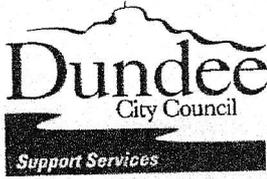


Letter No 16



# CHANGING FOR THE FUTURE

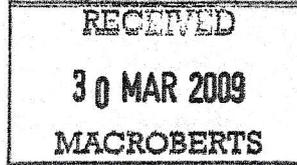
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Our Ref JMcD/CH 4/2/1  
Your Ref LAG/CDT/LAG/EIG/1/2  
2761634 V3  
Date 26 March 2009

Dear Sirs

## EIGHTEEN AND UNDER FAIRER SCOTLAND FUND

I refer to your letter of 25 March.

In the first instance I should say that the Council is prepared to continue funding your clients until 30 April 2009 and this has been intimated to Laurie Matthew.

The Council's concerns were raised with your clients in the meeting on 23 January 2009 following a complaint which had been made to your clients about the conduct and actions of one of the volunteers who had been working with a vulnerable young person and their family. Following investigation it transpired that your clients' position was that the volunteer had not complied with your clients' rules. The volunteer had not adhered to your clients policies relating to the conduct of volunteers. Of serious concern to the Council is the fact that your clients hold no records about the supervision of volunteers and that there was no evidence that the volunteers' conduct had been monitored. Your clients' policies relating to the supervision and support of volunteers by them were not being adhered to and this failure has not been acknowledged by your clients.

The Council is concerned that by your clients' failure to acknowledge these shortfalls or being able to satisfactorily explain how this situation came about, another situation might arise which would leave vulnerable children and families at risk. Your clients Child Protection Policy is inadequate and may leave children and young people using the services provided by them at risk. The policy places the responsibility for the welfare and safety of children on "Child Protection Workers" within the organisation. It appears these workers may be paid workers, volunteers or members of the Management Committee. It is not specified as to what qualifications these workers have to make decisions regarding immediate protection and welfare of children. Within the policy they are given the authority to use their discretion without reference to qualified child protection workers or statutory agencies. The policy does not give clear guidance in terms of when it is necessary to contact statutory agencies who are qualified to make decisions regarding the safety of children. The policy suggests contacting agencies (which are not specified) for advice, without giving details that will identify the child. This is an unsafe practice and your clients' policy on confidentiality is unclear about

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the circumstances in which your clients would not give the details of a child in need of protection. There is no safeguard in the policy which will protect children who complain against a worker, volunteer or member of the Management Committee. The policy as it stands, and the make up of the organisation allows the Management Committee and the "Child Protection Workers" to make decisions regarding the safety of children, when Child Protection Workers, volunteers and some members of the Management Committee are related to one another. There is therefore concern that there is a lack of independent governance of child protection matters relating to complaints about staff, volunteers and Committee members. The policy indicates that the workers and members of the Management Committee will have discretion when deciding to inform parents or carers and this may be as a matter of courtesy depending on the age of the child or young person. This is not acceptable practice. The part of the policy which refers to abusers is not acceptable as it again leaves the discretion of what action to take to Child Protection Workers or the Management Committee.

There is a blurring of roles and responsibilities within your clients' organisation and a lack of clear governance accountability and independence between volunteers, paid employees and members of the Management Committee. Implementation of your clients' policies, particularly child protection policies relies on the decision making and judgement of people who are in these roles.

Your clients have no clear referral system. They have not recorded referrals and where they have come from and no records kept about the referral, the referrer or the details of the young person including their age and care arrangements. The advice which should be given to a child or young person will be influenced by their age, stage of development and their current care arrangements and by not asking for or recording this information, potentially harmful consequences could be caused for a child.

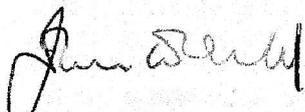
The lack of record keeping by your clients makes it difficult for the Council to be satisfied that advice, support or guidance is being helpful or that the type of service being offered is suited to the needs of a child or young person and is effective in keeping them and others safe.

Given the connections between Management Committee members, employers and volunteers, it is a matter of concern as to whether recruitment to the project complied with the terms and conditions of the agreement between Dundee Partnership and your clients.

The matters, referred to in Peter Allan's letter to Laurie Mathew dated 13 February, which are considered to ensure organisations meet the standards required of organisations on the Social Work Department's Approved Provider List are: (1) evidence that the organisation is properly constituted and is appropriately registered, including registration with OSCR if appropriate, (2) that appropriate arrangements are in place for the governance of the organisation, which ensures that there are no inappropriate relationships or any conflicts of interest (3) information about any registration with other bodies such as the Scottish Commission for the Regulation of Care (4) Finance, Insurance and Employment policies and practice (5) assessment of Organisational and Service Standards and (6) References.

In terms of the Agreement, volunteers to be working with children should have an Enhanced Disclosure Scotland check and to date the Council has seen no evidence of this.

Yours faithfully



Team Leader (Legal Services)