

Consultation Questionnaire

Q1. Do you agree or disagree with the purpose of a National Confidential Forum?

Agree Disagree No preference

Comments

The forum would enable survivors to have access to a fair and just process

Q2. Do you agree or disagree that the Forum should operate independently from Government?

Agree Disagree No preference

Comments

The independent nature of the forum, if independent of the government, would help survivors to feel that there was a sense of distance/advocacy/no conflict of interest.

Q3. Should the Forum

(a) be integrated into another public body ?

Agree Disagree No preference

(b) be a separate unit within another public body?

Agree Disagree No preference

Comments

If the forum was to be integrated into another public body, then it would need to be (again) an independent body which would operate independently. Any organisation would also need to have the right level of resources, knowledge, experience, empathy and skill base. The organisation would also need to have the survivors at the centre of its work.

Q4. Do you agree or disagree that all adults who were placed in residential care by the State should be eligible to take part in the National Confidential Forum?

Agree Disagree No preference

Comments

Provided that the information/detail/potential benefit and outcomes of the forum were made clear, then it would be helpful that all adults should be involved in the National Confidential Forum. The reasons for this would be that all adults who were placed in care by the State may have been directly or indirectly involved in harmful experiences. All adults, as well as having access to the benefits of the forum for themselves, could also potentially help to validate the experiences, views and feelings of others and provide support in a variety of ways.

Q5. Do you agree or disagree that the process should be the same for all participants, regardless of whether they regard themselves as survivors of abuse in residential childcare?

Agree Disagree No preference

Comments

The needs of survivors may need to take priority in terms of time and resources. It would not be helpful to divert or dilute opportunities for the survivors to be heard. Some prioritisation would possibly be required.

Q6. Do you agree or disagree that people who were in the following types of residential care should be included:

- residential schools and children's homes
- residential educational provision for children with special needs
- long-stay hospital provision for children with acute medical and/or mental health needs
- secure accommodation

Agree Disagree No preference

Comments

It may be helpful to have public/private schools included. They do also now have their own National Standards and are regulated and inspected in a similar way to those above.

Q7. What other support do you consider that participants would benefit from before, during and after the Forum?

Comments

Clear and concise information in terms of what they can expect and what they would be expected to contribute. Not too much jargon and a clear picture of the rights and responsibilities of all involved, including a query/complaints

system. Identified supports prior to, during and afterwards would also be required, with follow up contacts in place, rather than offering a telephone or e-mail contact.

Q8. Do you think that the participants should be protected from legal action in connection with their work for the Forum?

Yes No No preference

Comments

Not where legal action arises from a criminal offence
If not participating due to the possibility of this, then it may be necessary to access information on a basis of anonymity, rather than reduce any benefits to survivors.

Q9. Do you think there are any barriers that would prevent people who are eligible to take part in the Forum from participating?

Yes No

Comments

There would need to be some [protective not discriminatory] mechanism in place to ensure that there is no further harm to survivors, eg those who may experience re-traumatisation. Pre-participation interviews/clear and named supports should be in place for all participants beforehand.

Q10. Do you wish to add any additional points about the Forum?

Yes No

Comments

Some of the information available on the forum is a bit vague and not easy to follow. It would be helpful to have an Executive Summary so that all those accessing the website/forum can make sense of the intentions/aims/benefits/possible outcomes.

High aspirations should be maintained for supporting survivors, however there should be concurrent recording and reporting in terms of using any findings from the forum to help safeguard children and young people who are being cared for within residential care settings now and in the future [notwithstanding previous Shaw report and the Time To Be Heard Pilot forum].

Residential child care also needs to continue to be seen and portrayed as a positive choice for some of Scotland's most vulnerable children and young people. Some concurrent work in terms of the positives could be taken, eg by CELSIS/ADSW/ho Cares? to highlight the very positive daily progress, work and outcomes. This would also help to avoid stigmatisation as, despite high level

national campaigning, the perception of residential child care can still be quite negative.

Equality Impact Assessment

Introduction

The public sector duties require the Scottish Government pay “due regard” to the need to:

- Eliminate discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a relevant protected characteristic.

These three requirements apply across the “protected characteristics” of age; disability; gender reassignment; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

In effect, this means that equality considerations are integrated into all the functions and policies of Scottish Government Directorates and Agencies.

A key part of those duties is to impact assess all our policies to ensure that we do not inadvertently create a negative impact for equality groups and also that we actively seek the opportunity to promote equality of opportunity and to foster good relations.

The Aim of the National Confidential Forum

The aim of the National Confidential Forum is to give adults who spent time in residential care as children the opportunity to talk about their experiences.

In this section of the consultation questions we are particularly interested in finding out your views on whether the National Confidential Forum meets the needs of the following groups:

- Age
- Disability
- Gender
- Sexual Orientation
- Race
- Religion and Belief

Your responses to the questions will help us to carry out a full equality impact assessment for a National Confidential Forum.

Questions

1. Do you think the creation of a National Confidential Forum will have a disproportionately negatively impact on particular groups of people in our target audience?

Yes No

Comments

Potentially, children and young people continue to live within a variety of residential child care settings and lead a happy, safe life. Some of the media cover of this may lead to them becoming anxious or unsure. Similarly in terms of the staff who work with these children and young people.

Survivors who have not divulged previous abuse within residential care, eg older people may be unclear, confused or afraid of what to do.

2. Do you think the creation of a National Confidential Forum will have a positive impact on particular groups of people in our target audience?

Yes No

Comments

As already covered the forum could help to validate the experiences, views and feelings of survivors and those who cared for them at the time. Those who lived and worked in residential care homes where abuse took place will see that there is commitment from the Government and the forum.

Older, former residential child care service users may not know how to articulate any feelings they may have in terms of themselves or others they lived with, therefore some integrated work could take place with voluntary groups who work with older people. In a similar way, this could also be provided for other minority groups.

3. What negative impacts do you think the National Confidential Forum will have on a particular group?

Comments

As above, hearing about adult survivors may renew trauma and confusion for some minority groups and clear information channelled through related voluntary and other support organisations would help them to find appropriate support networks.

The issues in terms of faith based residential child care establishments and the conflict of any faith/practice/beliefs/teaching/conflict involved

4. What positive impacts do you think the National Confidential Forum will have on a particular group?

Comments

As above at question 2. It may also allow individuals/groups within a particular group to share their experiences and consider a way forward

5. What changes would you suggest to reduce any negative impact you have identified?

Comments

Ensure that voluntary organisations have clear information on what the forum's aims are, again in clear language so that independent information and support can be put in place.

Information/training for voluntary/other organisations so that they can provide information and support on an informed basis

6. What changes would you suggest to enhance any positive impacts you have identified?

Comments

More transparency, less negative media reporting and more positive reporting on the web, etc.

7. Are there any significant issues we need to consider in relation to:

- Age
- Disability
- Gender
- Sexual Orientation
- Race
- Religion and Belief?

Comments

As in the last point in question 4