

Consultation Questionnaire

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

Agree Disagree No preference

Comments

This would provide ex residents an opportunity to share their story in a safe environment with others who could understand and acknowledge their care experiences.

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

Agree Disagree No preference

Comments

It is imperative that the Forum should operate independently from Government to ensure that ex residents feel that the process is independent and transparent. If the Forum is not independent from Government there is a risk that ex residents may view this negatively as an organisation being overseen by the state that made the original care placements.

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

It is important that the Forum is perceived as being independent therefore consideration should be given to where the unit should be placed. In consultation with ex residents they wish to know that their story will be treated seriously, understood and acknowledged. After all, for some this may be the first time they will have told their story.

Perhaps the location of the unit in itself is not the key issue but where the Forum will sit to make itself available to ex residents throughout Scotland to ensure that they can access this easily will be a more pressing issue.

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

Yes, the Forum should be open to all who have experienced residential care by the State. This will ensure that there is an open and transparent process to all ex residents minimising the possible identification and stigma of such a Forum if it were to be specific to a certain client group.

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

No. Initially the process should not be the same for all participants however consideration should be given to whether those who are not deemed to be survivors do have the opportunity by written submission to share their story. The fact that they may have had a positive experience of their care environment may harbour feelings of guilt knowing that others did suffer but they were unable to do anything about this or they may genuinely not have known. In consultation with some ex residents in this situation they too have views to express both positive and negative which they may never have shared before.

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

Yes the Forum should be open to all of the above groups. The Forum should also consider including those children placed by the state in foster homes which in reality will include a far greater number of children and young people than those placed in residential establishments but this does not mean that they are not survivors of abuse.

Clearly there would be a capacity issue for the Forum but the Government should consider all children placed by the state giving them an equal opportunity to access the forum and share their story.

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

Comments

Before the Forum

Ex residents will require advice and guidance about the Forum. They may require support to help them think about what the key issues are they want to say and how they wish to say this. They may need help writing down their story and considering who will support them at the Forum.

They will also need support and travel advice to help them get to and from the Forum depending on where they must travel from. Some may require to stay overnight depending on their existing needs and distance of travel from home. They may need help with travelling expenses.

They will also need to know the role and remit of the Forum and the issues relating to confidentiality of the process and how this may impact on them. It will be important that the Forum is clear what it can and cannot do in order not to raise unrealistic expectations.

During the Forum

They will need to know that they can have a support person in attendance with them and the role of the support person. They should also be clear that the support person could share their story on their behalf if this was their wish or if they felt unable to do so personally but wished to participate in this process.

They should also be clear how long the Forum session can last and that they can take a break should they require this.

The venue should be comfortable and set out to encourage people to tell their story

without any interruptions and maintain confidentiality.

After the Forum

They should be given advice to help them deal with the aftermath of their attendance at the Forum. For some this may bring feelings to the surface which have been suppressed for many years. They should be signposted or given advice how to access appropriate service should this be required e.g. counselling, psychology, GP etc

As noted previously they may need help and guidance to help them with travel arrangements to return home.

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

To ensure that the Forum is able to operate openly and be unrestricted it will be important that there is an open atmosphere and that participants are not restricted in what they allow ex residents to share for fear of consequences.

With reference to participants this is a challenge but on the whole participants should also be protected in order to ensure the credibility of the Forum and to promote a safe environment for those who wish to tell their story however negatively they may have been impacted by their experience.

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

Some potential barriers could be:

- Distance of the Forum from where people live – travelling can be very stressful for some
- Expense of attending the Forum - this will have an impact on time and money for those coming from remote areas throughout Scotland
- Some ex residents may require an advocate to support them if they have no family or friends to do so.
- Poor dissemination of information on the Forum – this needs to be widely distributed and advertised
- Personal views of ex residents not to share their story – the past is the past
- Current health and well being of ex residents may prevent them from participating
- Desire for family members not to know therefore do not participate in the process
- Potential fear of what this will raise for participants

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

Yes No

Comments

The TTBH Forum was well received by ex residents and for many this brought closure after many years. It is crucial that the positives from this are learnt in the development of a National Forum.

The development of the Framework for Historic Child Abuse by the Scottish Human Rights Commission will also help to address areas that are out with the role and remit of the Forum but there is a need for both and they will complement each other.

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

The Forum should have a positive impact on those eligible to access the Forum.

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

There should be a positive impact in terms of improved health and well being.

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

Comments

This could potentially unsettle ex residents and create family tensions depending on actions taken. For some it may result in a deterioration in their mental health and wellbeing.

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

Comments

It has the potential to improve the mental, physical and social wellbeing of ex residents. It has the potential to bring closure for many for the experiences they suffered in the past. It may allow some to have a more positive future. It may create greater self confidence and self belief following attendance at the Forum where their accounts were acknowledged.

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

Comments

To provide as much information as possible to allow ex residents to make an informed choice.

To ensure that support is available before, during and after the Forum.

To make the process simple to access and support is given to ensure that those who wish to attend can.

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

Comments

To provide as much public information as possible.

To provide an effective promotional campaign to disseminate information about the Forum.

To provide follow up following attendance at the Forum

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

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

Comments

The following need to be considered :

- Access to interpreters
- Methods of communication for those with communication difficulties
- Accessible venues
- Time available – for some telling their story may take longer than others
- The emotional impact on participants irrespective of how long ago they experienced their care placement and the current impact of this
- Feelings of powerlessness