishment?**

As explained above the exact numbers of employees involved in child care work cannot be confirmed but the following had the opportunity of unaccompanied access to children:

- g) the warden;
- h) the lady superintendent and her depute; and
- i) the nursery head mistress and her child care staff and nursery teachers.

The domestic staff working within the organisation did not have specific child care duties but while carrying out their domestic duties, may have had contact with children in the establishment while those children were moving around the premises.

Following the transition of the establishment to a group home, the houseparents, any assistant or relief houseparents and the domestic staff member working at the establishment had the opportunity of unaccompanied access to children.

**iii. How many were involved in the provision of care to children accommodated at the establishment (child care workers)?**

As explained above, the exact numbers of employees involved in child care work cannot be confirmed but the following were involved in the provision of care to children:

- j) the warden;
- k) the lady superintendent and her depute; and
- l) the nursery head mistress and her child care staff and nursery teachers.

Following the transition of the establishment to a group home, as explained above the exact numbers of employees involved in child care work cannot be confirmed but the houseparents, any assistant houseparents and any relief houseparents were involved in the provision of care to the children accommodated at the establishment.

**iv. What experience and/or qualifications, if any, did the child care workers require to have?**

**The Orphanage Years:** statutory and regulatory requirements and guidance on experience and qualifications during this period were limited, if not non-existent. It was not until 2009 that statutory and regulatory requirements on qualification levels came into place.

There is no evidence of the establishment having set requirements as to experience and qualifications but the standard expected of the individuals undertaking child care roles is evident in governance and management discussions about this issue.

In terms of experience, the establishment generally sought staff with experience in the work they would be undertaking for the organisation, for example, the lady superintendent was expected to have past experience overseeing a large residential child care facility and the nursery headteacher was expected to have past experience in nursery provision and residential childcare.

In terms of qualifications, historic records suggest that, although it was not a requirement, many of the childcare workers employed by the organisation had some form of qualification in social work or child care. Staff were encouraged to undertake further training and qualifications and the organisation often sent staff to undertake courses.

**The Group Home Years:** information specific to the establishment in this regard is not available and the following comments are based on an understanding of the organisation's practices at this time.

In terms of experience, the establishment generally sought staff with some form of experience in the work they would be undertaking for the organisation, for example, houseparents were expected to have past experience working in residential child care.

In terms of qualifications, historic records suggest that, although it was not a requirement, many of the houseparents employed by the organisation had some form of qualification in social work or child care.

Staff were encouraged to undertake further training and qualifications and the organisation often sent staff to undertake courses.

**v. What was the child care worker/child numbers ratio?**

**The Orphanage Years:** this information is not available in relation to the establishment.

**The Group Home Years:** depending on the number of children in residence in the establishment the child worker to child number ratio was 2:10 or 2:8 or 2:6.

**vi. What was the gender balance of the child care workers?**

**The Orphanage Years:** the majority of (if not all) child care workers working in the nursery and with the "wee kids" (children up to the age of 7) within the Orphanage (including the establishment during this period) were female.

**The Group Home Years:** employment records for this period are limited and this information is not available from the organisation's records.

However, in general at this time, the organisation saw the benefit to the children of having a male role model within the establishment as well as female child care workers.

**vii. Was any attempt made to employ child care workers in looking after children of the same sex as those workers?**

The children resident within the establishment were boys and girls. As explained above the establishment staff appear to have been made up predominantly of female workers although during the Group Home Years at least one housefather would have been engaged at the establishment.

## 2. Organisational Structure and Oversight

### 2.1 Governance

- v. **What was the nature of the accountability and oversight regime between the organisation's governing body and the establishment?**

**The Orphanage Years:** the nursery headmistress was responsible for overseeing the day-to-day operations of the establishment and reported to the Warden. In turn, the Warden was responsible for overseeing the day-to-day operations of the Orphanage as a whole (including the establishment) and was accountable directly to the organisation's governing body.

**The Group Home Years:** the houseparents were responsible for the day-to-day operation of the establishment. The houseparents were directly accountable to the warden (later known as the principal) who was responsible for the day-to-day operation of the organisation's activities, including the establishment and other establishments operated by the organisation. The warden was accountable directly to the organisation's governing body.

**General:** a report was provided to the governing body on a regular basis (for each meeting of the governing body, i.e. monthly, or every two to three months – the regularity of meetings changed at different times) which provided an update on the Orphanage's operations (including those of the establishment), and any issues or concerns which had arisen.

The governing body were required to approve any material changes to the premises; to the children's care; and to the staffing arrangements (although individual appointments were not usually approved unless these were high level management positions) within the establishment.

The lines of accountability within the establishment up to the governing body can be seen from the structure chart contained in Appendix 4.

- vi. **What visits were made by the governing body to the establishment?**

**The Orphanage Years:** Governors undertook regular visits to the Orphanage (and the establishment). Visits were undertaken on a monthly basis and a schedule of visits was drawn up amongst the governors with a different governor attending each month.

Visits to the establishment by the governors were also made if a specific concern had been raised. For example, within the Orphanage generally, a governor may have attended to assist the warden with investigations into staff issues.

**The Group Home Years:** the governors undertook visits to all of the organisation's establishments on a regular basis during the Group Home Years.

Such visits to each establishment were not as often as visits to the Orphanage had been during the Orphanage Years due to the increased number of establishments.

Records in relation to these visits for the establishment's operational period are limited and generally only record that the visits occurred and that the governors were pleased with the operation of the establishment.

Due to the increased number of establishments operated by the organisation most visitation duties were undertaken by the warden (later known as the principal) and senior management within the organisation on behalf of the governing body.

**vii. What was the purpose of such visits?**

The purpose of these visits was to allow the governing body insight into the day-to-day operations of the establishment, to allow them to see how the children were looked after (in terms of child care and accommodation) and to meet staff and assess their suitability.

The relevant governor/warden or senior manager would report back to the governing body on the findings of their visit and any recommendations which had arisen.

**viii. How frequently did these happen?**

Visits from the governing body to the Orphanage during the Orphanage Years were on a monthly basis although this timescale may have changed from time to time. During the Group Home Years the intention was to continue to visit one or more establishments each month but there is no information regarding exactly how often visits to the establishment took place.

Such visits were likely to have been on a less regular basis than during the Orphanage Years.

There are records of visits having taken place within the governing body's minutes from this period.

Visits from the organisation's warden and senior managers were relatively frequent – some were announced and others unannounced.

As explained above, governors may also have visited the establishment in connection with a specific concern or incident. This may have involved visiting the establishment on a more regular basis.

**ix. Were children interviewed, or spoken to, by members of the governing body during such visits?**

Yes, children were spoken to and interacted with by governors who were only invited when the children would be at the establishment (i.e. visits would not take place when the children were away on holiday).

The governors also reported on the demeanour and attitudes of the children which suggests that the governors did spend time with the children and spoke to the children to be in a position to make this assessment.

Where the governing body was investigating (or assisting in the investigation of) a particular incident, the children (or at least those involved in the incident) were interviewed.

**x. If so, were establishment staff present while children were interviewed or spoken to?**

The warden and/or relevant housemasters and housemistresses or houseparents were likely present when the children met the governors as generally it would not have been appropriate for the governors to meet the children alone.

If concerns had been raised about a particular member of staff and interviews were undertaken with a child in this regard, the member of staff in question would not have been present at such interviews.

**xi. Were reports of such visits made and discussed by the governing body?**

Yes, reports were made to the governing body, including any recommendations which had arisen from the visit and these were discussed at the next board meetings. Recommendations were generally put into action unless there was a reason not to do so.

**xii. Did visits result in changes to the organisation's policy, procedure and/or practice? If so, please give examples.**

There is no evidence of any need to amend policy or procedures which arose from these visits to the establishment.

During the Orphanage Years changes in practice within the Orphanage as a whole did result from these visits. For example, recommendations in relation to the decoration of the children's residential facilities or the make-up of meals served to the children were made from time to time and these were implemented quickly.

## **2.2 Culture**

**viii. Were there any changes in culture that were driven by abuse, or alleged abuse, of children cared for at the establishment?**

The organisation's culture changed organically over the years in which the establishment was in operation in response to changing social norms and changing recommendations from relevant government departments.

In 1970 allegations were made against staff, although any specific names included in the allegation are not recorded, working in the establishment of mistreatment of children with enuresis. The organisation had regulations concerning such matters in place during this time (although copies of these are no longer available).

Following the allegations, the organisation sought to investigate the approach of the establishment's staff to those regulations. Upon the houseparents' failure to cooperate with that investigation, the houseparents at the establishment were removed from office. This suggests that in order to change the culture within the establishment (where the input of the organisation's management and governors was not respected) the organisation had to remove the houseparents.

The organisation's governing body also undertook to review its practices relating to visiting the organisation's residential establishments.

**ix. If so, when did they occur and how did they manifest themselves?**

Please see answer above.

**x. Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?**

As explained above changes in public policy relating to the residential care of children influenced the culture of the organisation.

For example:

- a) Changes in public perceptions of corporal punishment and changes in public guidance and rules on corporal punishment were part of the influence which led the organisation to revisit its policies and procedures on corporal punishment, restricting its application until it was no longer used within the organisation.



However, note that corporal punishment was not used within the establishment (when operating as a nursery).

- b) Changes in the structure of child care within the organisation were driven by the government's guidance and recommendations on residential child care which focused on the benefits of caring for children within small family homes rather than in large institutions.
- c) Public policy and government guidance and regulations on the qualifications of child care workers was part of the influence which led to the organisation updating its policies and requirements in terms of staff qualifications. The organisation has always had a policy of encouraging staff to pursue training and further qualifications but government regulations on this matter led to the formalisation of the organisation's position.

## 2.3 Leadership

### i. **How was the establishment managed and led?**

**The Orphanage Years:** The establishment was managed on a day-to-day basis by the headmistress, supported by the warden (who was assisted from time to time by a sub-warden (the organisation did not consistently employ a sub-warden)) and the lady superintendent.

The headmistress of the nursery school was responsible for the operation of the establishment, including the care of the children and the domestic running of the establishment.

The warden had overall managerial and leadership responsibility for the Orphanage and all of its operations. The lady superintendent, assisted by her depute, was responsible for the girls wing of the Orphanage and for overseeing domestic activities and domestic staff.

The headmistress and the lady superintendent reported to the warden.

**The Group Home Years:** the establishment was managed on a day-to-day basis by the houseparents employed at the establishment.

The warden had overall managerial and leadership responsibility for all of the organisation's establishments.

### ii. **What were the names and qualifications of the persons in charge of the establishment? Please include the dates for when each of the persons was in charge.**

**The Orphanage Years:** employment records for this period no longer exist. Employment records are not ordinarily retained for longer than seven years.

The following wardens were in charge of the Orphanage during the Orphanage Years:

**Clarence Albert Edward Wolfe, M.B.E., B.A.**  
Warden between 1928 and 1958

Qualifications:  
B.A. from Manchester University

Prior to working at the establishment Canon Wolfe worked at St. Anne's-on-Sea, Slade Grammar School and St. Bartholomew's and was sub-warden at the establishment for two years prior to becoming warden.

**Reverend C. W. Leslie**

Warden between 1958 and 1967

There is no full record of Rev. Leslie's qualifications however, prior to employment at the establishment Rev. Leslie was a Child welfare Officer (Special Duties) in the Children's Department of the London County Council.

**Miss Craven**

Warden (or Principal) between 1967 until after the establishment stopped operating.

The following nursery headmistress was in charge of the establishment during the Orphanage Years:

**Miss Dorothy Heap**

Upon Miss Heap's resignation in 1961, the Nursery School was closed and the establishment operated as any other residential house within the Orphanage, under the charge of the Warden.

**The Group Home Years:** the organisation's records do not enable the identification of which individuals worked at which establishment during this period. Employment records are also not ordinarily retained for longer than seven years.

The limited information available in answer to this question is included in Appendix 3.

iii. **What was the oversight and supervision arrangements by senior management within the establishment?**

**The Orphanage Years:** please see the structure chart within Appendix 4 which sets out the lines of accountability within the establishment.

The headmistress of the nursery school was responsible for the day-to-day running of the establishment and was overseen and supervised by the warden and/or the lady superintendent. As explained above, the warden had overall management, oversight and supervision responsibility for the establishment and all staff employed there.

The warden and lady superintendent were heavily involved in the day-to-day operations of the establishment and worked closely with the headmistress who was required to report to the warden and the management committee on a regular basis regarding the running of the establishment.

The warden reported directly into the governing body.

**The Group Home Years:** please see the structure chart within Appendix 4 which sets out the lines of accountability within the establishment.

The houseparents were responsible for managing the establishment and any assistant houseparents and domestic staff employed there. The houseparents were directly accountable to the warden (later known as the principal) who had overall management, oversight and supervision responsibility for the establishment and all staff employed there.

The warden reported directly to the governing body.

There is limited information about the particular operations at the establishment but during the establishment's operational period the warden was involved in all practical aspects of the organisation's establishments' and was in regular contact with the establishment staff, particularly the houseparents. The warden would also have made regular announced and unannounced visits to the establishment.

**iv. What were the oversight arrangements by the organisation, including visits by or on behalf of the organisation?**

During the Orphanage Years there was no real distinction between the operations of the organisation and the operations of the Orphanage. For the majority of this time the Orphanage was the only operation of the organisation and everything the organisation did was in connection with the Orphanage (in which the establishment was included).

The warden was responsible for overseeing the establishment on behalf of the organisation and worked within the establishment.

As explained above, the warden reported regularly to the governing body on the establishment's operations and the governors undertook monthly visits to the Orphanage as a whole.

During the Group Home Years, oversight of the establishment was carried out by the warden who was responsible for the overall operation of the organisation's establishments.

Records of this time show that the warden regularly visited the establishment (on an announced and unannounced basis); was involved in any material decisions which were made about child care or the premises; and was involved in any staffing issues, concerns or decisions involving the establishment.

## **2.4 Structure**

**ii. What was the structure of the establishment?**

Please see the structure chart contained in Appendix 4.

## **2.5 Hierarchy and Control**

**iv. Within the organisation, who had senior management/corporate/ organisational responsibility for the managers/management teams/leadership teams who managed the establishment on a day-to-day basis?**

As explained above in question 2.3, the warden had senior management responsibility for the managers of the establishment (i.e. the headmistress and houseparents).

**v. What were the reporting arrangements between the establishment and the organisation?**

During the Orphanage Years there was no real distinction between the operations of the organisation and the operations of the establishment. For the majority of this time the Orphanage was the only operation of the organisation and everything the organisation did was in connection with the Orphanage.

The warden formally reported on the establishment to the organisation's governing body on a regular basis (monthly or every two to three months depending on how often the Board met). Such reports contained information about how many children were in residence, the health and progress of the children, any particular issues relating to the

children, staffing arrangements and any particular issues therewith and building and premises matters.

In terms of the Group Home Years, no person who could speak to the reporting arrangements during this period remains with the organisation therefore specific details about the way in which the reporting arrangements worked between the establishment and the organisation are not available. Historic records show that a report on the establishment was included in the warden's regular report to the governing body which suggests that the warden was provided with a regular report by the houseparents of the establishment to enable the report to the governing body to be prepared.

- vi. **Within the establishment itself, who had managerial responsibility for, or was in overall charge of, those employed there, including in particular those who were involved in the day-to-day care of children, and any other persons who had contact with the children?**

**The Orphanage Years:** as explained above, the warden had managerial responsibility for and was in overall charge of, all staff employed at the establishment, particularly those involved in day-to-day care of the children (e.g. the headmistress of the nursery school and her staff).

At a lower level, the headmistress of the nursery school had managerial responsibility for the staff working in the nursery school (in child care roles and domestic roles).

**The Group Home Years:** the houseparents were the main employees working in the establishment and those with the greatest child care responsibilities. The warden had managerial responsibility for these houseparents.

As explained above, it is anticipated that assistant houseparents and domestic staff were engaged to work at the establishment and if so, the houseparents had managerial responsibility within the establishment for those individuals.

- vii. **To whom were child care workers within the establishment directly responsible?**

**The Orphanage Years:** All child care workers (the headmistress of the nursery school and her staff) were directly responsible to the warden who had oversight responsibility for all staff.

On a day-to-day basis staff would also have been responsible to the lady superintendent and the headmistress as explained in question 2.5.vi above.

**The Group Home Years:** The houseparents were directly responsible to the warden and any assistant houseparents and domestic staff were directly responsible to the houseparents as explained in question 2.5.vi above.

- viii. **Who, within the organisation, took decisions on matters of policy, procedure and/or practice in relation to the establishment?**

**The Orphanage Years:** generally the warden took decisions on matters of policy, procedures and practice in relation to the establishment. The warden would have consulted and obtained the views and recommendations of senior management (the lady superintendent, the headmistress of the nursery school and the headmaster of the Orphanage School) so far as their views were relevant to the matters in consideration.

The establishment was operated in accordance with the organisation's policies, procedures and practice and therefore any material change to these policies,

procedures and practice would have required approval from the governing body. Such matters were discussed at meetings of the governing body. For example, discipline and admission policies and practices were approved by the Board as were changes in practice relating to the children's residential, schooling, medical or eating arrangements.

**The Group Home Years:** the houseparents had some remit to make decisions on practical and procedural matters to the extent that this was required in order to enable them to operate the house.

The warden may also have made decisions in relation to policy, procedure and practice in relation to the establishment in the context of the role of managing all of the organisation's establishments.

All establishments were operated in accordance with the organisation's policies, procedures and practice and therefore any material change to these policies, procedures and practice required approval from the governing body.

- ix. **Who, within the organisation, was responsible for the implementation of, and compliance with, the organisation's policies, procedures and/or practices at the establishment?**

**The Orphanage Years:** the warden had overall responsibility for the implementation of, and compliance with, the organisation's policies, procedures and practices. Senior management (the lady superintendent and the headmistress of the nursery school) would also have had some responsibility for the implementation of and compliance with the organisation's policies, procedures and practices within the day-to-day management of their areas of responsibility.

**The Group Home Years:** the houseparents had overall responsibility for the implementation of, and compliance with, the organisation's policies, procedures and practices. The warden would also have had an oversight responsibility for such implementation and compliance.

## **2.6 External Oversight**

- i. **What were the arrangements for external oversight of the establishment?**

**The Orphanage Years:** the organisation operated a policy of regular (e.g. monthly) visits to the establishment by the governing body.

The organisation was registered with the Secretary of State during this period and there were regular visits to the Orphanage by the Secretary of State and the local authorities which had placed children.

The Orphanage was also visited and inspected by the Endowments Commission.

The organisation also encouraged visits and inspections from a number of other bodies, such as the NSPCC.

**The Group Home Years:** the organisation continued to promote a practice of regular visits to the establishment by the governing body.

The organisation and each establishment was registered with the Secretary of State and the relevant local authorities during this time. The organisation was required to comply with the standards and requirements of local authorities in relation to such registrations and visits and inspections by the Secretary of State and the relevant local authorities were common.

ii. **Who visited the establishment in an official or statutory capacity and for what purpose?**

**The Orphanage Years:** as explained above, the Secretary of State, relevant local authorities and the Endowment Commission visited the establishment for the purposes of inspecting the premises and operations of the organisation.

**The Group Home Years:** as explained above, the Secretary of State and relevant local authorities visited the group home establishments for the purposes of inspecting the premises and operations of the organisation.

iii. **How often did this occur?**

**The Orphanage Years:** these visits generally occurred once a year and from time to time on a more frequent basis.

Visits from relevant local authorities occurred on an ad hoc basis.

**The Group Home Years:** these visits generally occurred once a year and from time to time on a more frequent basis.

iv. **What did these visits involve in practice?**

There is limited information on what these visits involved in practice. Historic reports of these visits indicate that they involved an inspection of the relevant premises, a review of the relevant services provided to the children in residence (e.g. schooling, dietary provision, religious education, clothing and healthcare), a review of the attitudes and wellbeing of the children and potentially a review of the organisation's paperwork.

v. **What involvement did local authorities have with the organisation and/or the establishment in respect of residential care services for children at the establishment?**

Local authorities were the bodies placing children with the organisation and on this basis were involved in making such placements and in communication with the organisation about those placements and the children in question.

Local authorities were also responsible for ensuring the organisation's establishments were registered during the Group Home Years and for visiting the organisation's premises to inspect their suitability for provision of residential care services to children.

vi. **What involvement did local authorities have with the organisation and/or the establishment in respect of children at the establishment?**

As explained in question 2.6.v above, local authorities were the bodies placing children within the establishment and on this basis were involved in making such placements and in communication with the organisation about those placements and the children in question.

There was regular communication between local authorities and the organisation in relation to children placed by the local authority within the establishment.

Local authorities were also invited to visit the establishment and inspect it and this did happen on a regular basis.



As of 1968 local authorities became the bodies with which organisations had to register residential establishments. The establishment's initial registration with the Secretary of State transitioned in accordance with the transition arrangements in place for this purpose and the local authority took over responsibility for inspecting the establishment.

**Part B – Current Statement****3. Retrospective Acknowledgement/Admission****3.1 Acknowledgement of Abuse**

- i. **Does the organisation accept that between 1930 and 17 December 2014 some children cared for at the establishment were abused?**

The establishment was operational between 1953 and 1970 and the responses in this Part B relate only to the establishment and only to that time period,

From the information and evidence available to the organisation, all of which is identified and detailed below, the organisation considers it is possible that some children resident in the establishment suffered abuse. The basis of that assessment is set out in the response below.

- ii. **What is the organisation's assessment of the extent and scale of such abuse?**

The organisation is aware of two instances of allegations of abuse at the establishment which are set out in more detail in Appendix 2.

First, there was an allegation regarding the conduct of staff relating to enuresis which was made in 1970 and investigated by the organisation at that time. Second, there was an allegation made in 2008 by a former resident. This allegation was of physical and sexual abuse suffered by her in the 1970s.

The police were also investigating the allegations made in 2008 when these were made known to the organisation. The organisation has not been told, and does not know, what the outcome of any police investigation has been.

In terms of the allegation of harsh treatment for enuresis brought to the organisation's attention in 1970, the organisation was not at the time able to establish whether the conduct complained of had occurred. A record of the organisation's findings following investigation in 1970 is provided along with this Report as Annex 1-3. The evidence available, from the minutes, discloses that the organisation at the time was reluctant to believe the allegations, but accepted that it was possible that they were well founded. This investigation involved interviewing four of the children resident at the establishment as well as discussing the allegations with the staff members involved.

In terms of the allegations raised in 2008, the organisation investigated these allegations and provided support to Grampian Police in connection with the Police investigation into this matter. The organisation also offered support to the individual raising the allegation. Based on the account of the individual raising the allegation and the organisation's historic records relating to the period during which the alleged abuse took place, the organisation was not able to establish whether the conduct complained of occurred and has therefore been unable to fully assess the extent or scale of any such abuse.

There is no evidence as to whether the allegations raised in 2008 were linked to the allegations made in 1970 but the conduct described in 2008 is quite different from that complained of in 1970. The organisation reviewed its records upon becoming aware of the allegations raised in 2008 and has not found anything to corroborate the 2008 allegations.

The organisation recognises that the allegations made by the former resident in 2008 are of a serious nature and, if established to be true, would unquestionably be evidence of abuse. There is however no contemporaneous record of the conduct alleged or, as

far as the organisation is aware, anything that would now assist assessing the credibility of these allegations. The organisation is not aware of any other person in particular any former resident making similar allegations or allegations of a similarly serious nature in relation to the establishment.

**iii. What is the basis of that assessment?**

The organisation's assessment of the extent of any abuse is made on the basis of the records available. These have been identified in the appendix and will on request be made available to the Inquiry.

### **3.2 Acknowledgement of Systemic Failures**

**i. Does the organisation accept that its systems failed to protect children cared for at the establishment between 1930 and 17 December 2014 from abuse?**

No. Although the organisation accepts that there were instances in which children cared for by the establishment may have suffered abuse as set out in the response above, there are no grounds for believing that this arose from systemic failures. It appears that any allegations made at the time were investigated. The contemporary reaction to the allegations disclosed in the minutes indicates that, if true, the conduct would not have been acceptable to the organisation.

In relation to the allegations made in 2008, the organisation, for the reasons articulated in answer 3.1.ii above, has no basis for believing that there were systemic failures. The organisation however recognises that allegations of such a serious nature, if proved, would be indicative of a serious failure of practice in the establishment.

**ii. What is the organisation's assessment of the extent of such systemic failures?**

The organisation does not believe there were systemic failures.

**iii. What is the basis of that assessment?**

The organisation does not believe there were systemic failures.

**iv. What is the organisation/establishment's explanation for such failures?**

The organisation does not believe there were systemic failures.

### **3.3 Acknowledgement of Failures/Deficiencies in Response**

**i. Does the organisation accept that there were failures and/or deficiencies in its response to abuse, and allegations of abuse, of children cared for at the establishment between 1930 and 17 December 2014?**

No. The organisation is not aware of evidence of failures and/or deficiencies in its response to abuse or allegations of such related to children cared for at the establishment during this period.

Each allegation or complaint set out within Appendix 2 (those allegations of abuse of which the organisation is aware) was dealt with, investigated and managed when raised. It appears to the organisation that its responses were appropriate, having regard to the circumstances and context of the abuse or allegations.

**ii. What is the organisation's assessment of the extent of such failures in its response?**

The organisation does not believe there were such failures.

iii. **What is the basis of that assessment?**

The organisation does not believe there were such failures.

iv. **What is the organisation's explanation for such failures/deficiencies?**

The organisation does not believe there were such failures.

**3.4 Changes**

i. **To what extent has the organisation/establishment implemented changes to its policies/procedures and practices as a result of its acknowledgment in relation to 3.1 – 3.3 above?**

The organisation's policies and procedures were reviewed and updated on a regular basis but this was generally carried out on the basis of the natural development of those policies and procedures, not as a result of the acknowledgement at 3.1 above.

Details of changes in culture within the organisation are set out in question 2.2 above.

**Part C – Prevention and Identification**

No further information has been provided in this section. The answers to the questions set out in the s21 Notice are the same as those provided in response to the s21 Notice issued to the organisation in January 2017.

## 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

- i. **What was the nature of abuse and/or alleged abuse of children cared for at the establishment, for example, sexual abuse, physical abuse, emotional abuse?**

The nature of the allegations relating to the establishment include excessive corporal punishment and unapproved disciplinary methods, harsh treatment for enuresis, sexual abuse and emotional abuse. Appendix 2 sets out the instances of alleged abuse that are known to the organisation from a search of historic records. The appendix also includes information about the extent of any evidence of the abuse or allegations, and what was done as a result in each case.

Please note, the records reviewed in order to provide the information contained in this report include the minutes of meetings of the organisation's governing body and relevant management committees; and individual case records of residential service users, where specific allegations or complaints of abuse involving those service users have been made.

The organisation has access to extensive records within its archives, including individual child records. It is likely to be possible to locate and review individual child records if specific allegations are raised.

#### 5.2 Extent

- i. **What is the organisation/establishment's assessment of the scale and extent of abuse of children cared for at the establishment?**

The organisation is aware of two sets of allegations of abuse at the establishment which are set out in more detail in Appendix 2. There is an allegation regarding the conduct of staff relating to enuresis which was made in 1970 and investigated by the organisation at that time. Second, there was an allegation made in 2008 by a former resident. This allegation was of physical and sexual abuse suffered by her in the 1970s.

The police were also investigating the allegations made in 2008 when these were made known to the organisation. The organisation has not been told, and does not know, what the outcome of any police investigation has been.

In terms of the allegation of harsh treatment for enuresis brought to the organisation's attention in 1970, the organisation was not able to establish whether the conduct complained of had occurred. A record of the organisation's findings following investigation in 1970 is provided along with this Report as Annex 1-3. The evidence available, from the minutes, discloses that the organisation at the time was reluctant to believe the allegations, but accepted that it was possible that they were well founded. This investigation involved interviewing four of the children resident at the establishment as well as discussing the allegations with the staff members involved.

In terms of the allegations raised in 2008, the organisation investigated these allegations and provided support to Grampian Police in connection with the Police investigation into this matter. The organisation also offered support to the individual raising the allegation. Based on the account of the individual raising the allegation and the organisation's historic records relating to the period during which the alleged abuse



took place, the organisation was not able to establish whether the conduct complained of occurred and has therefore been unable to fully assess the extent or scale of any such abuse.

There is no evidence as to whether the allegations raised in 2008 were linked to the allegations made in 1970 but the conduct described in 2008 is quite different from that complained of in 1970. The organisation reviewed its records upon becoming aware of the allegations raised in 2008 and has not found anything to corroborate the 2008 allegations.

The organisation recognises that the allegations made by the former resident in 2008 are of a serious nature and, if established to be true, would unquestionably be evidence of abuse. There is however no contemporaneous record of the conduct alleged or, as far as the organisation is aware, anything that would now assist assessing the credibility of these allegations. The organisation is not aware of any other person in particular any former resident making similar allegations or allegations of a similarly serious nature in relation to the establishment.

**ii. What is the basis of that assessment?**

The organisation's assessment of the extent of any abuse is made on the basis of the records available. These have been identified in the appendix and will on request be made available to the Inquiry.

**iii. Against how many staff have complaints been made in relation to alleged abuse of children cared for at the establishment?**

Complaints have been made in relation to alleged abuse of children at the establishment against two staff members.

Further details of each of these complaints are contained in Appendix 2.

**iv. How many staff have been convicted of, or admitted to, abuse of children cared for at the establishment?**

None of the members of staff admitted to the actions complained of. The Police were involved in investigating one of the complaints set out in Appendix 2 but the organisation has not been updated on the progress of this investigation on an ongoing basis.

**v. How many staff have been found by the organisation/establishment to have abused children cared for at the establishment?**

None of the members of staff were found by the organisation to have abused children at the establishment.

The organisation was not comfortable with the attitude of the houseparents to the investigation carried out in 1970 and dismissed those staff members for failing to cooperate with the investigation.

Further details of the complaints are contained in Appendix 2.

**vi. In relation to questions iii – v above, what role did/do those members of staff had/have within the organisation/establishment?**

The role of each staff member against whom a complaint has been made is set out within Appendix 3.

- vii. **To what extent did abuse and/or alleged abuse of children cared for at the establishment take place during off-site activities, trips and holidays?**

There is no evidence within the organisation's historic records of abuse having occurred during the establishment's off-site activities, trips and holidays.

- viii. **To what extent was abuse and/or alleged abuse of children cared for at the establishment carried out by visitors and/or volunteers to the establishment?**

There is no evidence within the organisation's historic records of abuse or alleged abuse being carried out by visitors to, or volunteers of, the establishment.

- ix. **Have there been allegations of peer abuse?**

The allegations raised in 2008 and set out in Appendix 2 include allegations of physical peer abuse, more specifically, pushing each other down the stairs and jumping on top of each other.

There is no evidence within the organisation's historic records of peer abuse at the establishment.

### **5.3 Timing of Disclosure/Complaint**

- i. **When were disclosures and complaints of abuse and/or alleged abuse of children cared for at the establishment made to the organisation or establishment?**

The dates on which disclosures and complaints of alleged abuse relating to the establishment were made are set out in Appendix 2.

- ii. **To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent?**

The dates on which disclosures and complaints of alleged abuse relating to the establishment were made are set out in Appendix 2. Two allegations are outlined within Appendix 2. Of these two allegations, one complaint was made while the alleged abuse was on-going or recent.

- iii. **To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse?**

The dates on which disclosures and complaints of alleged abuse relating to the establishment were made are set out in Appendix 2. Two allegations are outlined within Appendix 2. Of these two allegations, one complaint was made years after the alleged abuse took place.

- iv. **Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse?**

The organisation does not identify any pattern in terms of the timing/disclosure of the allegations of abuse made while the abuse or alleged abuse was on-going or recent.

Similarly, the organisation does not identify any pattern in terms of the timing/disclosure of the allegations of abuse which were made years after the alleged abuse took place.

### **5.4. External Inspections**

- i. **What external inspections have been conducted relating to children cared for at establishment which considered issues relating to abuse and/or alleged abuse of children?**

There is no evidence within the organisation's historic records of external inspections which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

General inspections of the establishment were carried out and details of which bodies carried out such inspections and what these involved are set out above in question 2.6.

**For each such external inspection please answer the following:**

There is no evidence within the organisation's historic records of external inspections which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

- ii. **Who conducted the inspection?**
- iii. **Why was the inspection conducted?**
- iv. **When was the inspection conducted?**
- v. **What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children?**
- vi. **What was the organisation/establishment's response to the inspection and its outcome?**
- vii. **Were recommendations made following the inspection?**
- viii. **If so, what were the recommendations and were they implemented?**
- ix. **If recommendations were not implemented, why not?**

#### **5.5 External Investigations**

- i. **What external investigations have been conducted relating to children cared for at the establishment which have considered issues relating to abuse and/or alleged abuse of children?**

There is no evidence within the organisation's historic records of external investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

General oversight of the establishment was carried out and details of how this was carried out are set out above in question 2.6.

**For each such external investigation please answer the following:**

There is no evidence within the organisation's historic records of external investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

- ii. **Who conducted the investigation?**
- iii. **Why was the investigation conducted?**
- iv. **When was the investigation conducted?**
- v. **What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children?**
- vi. **What was the organisation/establishment's response to the investigation and its outcome?**
- vii. **Were recommendations made following the investigation?**
- viii. **If so, what were the recommendations and were they implemented?**
- ix. **If recommendations were not implemented, why not?**

## **5.6 Response to External Inspections/Investigations**

- i. **What was the organisation's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse, of children cared for at the establishment?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

The organisation's historic records show that the organisation operated a transparent and open policy in relation to the operation of the establishment. Visitors to the establishment were welcome and if any concerns were raised about the operation of the establishment the organisation made every effort to invite those raising the concerns to visit the Orphanage and to discuss their concerns with the warden.

- ii. **What was the organisation's procedure/process for responding to the outcomes of such external inspections and/or investigations?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

- iii. **What was the organisation's procedure/process for implementing recommendations which followed from such external inspections and/or investigations?**

There is no evidence within the organisation's historic records of external inspections and/or investigations which specifically considered issues relating to abuse or alleged abuse of children having been conducted in relation to the establishment.

## **5.7 Impact**

- i. **What is known about the impact of abuse on those children cared for at the establishment who were abused, or alleged to have been abused?**

The organisation recognises that any abuse is likely to have an impact on the individual experiencing that abuse. The organisation's records relating to this establishment contain limited information from which the impact of alleged abuse can be ascertained in the particular cases.

The organisation has become aware of an allegation of abuse (raised in 2008 and set out in more detail in Appendix 2) involving houseparents at the establishment. The organisation has not been able to obtain any additional evidence or information about the allegations other than that provided by the individual who raised the allegation.

The individual who raised the allegation has expressed her view of the impact the alleged abuse had on her, including affecting her mental state (inducing panic attacks and nightmares) and impacting her relationship with authority and with her son.

- ii. **Where does the organisation/establishment's knowledge/assessment of that impact come from?**

The organisation's knowledge is derived from the information provided by the individual raising the allegations.

- iii. **What is known about the impact of abuse on the families of those children cared for at the establishment who were abused, or alleged to have been abused?**

The organisation's records do not contain any information about the impact of abuse on the families of children cared for at the establishment who were, or were alleged to have been, abused.

As explained above, one individual who has complained about alleged abuse (as set out in Appendix 2) explained to the organisation that her relationship with her son has been affected by the alleged abuse.

The organisation recognises that any abuse is likely to have an impact on the individual experiencing that abuse and on their families.

**iv. Where does the organisation/establishment's knowledge/assessment of that impact come from?**

The organisation's knowledge is derived from the information provided by the individual raising the allegations.

### **5.8 Known Abusers at Establishment**

**i. Does the organisation/establishment know of specific abusers, or alleged abusers, of children cared for at the establishment?**

Yes.

**ii. If so, what are the names of the abusers, and/or alleged abusers?**

The names of those against whom allegations of abuse were made are contained within Appendix 3.

**iii. For each of these persons, please provide as much as possible of the following information:**

As much as possible of the information requested has been provided within Appendix 3.

The information sought relates to the period up to 1970. Comprehensive employment records for this time period are no longer retained by the organisation and there is nobody employed by the organisation at present who can speak to the recruitment and dismissal procedures of the organisation during this time period. For these reasons it is not possible to provide all of the information sought.

- the period (dates) during which they are known or alleged to have abused children cared for at the establishment
- the role they had in the organisation/establishment during the period of abuse and/or alleged abuse
- where they worked prior to, and following, their time at the organisation/establishment
- the knowledge sought or received about them by the organisation/establishment at the point of recruitment, and while they were at the establishment
- any information sought by, or provided to, future employers or third parties after they left the establishment, including regarding abuse or alleged abuse

**iv. Were known abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation?**

There is no evidence that abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation. The alleged abusers identified in Appendices 2 and 3 were dismissed in 1970.

**v. If so, why was this considered to be appropriate?**

There is no evidence that abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation.

**vi. If so, what process of monitoring/supervision followed at the new establishment?**

There is no evidence that abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation.

### **5.9 Specific Complaints**

**i. How many specific complaints of abuse of children cared for at the establishment have been made to the establishment/organisation?**

Two specific sets of complaints or allegations of abuse of children cared for at the establishment have been made to the organisation.

**For each specific complaint, please answer the following:**

As much as possible of the information requested has been provided within Appendix 2.

- ii. Who made the complaint?**
- iii. When was the complaint made?**
- iv. Against whom was the complaint made?**
- v. What was the nature of the complaint?**
- vi. When/over what period was the abuse alleged to have taken place?**
- vii. What was the organisation/establishment's process and approach in dealing with the complaint?**
- viii. What was the organisation/establishment's process and approach for investigating the complaint?**
- ix. What was the outcome of the complaint following that investigation?**
- x. Did the organisation/establishment provide a specific response to the complaint?**
- xi. If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?**
- xii. If there was no response, why not?**
- xiii. Was the information/content of the complaint passed to police?**
- xiv. If not, why not?**

### **5.10 Civil Actions**

**i. How many civil actions have been brought against the organisation and/or establishment relating to abuse, or alleged abuse, of children cared for at the establishment?**



There is no evidence within the organisation's historic records of civil actions brought against the organisation and/or establishment relating to abuse or alleged abuse of children cared for at the establishment.

**For each such civil action, please answer the following:**

There is no evidence within the organisation's historic records of civil actions brought against the organisation and/or establishment relating to abuse or alleged abuse of children cared for at the establishment.

- ii. **Who brought the action?**
- iii. **When was the action brought?**
- iv. **Against whom was the action brought?**
- v. **What was the nature of the abuse, or alleged abuse, to which the action related?**
- vi. **What were the names of the persons said to have, or alleged to have, committed abuse?**
- vii. **When/over what period was the abuse said, or alleged, to have taken place?**
- viii. **How did the action progress?**
- ix. **What was the outcome?**
- x. **Was the action settled on a conditional basis of confidentiality?**
- xi. **Who was/were the organisation/establishment's legal representative(s) in relation to the civil action?**
- xii. **Did the organisation/establishment carry insurance for meeting civil claims at the time the action was live?**
- xiii. **How/where can copies of the court papers relating to the civil action be made available to the Inquiry?**

#### **5.11 Criminal Injuries Compensation Awards**

- i. **Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for at the establishment?**

There is no evidence within the organisation's historic records of criminal injuries compensation having been awarded in this respect.

- ii. **If so, please provide details if known.**

#### **5.12 Police**

- i. **How many complaints of abuse of children cared for at the establishment have been made to the police?**

One complaint of abuse of children cared for at the establishment has been made to the police.

**In relation to each known complaint to the police, please answer the following questions:**

As much as possible of the information requested has been provided within Appendix 2. Limited information is available within the organisation's records on these matters and where this is the case it is not possible to provide any further detail regarding the outcome of Police investigations.

- ii. **Who was the alleged abuser?**
- iii. **Did the police conduct an investigation in relation to the complaint?**
- iv. **If so, who conducted the investigation and when?**
- v. **What was the outcome of the police investigation?**
- vi. **What was the organisation/establishment's response?**

**5.13 Crown**

- i. **To what extent has the Crown raised proceedings in respect of allegations of abuse of children cared for at the establishment?**

There is no evidence within the organisation's historic records of the Crown raising proceedings in this respect.

**In relation to each time the Crown has raised proceedings, please answer the following questions:**

There is no evidence within the organisation's historic records of the Crown raising proceedings in this respect.

- ii. **What is the name of the person(s) against whom the proceedings were raised?**  
iii. **What was the nature of the charges?**  
iv. **What was the outcome of the proceedings, including disposal/sentence if there was a conviction?**  
v. **What was the organisation/establishment's response to the proceedings and outcome?**