

**National Confidential Forum –
A consultation on the creation of
a Forum for Adult Survivors of
Childhood Abuse in Residential Care**

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T: 0131-244 3633 F: 0131-244 43502
E: julie.muir@scotland.gsi.gov.uk

20 July 2012

Dear Sir/ Madam

**CONSULTATION ON THE CREATION OF A NATIONAL CONFIDENTIAL FORUM
FOR ADULT SURVIVORS OF CHILDHOOD ABUSE IN CARE**

Responding to this consultation paper

We are inviting written responses to this consultation paper by 12 October 2012.
Please send your response with the completed [Respondent Information Form](#)
(see "Handling your Response" below) to:

Julie.Muir@scotland.gsi.gov.uk

SurvivorScotland Team
Area 2ER
St Andrews House
Edinburgh
EH1 3DG

If you have any queries contact Julie Muir on 0131 244 3633

We would be grateful if you would use the consultation questionnaire provided as part of the [respondent information form](#) or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the [Respondent Information Form](#) attached to this letter as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly. All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library. (see the attached [Respondent Information Form](#)), these will be made available to the public in the Scottish Government Library and on the Scottish Government consultation web pages. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on our policy for the National Confidential Forum. We will aim to publish a report on the consultation by 3 December 2012.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact details above.

Yours sincerely

Julie Muir
SurvivorScotland Team

Ministerial Foreword



The Scottish Government is committed to providing support for adult survivors of childhood abuse. Through the National Strategy, SurvivorScotland, launched in 2005, we have raised awareness, developed training and skills for frontline workers and invested in the development of services for survivors.

In September 2009 Scottish Ministers gave approval for a Pilot Forum, Time to be Heard, to hear testimony from adults who had formerly been residents of Quarriers (which before 1983 was the largest children's home in Scotland), with the aim of making recommendations on the wider rollout of such a forum.

Following the success of Time to be Heard we indicated our support for a National Confidential Forum and agreed to introduce legislation to establish this. The valuable lessons learned from the Time to be Heard Pilot Forum provide a basis for future development. We would like to hear your views on what a National Confidential Forum should look like.

We are aware that some of you will have an interest in more than the National Confidential Forum and will want to have a say on what happens with the recommendations in the Scottish Human Rights Framework. These recommendations do not form part of this consultation. They are being considered separately in the Human Rights Interaction, which is being led by the Centre for Looked After Children in Scotland on behalf of the Scottish Human Rights Commission. I have agreed that the Scottish Government will take part in the Interaction.

I look forward to receiving your comments on the consultation paper.

A handwritten signature in black ink, which appears to read 'Michael Matheson'.

Michael Matheson MSP
Minister for Public Health

Responding to this Consultation Paper

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (eg, analysis of response reports) can be accessed at: [Scottish Government consultations](http://www.scotland.gov.uk/consultations) (<http://www.scotland.gov.uk/consultations>)

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

Please complete the respondent information form and consultation questionnaire enclosed with the covering letter to provide your responses to the consultation.

Executive Summary

The Scottish Government proposes to develop legislation to set up a National Confidential Forum (called 'Forum' in this consultation) in response to the Time to be Heard Report published in February 2011 - <http://www.scotland.gov.uk/Publications/2011/03/07122331/0>. Time to be Heard was a successful Pilot Forum established to test out one way of hearing testimony from survivors who were abused in residential care as children.

It is proposed that the National Confidential Forum will give adult survivors who were abused in residential care as children the opportunity to describe their experiences in an informal setting and in confidence as far as possible, accepting that disclosure of confidential information will be necessary in some cases to prevent further harm or where required by law.

Introduction

Background

1. This consultation asks for your views on the Government's proposals to establish a forum giving adult survivors abused in residential care as children the opportunity to describe their experiences to people who understand about such abuse in residential care. This forum will be known as the National Confidential Forum. Detailed definitions are provided at Annex A.

2. In 2004, the First Minister offered 'a sincere and full apology on behalf of the people of Scotland' to those who had suffered abuse in residential care homes in the past. This was followed by the launch of the SurvivorScotland Strategy in 2005 which has helped to fund the development of services for survivors. The Scottish Government also commissioned an independent investigation into historical abuse. A report 'Historical Abuse Systemic Review' by Tom Shaw, published in 2007, noted that many former residents wanted to have their experiences as children in a residential establishment heard and recorded – a means of listening to and acknowledging what they need to tell.

3. In 2008 the Scottish Government carried out a consultation on an Acknowledgment and Accountability Forum for adult survivors of childhood abuse in care. In September 2009 Ministers agreed to an independent Pilot Forum, Time to be Heard (TTBH), to hear testimony from adults who had been in residential childcare, many of whom had been abused as children.

4. The aims of the pilot were:

- To listen to former residents
- To acknowledge their experiences
- To provide a historical record
- To signpost available services for survivors and support, advocacy, advice and information about these services
- To test out a particular model for listening to former residents

5. In TTBH 98 former residents were listened to with respect and in good faith. They could bring with them a friend, family member or someone else to provide support at the hearing. Institutions and alleged or convicted abusers were not present. Lawyers were not involved and the Pilot Forum carried out no investigations.

6. Everyone who decided to participate in the Pilot Forum was offered support, help and advice before, during and after giving testimony - and was provided with full information about the Pilot Forum and other options for survivors of in-care abuse - through specialist services that were local to them. This support was commissioned through the In Care Survivors Service Scotland.

7. The TTBH Report was published in February 2011 by the Chair, Tom Shaw <http://www.scotland.gov.uk/Publications/2011/03/07122331/0>. The Report concluded that a forum should be available to all adults who had been cared for in Scotland in certain types of childcare provision at any time in the past. This conclusion was based on the participants' responses, the observations of the TTBH Chair and Commissioners and the independent evaluation of the process. The Report considered that a forum offered the prospect of acknowledgement of harm done, could bring health benefits to many former residents and might improve the experience of residential care for children today. This conclusion was supported by an independent process review of TTBH involving feedback from 65 participants. For more information on the process review see <http://www.survivorscotland.org.uk/time-to-be-heard/process-review/>

8. In March 2011 Ministers made a commitment to establish an independent forum based on the model and informed by the experience of TTBH <http://www.survivorscotland.org.uk/news-and-events/item/scottish-governments-response-to-time-to-be-heard-a-pilot-forum-14/>.

Scottish Human Rights Framework

9. In 2009 the Scottish Government commissioned the Scottish Human Rights Commission (SHRC) to produce a Human Rights Framework to develop a rights based approach to adult survivor policy for those who were abused in care as children. This was published in February 2010 - <http://www.scottishhumanrights.com/news/latestnews/article/framework> and the Scottish Government provided an interim response in June 2010 and a full response in February 2011, after the TTBH report – <http://www.survivorscotland.org.uk/time-to-be-heard/scottish-human-rights-commission/>

10. The recommendations in the SHRC Framework are being taken forward separately as part of the SHRC Interaction. The Centre for Excellence for Looked After Children in Scotland is leading this process. Ministers have agreed that the Scottish Government will participate in the Interaction. We are not therefore asking for views on the SHRC Framework as part of this consultation.

Consultation

11. We have established a Reference Group to advise on issues for this Consultation, for the legislative framework and for effective implementation of the National Confidential Forum. This group includes representatives from In-Care Abuse Survivors (INCAS), In Care Survivors Service Scotland (ICSSS), Former Boys and Girls Abused of Quarriers (FBGA), Who Cares (Scotland), the Care Leavers Association, the Association of Directors of Social Work (ADSW), Educating through Care Scotland (EtCS), the Convention of Scottish Local Authorities (COSLA), the Centre for Excellence for Looked After Children in Scotland (CELCIS), the Care Inspectorate, the Mental Welfare Commission, the Scottish Prison Service (SPS), an expert on homelessness and Roshni (a national organisation that seeks to ensure the safety of children, young people and adults within the minority ethnic communities).

12. A Survivor Stakeholder Group has also been set up to ensure that as many survivors as possible can have their voices heard. Further information on both these groups is available from the SurvivorScotland website - <http://www.survivorscotland.org.uk/>

13. We are also holding small events for survivors to seek responses on the questions in this consultation and any other views on the Forum. Further information can be found at <http://www.survivorscotland.org.uk/> or you can contact a member of the SurvivorScotland Team.

What is a National Confidential Forum?

14. We have considered the remit for a National Confidential Forum and would welcome your views on the points outlined below:

What is the purpose of the National Confidential Forum?

15. The Forum will be designed to give adults who spent time in residential care as children the opportunity to describe their experiences in residential care. The results of the Pilot suggest that this can contribute to their health and wellbeing particularly when the participants are treated with great care and courtesy and have the support they need. We propose that participants should be able to bring a family member or friend to support them at the Forum or, if they prefer, someone from a support service. Support staff will also be available at the Forum.

16. Lessons learned from the past can help to prevent abuse in the future, inform improvements for the health and wellbeing of children in residential care today and protect their rights more effectively in the future.

17. The Forum will produce a report for Ministers which will provide a record of participants' experiences in care and may make suggestions for improvements in residential childcare today. While it may include information obtained during the hearings it will not be possible to identify individual participants, their families or any person who supports them at hearings. In addition, reports will not identify organisations or individual staff, or other former residents and their family members, referred to by participants during the hearings.

18. The Forum will operate for a fixed period (which will be set taking account of the needs of participants) and provision will be made for this in the legislation.

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

Will the Forum be independent from the Government and Other Bodies?

19. It is proposed that the Forum should be established and maintained by an existing public body which is independent of the Scottish Government. It is suggested that it should operate as a separate forum with its functions clearly separated from the current work of the public body.

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

Q3. Should the Forum be (a) integrated into another public body or (b) be a separate unit within another public body?

Who should be eligible to take part in the Forum?

20. An important issue in the development of the Forum is whether only those who define themselves as survivors should be eligible to take part. The Time to be Heard Report recommended (at Recommendation 1) that the Forum should be there for all adults who were cared for away from home. The report recommended accepting applications from anyone who spent time in residential care as a child but adopting a different approach depending on whether the experiences were presented as good or bad. The Report suggested that those who wished to present their good experiences could do so initially in written or recorded form. These accounts would then be considered by the National Confidential Forum and a decision made about whether to invite the participant to an oral hearing.

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 Forum?

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?

21. Another key issue is the type of child care that the Forum should cover. The TTBH Report proposed that the following types of childcare provision 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, boarding departments of schools, and private homes through boarding-out and foster care arrangements.

22. An important aspect of the work of the Forum will be to reflect the harm done to children who were placed in care for their own protection. It is generally accepted that

the State has particular – and greater - responsibility for children who are placed in some form of care because there are concerns about their welfare and the State has intervened to protect them. In contrast it can be said that the State does not generally have the same responsibility for children where private arrangements for their care have been made by relatives or guardians.

23. TTBH only included general residential child care and did not cover children who were fostered or who were in institutions dealing with particular types of need (such as long-stay hospitals). Therefore it is not possible to say with the same certainty that an opportunity to be heard would have the same benefits for children who were not in institutions similar to Quarriers.

24. For these reasons it may be appropriate for the National Confidential Forum to focus on adults who spent time in residential care as children or at least start by prioritising such people.

Q6. Do you agree or disagree that people who were in the following types of 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

Support for Participants

25. The experience of TTBH showed clearly that care must be taken in ensuring that support is available to those taking part before, during and after the hearings. TTBH had a support team in place at the venue and the TTBH Report recognised the value of that team. We would propose that a similar team would be in place for the Forum. We propose that participants should be able to bring a family member or friend to support them at the Forum or, if they prefer, someone from an external support service. Other support may also be important. We would be interested to hear your views on what other support would be needed.

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

Confidentiality and other Protections

26. The experience of TTBH demonstrated the need for the Forum to operate within a general climate of confidentiality (although full confidentiality could never be assured as information would require to be passed to the police if the Forum became aware of an ongoing risk to someone). The Forum will have a duty to report any ongoing crime that is apparent from the hearings. It will also support participants who

wish to report to the police allegations of criminal abuse that took place during their time in residential care.

27. TTBH had to develop practices to mitigate any risks that information provided in confidence might require to be disclosed. Since the new Forum is to have a statutory basis, we are considering other protections which might be put in place to bolster the confidentiality of the Forum. These include giving the Head of the National Confidential Forum and others sitting with him or her at the hearings some protection from being sued and, if possible, restricting the extent to which confidential information would have to be disclosed under other statutory requirements. It may be that protection is also needed for participants in the National Confidential Forum and we are seeking views on this.

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

Conclusion

28. The Government would like your views on our proposals for the National Confidential Forum, in particular the following proposals:

- To establish a Forum for adults in residential care as children
- To follow the model tested by the TTBH Pilot Forum
- To define who should be eligible to be heard by the Forum
- To provide protections for the Forum to enable it to operate effectively

29. We would like to hear your views on both the principle and the detail of what we propose. We are also happy to consider any additional points you wish to make. Please use Questions 9 and 10 at the end of the questionnaire to tell us about what you think might prevent someone from participating in the Forum and to add any additional points.

Equalities Impact Assessment

30. We will be carrying out an Equalities Impact Assessment during the consultation process. This considers how new legislation may impact, either positively or negatively, on different sectors of the population. The assessment is based on existing evidence and on our consultation work up to this point. The assessment considers six equality strands age, disability, gender, race, lesbian, gay, bisexual and transgender, and religion and belief. The final Equalities Impact Assessment will be published at <http://www.scotland.gov.uk/Topics/People/Equality>

Annex A: Glossary and Abbreviations

Children's Homes

'Homes provided by local authorities for children in their care, and homes helped by voluntary contributions' (*Historical Abuse Systemic Review*, 2007)

Child Abuse

Any kind of child abuse as described in the five categories applied by the Scottish Government and based on guidance from 1998:

- 'Physical Injury - Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.
- Sexual Abuse - Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.
- Non-Organic Failure to Thrive - Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.
- Emotional Abuse - Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child.
- Physical Neglect - This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.' (Scottish Office, *Protecting Children – a Shared Responsibility: Guidance on inter-agency co-operation*, Scottish Office, 1998)

Institutional Abuse

Any kind of child abuse as described in the five categories applied by the Scottish Government (see above) which occurs within an institutional setting.

Interaction

A human rights Interaction is a forum for independent mediation and resolution involving key actors in finding a way forward within a human rights framework. It is a process where those affected and those with responsibilities are directly engaged in addressing the issue requiring resolution.

Public Bodies

Public Bodies play an important role in the delivery of public services in Scotland. Their functions range from health and social care to the arts, culture and the built environment. They are part of the wider delivery landscape of Scottish public services which includes local and regional government. For further information see <http://www.scotland.gov.uk/Topics/Government/public-bodies/about>

Residential Establishments

'An establishment managed by a local authority, voluntary organisation or any other person, which provides residential accommodation for the purposes of this Act'. (section 94 Social Work (Scotland) Act 1968)

Residential Schools

'Residential schools are... defined as residential accommodation for children cared for away from home with educational facilities on the premises.' (Kendrick, Appendix 2 *Historical Abuse Systemic Review*, 2007)

SurvivorScotland

The National Strategy for Survivors of Childhood Abuse, launched in 2005. The strategy's aims are to:

- Raise and improve knowledge and awareness of childhood abuse
- Ensure joined-up working in mainstream services
- Improve the lives of survivors
- Develop training and skills for frontline workers

- ADSW** – Association of Directors of Social Work
- CELCIS** – Centre for Excellence for Looked After Children in Scotland
- COSLA** – Convention of Scottish Local Authorities
- EtCS** – Education through Care Scotland
- FBGA** – Former Boys and Girls Abused (of Quarriers Homes)
- Forum** – National Confidential Forum
- ICSSS** – In Care Survivors Service Scotland
- INCAS** – In Care Abuse Survivors
- SHRC** – Scottish Human Rights Commission
- SPS** – Scottish Prison Service
- TTBH** – Time to be Heard

Annex B: Consultation List

List of Consultees

Voluntary Organisations and Private Care Providers

Aberlour
Action for Children
Barnardos
Care Leavers Association
Churches
Coalition of Care and Support Providers Scotland
Cornerstone
ENABLE Scotland
Equal Futures
Faith Organisations
Former Boys and Girls Abused (Quarriers) (FBGA)
In Care Survivors Service Scotland (ICSSS)
In Care Abuse Scotland (INCAS)
Includem
Minority ethnic groups
PAMIS
Penumbra
People First
Quarriers
Rape and Abuse Line (RAL)
Scottish Association for Mental Health (SAMH)
Scottish Care
Scottish Council for Voluntary Organisations (SCVO)
SurvivorScotland Development Fund Recipient Agencies
Victim Support Scotland
Who Cares Scotland

Local Authorities

Aberdeen City
Aberdeenshire
Angus
Argyll and Bute
City of Edinburgh
Clackmannanshire
Comhairle nan Eilean Siar
Dumfries and Galloway
Dundee City
East Ayrshire
East Dunbartonshire

East Lothian
East Renfrewshire
Falkirk
Fife
Glasgow
Highland
Inverclyde
Midlothian
Moray
North Ayrshire
North Lanarkshire
Orkney
Perth and Kinross
Renfrewshire
Scottish Borders
Shetland
South Ayrshire
South Lanarkshire
Stirling
West Dunbartonshire
West Lothian

Health Boards

NHS Ayrshire and Arran
NHS Borders
NHS Dumfries and Galloway
NHS Fife
NHS Forth Valley
HS Grampian
NHS Greater Glasgow and Clyde
NHS Highland
NHS Lanarkshire
NHS Lothian
NHS Orkney
NHS Shetland
NHS Tayside
NHS Western Isles
Special Health Boards

Other Key Interests

Association of Directors of Education in Scotland
Association of Directors of Social Work
Association of Chief Police Officers in Scotland
British Psychological Society
Care Inspectorate
Centre for Excellence for Looked After Children in Scotland
Commission for Racial Equality
Convention of Scottish Local Authorities
Crown Office and Procurator Fiscal Service

Disability Rights Commission
Disclosure Scotland
Education through Care Scotland
Equal Opportunities Commission
Equality and Human Rights Commission
Faculty of Advocates
Healthcare Improvement Scotland
Law Society of Scotland
Mental Welfare Commission
National Confidential Forum Reference Group
National Confidential Forum Survivors Stakeholder Group
Scotland's Commissioner for Children and Young People
Scottish Civic Forum
Scottish Human Rights Commission
Scottish Law Commission
Scottish MEPs
Scottish Political Parties
Scottish Prison Service
Scottish Social Services Council
SPICE
Youthlink Scotland

Consultation on the creation of a National Confidential Forum

Respondent Information Form

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Forename

2. Postal Address

Postcode	Phone	Email

3. Permissions – I am responding as...

Individual / Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

Are you content for your **response** to be made available?

Please tick as appropriate

Yes **No**

(d) It would be helpful if you could let us know whether you:

Were previously in residential care as a child

Previously worked in residential care for children

Other/prefer not to say

(e) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate **Yes** **No**

Consultation Questionnaire

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

Agree Disagree No preference

Comments

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

Agree Disagree No preference

Comments

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

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

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

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

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

Comments

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

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

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

Yes No

Comments

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

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

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

Comments

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

Comments

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

Comments

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

Comments

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

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

Comments



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