

Consultation Questionnaire

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

Agree Disagree No preference

Comments

East Renfrewshire Child Protection Committee agree in principal with the purpose of the Forum but would seek assurance that support would continue to be available after the fixed period ends.

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

Agree Disagree No preference

Comments

East Renfrewshire Child Protection Committee believes that independence will be important for some of those who contribute to the Forum. For others there may be a preference to have government involvement in terms of a sense of importance with their undertaking and contribution to future improvements for looked after children and young people.

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

East Renfrewshire Child Protection Committee considers it important given the nature of the work being undertaken

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

East Renfrewshire Child Protection Committee agrees it is important to value all experiences and listen to the views of those adults whose own personal circumstances led to a requirement for a child or young person to be looked after and / or live away from home.

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

This is complex area and individual perception of the experience of being looked after will be specific to the adult survivor. The agreed process should include appropriate contingencies to deal with each person as an individual.

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

Whilst the requirement for long-stay hospital provision may not have begun for these children and young people as a protective situation, recent media coverage emphasises the need to consider all children and young people who were placed in the care of others for whatever reason.

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

Comments

Every participant must be provided with a support package that will extend beyond the activity of the forum.

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

This is an area that needs extensive consideration.

For Example: *The Protection of Children (Scotland) Act 2003 makes it clear that for the purposes of the law of defamation, qualified privilege applies to any information submitted with a reference and to any observations invited by the Scottish Ministers to enable them to make their decision on listing. This means that unless an organisation acts with malice in making a referral or in making observations there will be no grounds for a defamation case. Where a statement made in good faith turns out to be wrong, the person providing that would be protected. On the other hand, where a person knowingly makes a false accusation or deliberately provides misleading information, this could be considered malicious and they will not have the protection afforded by the Act if a defamation claim is made. Malice must be proved for a claim of defamation to be successful.*

Similar action may be required to protect individuals where appropriate

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

It is never easy sharing traumatic experiences and trust is often an issue. The barriers may be around engagement if those who consider taking part are unsure of their own protection as adults.

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

Sharing abuse experiences can be traumatic.

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

Comments

The ability to share experiences can be invaluable.

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

Comments

Appropriate support must be made available to all who participate.

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