Making records ready: responding to the Scottish child abuse inquiry.

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2018

MAKING RECORDS READY: RESPONDING TO THE SCOTTISH CHILD ABUSE INQUIRY

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DInfSc   2018

Abstract   This study charts and describes, within a live and emergent environment, how a large organisation responded to the requirements of the Scottish Child Abuse Inquiry. Using Action Research and a records continuum perspective, the study explores the role of records and the issues identified by previous research and Care Leaver communities about their importance, existence and use. Framed using the Heideggerian concept of records as tools *- present-at-hand and ready-at-hand -* the study explores the management of identifying record sources and record types that: exist; the purpose these records provide through their content; and how they function formally as evidence. Difficulties inherent from the historic eighty-year scope and the issues with accessing a national and organisational memory are described. The legal and moral aspects of recordkeeping are highlighted as having equal importance for the State in its legislative and regulatory role, and for Care Providers in their statutory role as Corporate Parents. The emerging themes whilst centred on records and their accessibility, meaning and use, also draw on the experience of witnesses and organisational Stakeholders within the context of the inquiry and organisation, their multi-disciplinary, attitudinal positions and the timescales involved in the processes. For the Care Leavers, State legislators and institutional corporate parenting bodies of the past, the present, and in the future, their dependency on the legal and moral dimensions of recordkeeping as a national and institutional narrative is key. The study supports the conclusion that Recordkeeping is fundamental in enabling our society to fully understand and come to terms with the past, understand the present and prepare for the future.

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1. Introduction

1.1. The problem in context: inquiries into child abuse globally

There are many child abuse inquiries that have recently been conducted, (Ireland, Jersey, Australia, England) (Independent Inquiry into Child Sexual Abuse 2018; The Historical Institutional Abuse Inquiry 2017; Royal Commission 2017; Independent Jersey Care Inquiry 2017) currently underway (Scotland) (Scottish Child Abuse Inquiry 2018) and more that are about to begin (New Zealand) (The Royal Commission of Inquiry 2018). These public inquiries are a direct consequence of individuals making allegations that they were subjected to some form of child abuse whilst in the care of the State (Government). Across these Inquiries, records have been identified as a vital source of evidence by those abused, and by those seeking to investigate and address these historic allegations. At the forefront of all Inquiries is the identification of whether the historic, systemic practice of the time failed children, and how any abuse by those charged with their care could have happened.

The State, and institutions delegated responsibility by the State to provide residential services for the care of children have a central role to play in these Inquiry proceedings. These Inquiries are investigating the historic practices of that provision through the evidence institutions provide from the records that

they hold. One of the issues identified by Care Leavers, long before the Inquiries have come to fruition is the existence of, and accessibility of records, and the use and meaning those records can provide Care Leavers (MacNeil et al. 2018; Murray 2017; Evans 2015; O'Neil et al. 2012; Humphreys and Kertesz 2012; Goddard et al. 2010; Shaw 2007; Horrocks and Goddard 2006; Kirton et al. 2001). These same issues continue to stall and disrupt the Inquiry process at the same time as Care Leavers are encouraged to come forward and share their experiences, State and organisations are being required to produce records as part of their witness testimonies in order to evidence their practice.

These records are fundamental to Care Leavers' claims being corroborated and enabling them access to any redress options available, and to those seeking to evidence what practice was in place at any particular historic time period. More broadly, any Care Leaver seeking information and records about their time in care can encounter problems, since individuals' living memories can be difficult to validate without some form of physical evidence. Care Leavers may not have the family connections which could provide them with the sense of identity and memory afforded to those brought up in a traditional family. Only the records, if found, and if containing the information that is sought by the Care Leaver, can provide this.

Philosophical questions about to what extent memory shapes an individual's personal identity notwithstanding, what is of interest here is the importance of record keeping and the part records can play in establishing a sense of personal identity. The premise that "life can only be understood backwards, but it must be lived forwards" (Kierkegaard 1843), sits at the heart of this study. In short, records provide evidence of events that can fill in the gaps and help establish a deeper sense of personal identity for those Care Leavers who are seeking to understand who they are.

The Scottish Child Abuse Inquiry (SCAI) was established in October 2015 to address the historic allegations made by those children, now adults, who have been looked after through the care system in place across Scotland past, present and future. One of the key aims of the Inquiry, as outlined in their Terms of Reference is to provide Care Leavers with a platform where their allegations of abuse can be heard and acknowledged in a public arena. This is something that Care Leaver campaign groups have lobbied for, for nearly 20 years (Scottish Child Abuse Inquiry 2017n).

As part of the investigative nature of the SCAI Hearings process, witness testimonies will also be given by representatives of organisations which have provided that residential care for children over the historic time period in scope - 1930 to 2014. Evidence in the form of records will be required from all organisations and institutions identified by SCAI as having a role in and responsibility for children in care at some point during this time period. The evidence collated from the witness testimonies will form a new public record, evidencing the proceedings of this public inquiry process, that will conclude with SCAI reporting their findings to Scottish Government.

Originally, it was conceived that SCAI would conclude their investigations within four years, submitting a report to Government sometime in 2019 (Scottish Child Abuse Inquiry 2015a). In July 2018, it was announced by the Inquiry's Chair, Lady Smith that this would no longer be possible if she was to give voice to all Care Leavers who had come forward. The date for SCAI to complete has now been left as "when practicably possible" for the time being (Scottish Child Abuse Inquiry 2018m). For the State and those with responsibility for the provision of residential services for children, the practicalities of sourcing and accessing all records relating to provision within the timeframe 1930 to 2014 are complex.

Previous research has highlighted that records collated to date for the earlier, historic time period of 1930 to 1960s are scarce, but it is unclear whether they do not exist, or have not yet been found (Scottish Child Abuse Inquiry 2017; Shaw 2007). The varying legislative frameworks in place covering the historic timespan do not guarantee that records which were created can be found, or that they will have the type of information sought by the Care Leaver, by the care provider, or those charged with sourcing evidence whilst undertaking the requirements placed on them by the Inquiry. Both legal and moral aspects of records have equal importance.

Evidence from academic, practitioner and Care Leaver perspectives suggests that any records which were created, and which do exist across this timespan are diverse in range (Shaw 2007). Their existence and nature are unpredictable and unsystematic. It is no wonder that these issues continue to pose challenges and frustrations for those involved in, and dependent on, these records as evidence for the more established inquiries across the globe. Whilst continued attention has been given to records' existence and to their usability issues, there has been little said about possible solutions to counter this.

1.2. Context of the research setting – Aberdeen City Council

1.2.1. The Organisation

This research is based within Aberdeen City Council (the Council), one of Scotland's 32 local authorities. The Council has a workforce of 8000 employees, who serve a population of approximately 229,000, within a small, predominantly urban, geographical location.

The Council has a diverse and extensive range of statutory functions, duties and powers, within which it delivers multiple services which range from roads, education and environment; essentially the infrastructure of the region, the place and the people that it serves (Aberdeen City Council 2017a). The range of services provided by the Council is diverse, and the management of their delivery is complex.

The Council's (Aberdeen City Council 2016p) 2016-2020 states "Every service the Council provides depends on our data, the applications, tools and devices we use to capture, process, protect and manage it. We hold data on every one of our customers and every property in the city. Every member of our staff needs our data, supporting the applications, tools and devices to do their jobs. This is a large and complex landscape:"

Figure 1 Aberdeen Council information and technology landscape City

Our information and technology landscape

11 million electronic files		9km of hard copy files	
400 applications		19,000 access databases	
10,000 desktops		5000 laptops	
2000 smartphones		500 servers	
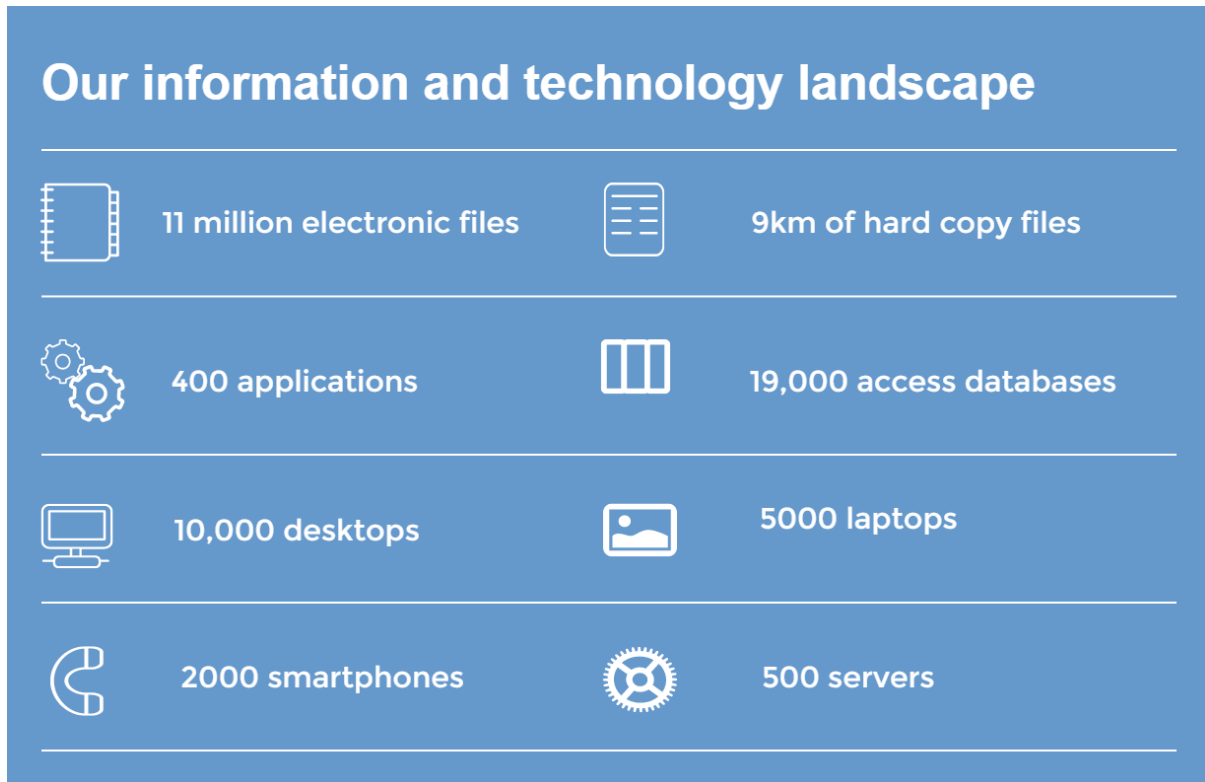
(Aberdeen City Council 2016p).

This complex landscape includes an inheritance of historic information legacies, and with the more recent advances in technology, the management of records and data for the Council has become increasingly challenging.

Within this context, meeting the demand for services and providing the right supports at the right time, and in the right way for any of our citizens who are less able, and more vulnerable, the Council has a role to ensure those individuals are protected, cared for and supported to prosper. The Council's legal obligations are governed through a diverse range of statutory frameworks including Local Government legislation, but much of how it operates at any given time is dictated by a locally elected administration and committee approval process supported by senior officers employed to deliver agreed strategic outcomes. Figure 1 charts the historic changes and statutory duties:

Figure 2 Aberdeen's Locals Governments Timeline

Aberdeen's Local Government Timeline

Grampian Regional Council
Statutory duties:
-Education
-Social work
-Roads
-Strategic planning

1930 - 1975   1975 - 1996   1996 – current

Aberdeen Town Council
Statutory duties:
-Police
-Education
-Public health
-Public assistance
-Housing
-Lighting
-Drainage

The City of Aberdeen District Council
Statutory duties:
-Housing
-Environmental services
-Local planning

Aberdeen City Council
Statutory duties:
-Education
-Social Work
-Roads & Transport
-Economic Development
-Housing & Planning
-Environmental protection
-Waste management
-Cultural & Leisure

(Figure by author).

Historically the Council has had a duty to provide these types of services for the people and place of Aberdeen long before 1930, albeit in differing forms and varying guises; the nature of this duty has been influenced by changing public policy, and geographical demarcations, societal standards and financial viability of the time period (full details at 5.4.2). It is on this basis that the Council can be said to have both played a significant role in and had responsibility for the care, protection and welfare of children.

Specifically, the Council has had in one way or another, a legal obligation to provide residential services for children since 1930. The source and nature of this legal obligation has developed over the historic time period 1930-2014 as societal expectations and state interventions around the care, protection and welfare of children have changed (Norrie 2017; Radford et al. 2018; Kendrick 2016; Kendrick and Hawthorn 2012; Shaw 2007). This being the

case, the Council plays a central role in the scope of SCAI, and it is vital that the organisational records relating in any way to the provision of residential services for children over this historic time period and their existence, content and whereabouts are known.

This study follows the phases of work entailed as the Council prepare for and are ready to fulfil their legal and moral obligations as part of the requirements emerging from the SCAI process. This process will be twofold in that the national context - all things leading up to the Inquiry and the completion of the first phase of Public Hearings - will be central to informing the organisational journey during that time.

1.2.2.   The Scottish Child Abuse Inquiry

Figure 3 Scottish Child Abuse Timeline
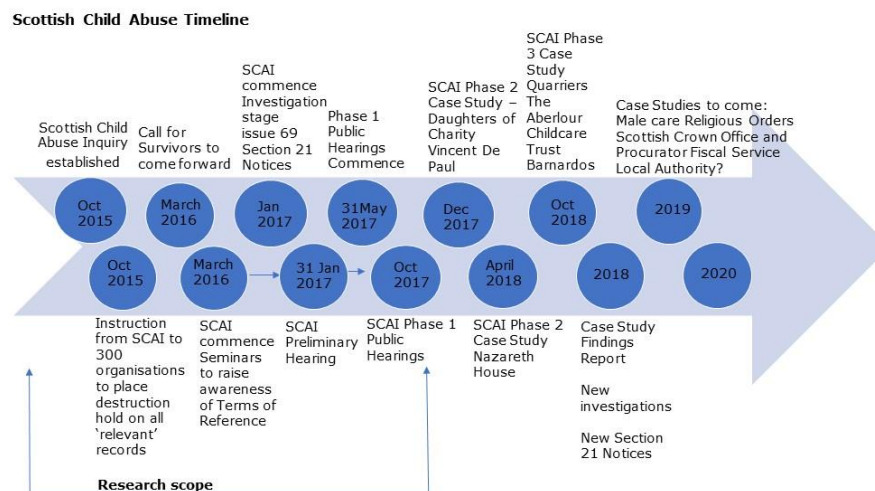
(Figure by author).

The Scottish Child Abuse Inquiry (SCAI) commenced on 1 October 2015 signalling a change in how the matter of historic systemic child abuse across Scotland would now be addressed. The Terms of Reference set out the scope of what would be considered and examined, the time period in which it would take place and what areas of recommendation would be reported on once complete.

The aims and purpose of the Inquiry are to raise public awareness of the abuse of children in care and provide the opportunity for public acknowledgement for those Care Leavers to validate their experience and testimony. The eight areas highlighted within the terms of reference detail how the Inquiry will do this:

1. To investigate the nature and extent of abuse of children whilst in care in Scotland, during the relevant timeframe.
2. To consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect children in care in Scotland (or children whose care was arranged in Scotland) from abuse (regardless of where that abuse occurred), and in particular to identify any systematic failures in fulfilling that duty
3. To create a national public record and commentary on abuse of children in care in Scotland during the relevant timeframe
4. To examine how abuse affected and still affects these victims in the long term, and how in turn it affects their families
5. The Inquiry is to cover that period which is within living memory of any person who suffered such abuse, up until such date as the Chair may determine, and in any event not beyond 17 December 2014
6. To consider the extent to which failures by state or non-state institutions (including the courts) to protect children in care in Scotland from abuse have been addressed by changes to practice, policy or legislation, up until such date as the Chair may determine

7. To consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future

8. Within 4 years (or such other period as Ministers may provide) of the date of its establishment, to report to the Scottish Ministers on the above matters, and to make recommendations

(Scottish Child Abuse Inquiry 2015b).

At the end of October 2015, SCAI had appointed their Panel members, and made a public statement asking individuals who had been subjected to abuse to come forward (Scottish Child Abuse Inquiry 2015a); Scottish Child Abuse Inquiry 2016). Running in parallel to this, immediate recognition was made by SCAI of the importance and pivotal position records would play in the legal proceedings, inherent to a public inquiry. The role that organisations would have in these proceedings and the dependence SCAI placed on those parties for records was made explicit by them. The Inquiry wrote to approximately 300 organisations known to have been involved in, or responsible for residential provision for children in care from 1945 to 2014 (this scope was later expanded)

This letter was a formal legal instruction, citing the Inquiry's powers under the Inquiries Act (2005). It cited the aims and purpose of SCAI and the extensive range and types of residential care provision that were in scope for them to "investigate the nature and extent of abuse of children whilst in care….[and to] consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect children in care in Scotland (or children whose care was arranged in Scotland) from abuse (regardless of where that abuse occurred), and in particular to identify any systematic failures in fulfilling that duty" (SCAI 2015b):

"For the purpose of this Inquiry, 'Children in Care', (Scottish Child Abuse Inquiry 2015b) includes children in institutional residential care such as children's homes (including residential care provided by faith based groups); secure care units including List D schools; Borstals; Young Offenders' Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent Boarding Schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care."

(Scottish Child Abuse Inquiry 2015b).

It also instructed all organisations to place a hold on the destruction of any relevant organisational records pertaining to the management and delivery of that provision, although it gave no further instruction about what records may or may not be in scope (Scottish Child Abuse Inquiry 2015a).

In response to this letter, the Council formed a strategic group who were identified to respond to this request. The strategic group met regularly in recognition of the need to identify what provision was in the form of establishments were in scope across the Aberdeen (local authority) estate; many of which were unknown at this time.

The SCAI team began running a number of engagement seminars throughout 2016 to 2017 with National bodies representing organisational Sectors in scope. This included Social Work Scotland (SWS), Society of Local Authority Lawyers and Administrators (SOLAR), National Records of Scotland (NRS) and Archivists of Scottish Local Authorities Working Group (ASLAWG). Key concerns and issues highlighted from the National bodies covered a wide range including resourcing, financial compensation and liability and relevant documentation and records.

In January 2017, SCAI held a Preliminary Hearing where they outlined how they intended to proceed with the Inquiry. During this, they described the activities conducted to date, the context of doing this within their wide-ranging remit and the complexity of the investigative processes required to build their knowledge and understanding of care provision over such an extensive time period. These activities, they stressed, were central to building the required foundations in which they could now proceed with Public Hearings which would include testimonies, both written and verbal, from independent experts, Scottish Government, and a range of Faith Based and Third Sector organisations. Section 21 Notices had been issued to a range of parties identified and was the basis SCAI had derived for ascertaining the information ('records') required. Section 21 Notices are legal provisions within the Inquiries Act 2005 that enable requirements to be made to provide requested documentation to SCAI. In this first phase of Public hearings, SCAI stated their attention would be focussed on three areas:

1. The nature, extent and development of the State's role in and responsibility for children in residential care, including foster care

2. The history and governance of various organisations that provided care for children on a residential basis

3. The background to and reasons for the formation of survivor groups

Coinciding with this public statement and official trigger of SCAI activities, the first batch (69) of Section 21 Notices were issued to a select and representative sample of organisations, "Notice is given, in terms of Section 21(2)(b)of the Inquiries Act 2005 that you are required by the Rt Hon Lady Smith to provide, at the above address the evidence detailed in the appendix attached to this notice by the following dates" (Scottish Child Abuse Inquiry 2015a). The organisations selected were identified on the basis of 'named' establishments where allegations of abuse had been made to SCAI since March 2016. This initial batch of Notices encompassed the organisational

types of residential child care establishments run by Public, Private, Third Sector and Faith Based organisations.

1.2.3.   Section 21 Notice

Aberdeen City Council received a Section 21 Notice as part of this initial batch of SCAI investigations, naming an establishment that they managed. The Notice consisted of thirty double-sided A4 pages of questions in four parts:

A – Background, structure and oversight of organisation and establishment

B – Retrospective Acknowledgement/Admission

C – Prevention and Identification

D – Abuse and response

Table 1 Summarised Parts A,B,C & D of Section 21 Notice

Part A Background	Part B Current Statement	Part C Prevention and Identification	Part D Abuse and response
1. Characteristics	3. Retrospective Acknowledgement/Admission	4 Policy and Practice	5 Abuse
1.1 History of Organisation and Establishment	3.1 Acknowledgement of Abuse	4.1 National	5.1 Nature
1.2 Funding of Establishment	3.2 Acknowledgement of systemic failures	4.2 Local Authority	5.2 Extent
1.3 Legal Status (organisation/named establishment)	3.3 Acknowledgement of failures/deficiencies in response	4.3 Admissions (Policy and Practice)	5.3 Timing of Disclosure/Complaint
1.4 Legal Responsibility (organisation/named establishment)	3.4 Changes	4.4 Day to day (Policy and Practice)	5.4 External Inspections
1.5 Ethos (organisation/named establishment)		4.5 Children (Policy and Practice)	5.5 External Investigations
1.6 Numbers (organisation/named establishment)		4.6 Staffing (Policy and Practice)	5.6 Response to external inspections/investigations
1.7 Children's Background/Experience		4.7 Visitors (Policy and Practice)	5.7 Impact
1.8 Staff Background (organisation/named establishment)		4.8 Volunteers (Policy and Practice)	5.8 Known Abusers at Establishment
		4.9 Complaints and Reporting (Policy and Practice)	5.9 Specific Complaints
2 Organisational Structure and Oversight		4.10 Internal Investigations (Policy and Practice)	5.10 Civil Actions
2.1 Governance		4.11 Child Migration (Policy and Practice)	5.11 Criminal Injuries Compensation awards
2.1 Culture		4.12 Records (Policy and Practice)	5.12 Police
2.3 Leadership			5.13 Crown
2.4 Structure			
2.5 Hierarchy and Control			
2.6 External Oversight			

(Parts C & D greyed out as not in scope in Phase One SCAI Hearings)

(Scottish Child Abuse Inquiry 2015).

SCAI gave strict deadlines for organisational responses to the Section 21 Notice to be submitted, comprising two parts; A and B in late April 2017, C and D in late July 2017. At the same time, SCAI also published details about commencement of Phase One Public Hearings on 31 May to 20 July 2017.

SCAI were to provide more informal details about their Terms of Reference (2017b) and how they intended to proceed from this initial batch of organisations identified, stating that this was a representative sample selected from across all sectors, and would give them an idea of how they might progress with other allegations coming forward as part of the Inquiry process (Aberdeen City Council 2017b). For now, this phase of investigations would enable SCAI to test their methodology for collating evidence - records - and further establishing and implementing the Public Inquiry process. There are seven stages of conducting a public inquiry, and SCAI having established their team and Terms of reference (2017b) were now undertaking commencement of the investigative and Public Hearing stages (Inquiries Act 2005). These stages do not necessarily follow a linear pattern but can overlap. With that in mind, SCAI may choose to produce interim reports and not wait for the four-year completion date to do so.

SCAI stated the phased approach they were taking would help them to gain a sense of the types of information and records returned and how this could support their investigative journey. They acknowledged that the Section 21 Notice required a lot of contextual narrative, assisting them with the systemic nature of care provided, how abuse could have taken place and what type of response would have been made across the time period. SCAI would not be looking at case-by-case instances of abuse, but a more Case Study, thematic approach (Aberdeen City Council 2017b). Whilst documentation referred to in organisational responses to the Section 21 Notice was not required to be provided physically to them at this point, SCAI warned that they might require to see such documentation later on in proceedings. An example might be documentation relating to an organisational policy. SCAI also stated that depending on the responses received and the level of narrative provided,

they might request witnesses to testify about the records research activities conducted, whether records were found or not.

1.2.4. Public Hearings

Testimony at the Hearings was heard from a range of organisations and interests including academics who had undertaken commissioned research on behalf of SCAI, and those who had responded to Section 21 Notices earlier in the year: Scottish Government; Religious Orders and 3rd Sector organisations. Full transcripts of all testimony including opening and closing statements given were published on the SCAI website within a matter of days following the actual event. Members of the public could also attend the Hearings and whilst not being privy to the documentation in scope, were given access to sit through every part of the Hearings process.

For seven weeks, from May 31 to 11 July 2017, SCAI ran their first set of Public Hearings; the second part scheduled for October 2017. This particular stage heard evidence from expert witnesses, the Scottish Government, 3rd Sector providers, Faith-Based Organisations and Survivor Groups. Particular areas in focus were the legislative and regulatory framework governing care in Scotland up to 1968, the development of care services in Scotland, societal attitudes towards children and the nature and prevalence of child abuse. The witnesses representing those organisations who had provided residential child care were asked about the history and governance of that care. SCAI's legal counsel framed all questions around the Section 21 Notice responses; parts A and B. These were not made available to the public at the time of this study, but from my organisational knowledge, appeared to reflect much of the content of Section 21 Notice content distributed in January 2017. Incidentally, SCAI did publish a Section 21 Notice response from Daughters of Charity Vincent De Paul Faith -Based organisation in March 2018 following completion of their Case Study testimony (Scottish Child Abuse Inquiry 2018p).

1.2.5. Witness testimonies

Analysis of the data selected for this study has focussed on the issue of records that pertain to children in care from 1930-1968, what those specific records are, who has them, what they contain and what this provides the Care Leaver or those trying to piece together evidence around the practice in place. The central records issues that have perplexed previous research attempts and frustrated Care Leavers are (i) the existence and accessibility of records and (ii) the use and meaning those records can provide them. The narrative selected from the transcripts presented here follows an exploratory path, outlined fully at Chapter 2. It provides a detail that can assist with the contextual comparison between the experience from SCAI witness testimonies to the reality in practice of an organisational perspective in how they responded to SCAI requirements (Scottish Child Abuse Inquiry 2018p).

This section is structured following the analysis of witness testimonies from Professors Norrie and Levitt and Scottish Government (SG) (Scottish Child Abuse Inquiry 2017d, e, f, h, i). The analysis focusses in on the areas and methods of questioning posed by SCAI Counsel to the witnesses about records and the responses they receive. It is from this analysis that an emerging framework about records is revealed, from those records that exist, to why they exist, and the meanings and use they then provide SCAI in building their understanding about the historic provision of residential care for children.

From the verbal testimonies given by all witnesses so far in those proceedings, the topic of records has been core: what these are (or were), where they are (or were) held, what they contain (or might have contained) and what meaning is being taken from them and therefore what purpose they would and/or do serve (Scottish Child Abuse Inquiry 2017d, e, f, h, i).

A central component of the questioning techniques deployed by SCAI Counsel during the first phase of Public Hearings has been to drill into the detail about records from witness testimonies. SCAI Counsel frequently state the rationale behind this as a means for them to gain a better understanding about the records being referred to by witnesses and their ability to determine whether those meanings and interpretations of use, whether explicit or inferred through records (ready-at-hand) are reliable.

SCAI Counsel spend a lot of time with witnesses, questioning them about the topic of records; their research methodologies, record sources and record types. The types of record previously identified by Norrie and Shaw (2017; 2007) that those operating residential provisions would have created and therefore be relevant to SCAI, such as Admission Registers and Log books, form part of the initial questioning. However, with limited knowledge and access to these types of records forthcoming from witness testimonies, SCAI Counsel questioning moves quickly on to records lifecycle activities. SCAI Counsel use the term methodologies, asking witnesses about alternative record sources and types that they have used. This particular line of questioning enables SCAI Counsel to uncover further underlying aspects relevant to the existence of records within the confines of retention and destruction practices of the historic time period.

1.2.5.1. *Legislative and Regulatory Framework*

Given the gaps in SCAI knowledge and understanding of the legislation and regulatory framework governing children in care in Scotland from 1930 to 2014, it was apt that Norrie be one of the first expert witnesses called to give testimony at the first phase of SCAI Public Hearings. Norrie is a well-respected and accomplished academic in the field of Scottish Law. At the time of his testimony (Scottish Child Abuse Inquiry 2017d), Norrie had completed and published Part 1 of his commissioned research, 'Beginnings to 1948' and Part 2 '1948-1968' (2017). These were long and detailed reports, outlining the chronology of what legislation was in place for children in care and

subsequent regulations. The fact that Norrie conducted this research in four phases (publishing Part 2 in June 2017 and parts 3 & 4 in October 2017) is an indication of the time required by him to apply the depth and rigour for this research to be completed.

The further importance SCAI placed on this expert witness testimony is evident from them calling on Norrie twice to give verbal testimony to his research reports, once in the first part of the Hearings in early June and again in October 2017 for the second part. During his testimony, Norrie stated that there had been an extensive legal and regulatory framework in place for the provision of residential care for children in care throughout the duration in scope, highlighting the complexity of this across differing types of care at different times (2017d). The extensive nature of the research contained in the reports produced by Norrie, provided SCAI with the full contextual detail essential for understanding and scrutinising those testimonies that followed from other witnesses (2017d).

It is useful to have a visual representation that details this complex legal and regulatory framework that underpinned the different types of care provision in place during the period 1930-1968. This enables a better understanding of how such provision came to be, how it should have been governed and regulated and how records referred to in the witness testimonies selected could fit within that context. This mapping of the landscape is fundamental to our understanding the broader narrative and role of 'records' drawn out in the ensuing analysis and discussion.

Figure 4 Legislative and Regulatory Framework – (Norrie 2017) c
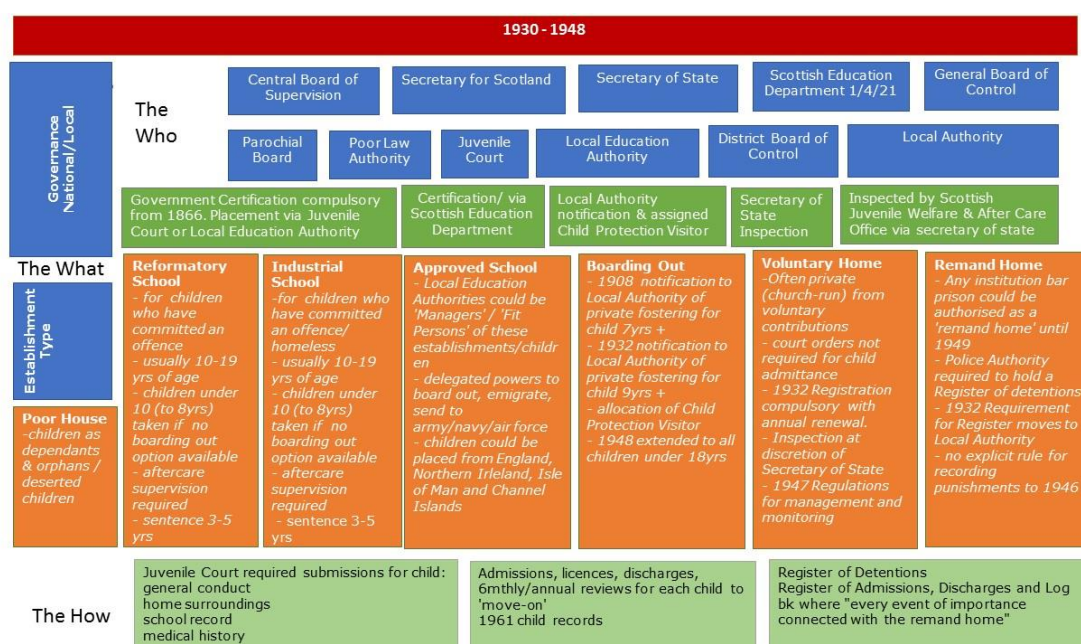
(Figure by author).

Figure 14 served two purposes: firstly, to condense the previously unknown and uncertain historic detail in a simple way that assisted absorption in and understanding of that landscape; and secondly as it transpired, to assist me in ongoing dialogue as practitioner/researcher engaging with relevant parties across the organisational environment.

The detail provided by Norrie to SCAI is comprehensive in that it covers the extensive time throughout 1930 to 1968. Some of this material was already known to SCAI, having been identified by Shaw, in 2007, for the period 1950-1995. Norrie provides this comprehensive detail with full analysis and conclusions, separating the time periods into zones, aligned to key legislation for children in care; hence the 1930-1948, (the periods 1948-1968, 1968-1995, 1995-2014 were published later in 2017 by Norrie), zone in Figure 14. Norrie also extends that scope to include the broader political and State involvement pre-1930-1968, providing a whole new social history, through a

legal lens, of how that legislative and regulatory framework came to be. The additional and extended components of State Departments such as Juvenile Courts or Boarding Out (essentially early forms of foster care) are new knowledge and provide insight into the previously unknown and uncertain connections as to how the care of children historically has evolved and been managed over time.

Whilst the detail of what Norrie presented goes well beyond what Shaw reported in 2007, there is very little difference in previously known recordkeeping regulation requirements, such as log books or registers for child admission, discharge and punishments for particular forms of residential care identified. There is however, ample room for exploration and identification of additional sources from across this care framework described by Norrie in terms of the practice of day-to-day management, oversight and operational delivery of that provision from a State and organisational perspective. A reminder of what is contained in Part A of the Section 21 Notice and the extensive range of information SCAI identified from which to base their questioning of witnesses from Expert groups, Official bodies and Care Giving organisations spanning a period of 80+ years, is vast. Eliciting the information contained in records that provide the historic evidence of how provision was governed and any changes to that practice; the regulatory registrations or inspections conducted, the recruitment of staff, and how any complaints or concerns were handled is overwhelming.

1.2.5.2. *Historical landscape –the State perspective*

In June 2017, when Scottish Government (SG) came to give their testimony – Days 4 & 5 - it was clear that any representations made by them would be cross referenced against that provided by Norrie earlier. SG testimony was given in two parts by separate witnesses, the first covering the chronology of the State's legal responsibilities; and the second, where those responsibilities lay within central government pre and post devolution, the policy making

aspects, and the governance and reporting hierarchy that provided the required assurances from a practice perspective.

Analysis of the Scottish Government testimony provided during the first phase of Public Hearings appeared to corroborate the legal and regulatory framework uncovered by Norrie. There were however many gaps that SG at this point were unable to fill. They were asked a number of times by SCAI to add those answers outstanding from their testimony to the additional research and analysis required of them, what they themselves referred to as their 'shopping list'. The inconclusive areas where SG were less certain and could not provide the required information revolved around the State's legal and regulatory framework. All types of residential care provision were legislated for, but the difference was due to only some of those provision types having regulations applied to them e.g., approved schools. The impact that this framework had on the overall governance and oversight from the State's perspective, could only be evidenced from the records researches covered by SG to date.

Knowledge about the existence and availability of records, whether in the form of Section 21 Notice content, commissioned research, or subsequent witness testimonies are the knowledge held about the existence and availability of records. It is therefore essential to consider retention and destruction practices in the context of such knowledge, and this is an area on which SCAI counsel concentrated heavily, during the Phase 1 Hearings.

1.2.5.3.   *Retention and destruction of records*

SG were the first witnesses to be questioned by SCAI Counsel on the matter of records retention and destruction. There is no specific mention of records legislation that might govern the exact requirements for the retention and destruction of records, although there are inferred references to what we would now recognise as archival 30/50-year rules for government records.

[SCAI Counsel] "....so far as archive materials are concerned or material that is stored, is that something that, certainly until recent times, would depend on the view taken about the importance of the records? Do you see the point I'm making?

[SG] "……. All government files will be stored for a certain period of time and then they are obviously opened to the public, so files shouldn't be destroyed."

[SCAI] "Is that, quite right? I understand what you are saying, that sometimes files are stored and archived, and they are not available for public inspection as a matter of right or entitlement or practice for maybe a period of time. I think we all know about that when we read about release of papers under 50-year rules and 30-year rules and so forth. But those records do eventually become available and can be accessed, for example, by the Inquiry. But they won't be comprehensive necessarily because not everything that's generated by way of a record is archived or retained, is that the reality?"

[SG] "That's the reality, yes."

[SCAI Counsel] "And that files that were opened and then closed within a department or a division or whatever would presumably undergo some process of periodic review as to whether they should be kept and archived because they were historically interesting or simply disposed of?"

[SG] "Disposed of, yes."

[SCAI Counsel] "Is that what happens?"

[SG] "That is what happened historically, yes."

(Scottish Child Abuse Inquiry 2017f pp. 36-38).

SCAI Counsel are clearly trying to understand the historic recordkeeping practices around retention and destruction:

[SCAI Counsel] "I take it that if that's the convention or the practice, presumably those who were choosing what was worth keeping and what had historical interest for social historians and researchers, academics, inquiries, anyone, would seek to preserve and retain documents that were thought to be of particular interest, for example, say in relation to preparation of important legislation or rules or regulations."

[SG] "Yes."

[SCAI Counsel] "--and, say, any important papers relating to the setting up of a major inquiry or commission."

[SG] "Yes, anything which showed government policy in a particular area."

[SCAI Counsel] "If the matter was of acute public concern at any stage or internally was a matter of great disquiet that papers of that kind might well be available under that conventional practice, that they may exist somewhere to tell us why things happened, what the state of knowledge was about a particular matter and what was done?"

[SG] "I would expect that would be the case."

[SCAI Counsel] "You would expect it?"

(Scottish Child Abuse Inquiry 2017f pp. 36-38).

This apparent detached use of language, "I would expect that would be the case"; suggests a distinct lack of certainty and personal knowledge from SG representatives around fundamental record keeping practice, with no mention or reference made to Public Records legislation which was in place from 1937. Instead it would appear that an archival perspective is being applied – although not stated - where the 30/50-year retention rule is being discussed, which is something quite different in terms of decision-making within and across government. It would appear that there are two aspects being conflated by SG around retention practice, on the one hand they are referring to the 30/50-year rule for government records to be released into the public domain, but this can only be undertaken on the records remaining after the previous decisions about what records have been deemed worthy of being retained.

Whilst there may well be reference to Public Records legislation within the body of the written response from SG, it does seem a timely place to have stated this for the SCAI record given the depth of exploration SCAI Counsel apply later to other areas of legislation. In addition, despite Norrie reiterating what was previously known from Shaw in 2007 regarding recordkeeping regulations in place for certain types of residential provision, this too could be seen as a missed opportunity by SCAI Counsel to highlight this aspect. It is unclear whether there is a legislative gap or a failure to acknowledge and apply existing legislation at the time.

Levitt touches on foundational elements for recordkeeping practice of this earlier period (1930-1968) in his testimony on retention and destruction of records during his testimony in the second part of Phase One Hearings in November 2017. At the outset, Levitt makes it clear that there are a number of limitations in terms of what can be derived from within this historical context; and what he can produce as part of his expert witness testimony and research. Levitt identifies as significant the post WWII paper shortage (1947), resulting in a destruction order for files held at St Andrew's House in Edinburgh (the Scottish Office), that could be used for recycling "In fact they

also had some Home Office files that they inherited when the Scottish Office was established in 1885 that dealt with Scotland and most of that material has gone" (Scottish Child Abuse Inquiry 2017l p.3). This he says was across the board and not just for records about provision for children (Scottish Child Abuse Inquiry 2017k, l).

Levitt compiled a schedule of public records (Scottish Child Abuse Inquiry 2017k p. 73) which we are not privy to, but references made to it, at various stages by SCAI, highlight some other pertinent factors around the retention and destruction of records:

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"[Levitt]…. The Regulations made in 1948 and approved by the Secretary of State enabled the then Scottish departments to decide which records they would keep and for how long. It was quite a detailed schedule, as I think you [SCAI] have seen. So, we know that, for instance, records on boarding out were kept for only 10 years and then destroyed. Records on the Children and Young Persons Act were to be kept for a similar number of years and then destroyed."

[SCAI Counsel] "Children and Young Persons [etc] services statistics [etc] (summaries are recorded in printed reports) ……twenty years?"

[Levitt] "That is right."

[SCAI Counsel] "Does that mean after 20 years they would be destroyed?"

[Levitt] "The recommendation was for a branch (Scottish Office) to destroy the records after 20 years. It didn't necessarily mean to say that it would be destroyed but that it was – given the nature of what has been retained in this period, virtually all the records were destroyed." .

[SCAI Counsel] "Approved schools, statistical forms, licence registers…..and the period here is said to be 10 years?"

[Levitt] "That is correct yes."

[SCAI Counsel] "This document [schedule of public records] I won't look at any other aspects of it, but we have these lists and the period after which it would be permissible to destroy the document."

[Levitt] "That is correct, yes."

(Scottish Child Abuse Inquiry 2017h p.80-82)

This extract demonstrates how SCAI Counsel are getting to grips with how the State managed their records; albeit from a high level and broad overview and understanding of record type such as boarding out etc. We do not actually know what these records are, or what they contain. The public records schedule provided to SCAI by Levitt demonstrates that the State were following some sort of public recordkeeping practice, although again this is not mentioned explicitly, nor is reference made to specific legislation of the time. From here, SCAI Counsel go on to develop the point around how retention policies impacted on Levitt in the course of his research:

[SCAI Counsel] "That [retention schedule from 1948] clearly would have an impact upon what you would have available to you when you were carrying out your research"

[Levitt] "It has meant there's virtually no records on boarding out for this particular period [from 1930]. There are some records on approved schools but actually, before really the mid- 1950s, there are relatively few. There are some additional records on voluntary homes that might have escaped the axe or the shredder simply because they could have been lost in St Andrew's House or reappeared or somebody decided at a later stage they ought to be kept.

"The recordkeeping, or rather record retention after 1960 got better and I suspect that was because this [retention schedule] list was revised, and some official decided it would be important to keep material on approved schools and voluntary homes for a longer period."

(Scottish Child Abuse Inquiry 2017h p. 82).

Levitt is now providing some historical substance to the practice of recordkeeping retention and destruction that should be of significant interest to SCAI as they try to ascertain what evidence is being presented to them by any particular witness and the historical facts and subsequent limitations this may pose. Interesting to note again that despite SCAI Counsel paying close attention to the public records schedule referred to by Levitt, there is still no verbal mention of any specific Public Records legislation or required adherence to any recordkeeping practice of the day.

Having established a fuller understanding about recordkeeping practices and what may have been retained and on what basis for this earlier period, the matter of what records have survived and are available from particular sources now arises.

1.2.5.4. *Record sources*

Record sources cited by witness testimony that underpin the written submissions provided to SCAI in Phase One of the Public hearings are diverse in range and it is only by doing an analysis of the testimonies given – specifically, those of SG and Levitt - that it is possible to piece together what these are. The definitive list of source ownership from a State perspective to date is:

- The Treasury
- National Records of Scotland
- Central Government Circulars
- Police Division; Office of Chief Social Work Adviser
- Social Work Services Group
- Scottish Government Library
- Central Advisory Service
- National Archive
- National Library of Scotland

For individuals not privy to the written submissions and instead following proceedings by attending the Hearings or reading the transcripts, the reasoning around why these sources have been identified, the record types available and what information they may contain is less clear. SCAI Counsel make it plain from the outset that from the SG written submission they want to explore the sources cited as they are struggling to make the links between the legislative framework and the governance of that through the regulatory inspection regime:

> [SCAI Counsel] "This is perhaps a suitable opportunity for me to say that [...] and because it may become apparent when we look at some parts of Part A [of the written submission] that it is certainly not entirely clear to me what the various inspection systems and teams were and how they fitted into statutory provisions and regulations or whether they were simply inspection teams which were part of arrangements made by central government to discharge certain functions. Do you see the point I'm making?."
>
> [SG] "Yes, and I think it is a very fair comment: that nature of inspections, how they were carried out, what they were doing was not something that we were actually able to find out in the information that we had available for this report. But it would certainly merit further investigation."
>
> (Scottish Child Abuse Inquiry 2017f p. 10).

This lack of clarity is unravelled in more detail when SG are questioned about the sources cited in their submission for how State responsibilities for Boarding Out (of children) Regulations in 1947 were made:

> [SCAI Counsel] "I see that the source of that information -- and this may help us a little bit with what has to be examined…this information seems to come from a couple of sources. One seems to be a Treasury source, I'm not quite sure what that means, and the other one is information held by the National Records of Scotland, presumably records that may have come from the Scottish Office on these matters that have been archived and held in the National Records; is that correct?"
>
> [SG] "Yes."
>
> [SCAI Counsel] "So that would be a source for this sort of information, would it or it could be potentially?"
>
> [SG "It could be potentially. In compiling this report, we did examine the National Records of Scotland for the various information that they had. I'm not sure how much else there is there but certainly if we were widening this to look more deeply at these matters there may well be more information."
>
> Scottish Child Abuse Inquiry 2017f p. 21).

In relation to Scottish Government Library:

[SCAI Counsel] "……there are 10,000 hard copy circulars held by the Scottish Government Library and presumably there are other electronic records that are also held. So, it is a big [exercise], but there is a lot of material though that might have valuable information within it?".

[SG] "Yes. Obviously, in looking for the circulars for this, various search terms were used so there may be other circulars if different search terms are used."

[SCAI Counsel] "So part of it is identifying the sort of search terms, using a recognised method of searching, that would produce the sort of information that one is looking for, that's part of what you do, you try to find words."

[SG] "Yes."

[SCAI Counsel] "…. that will bring out the right material?"

[SG] "Yes."

(Scottish Child Abuse Inquiry 2017f p. 21).

It is unclear from this exchange whether SG are working with an already identified method for searching or whether they are developing one as they go. This point is not picked up by SCAI Counsel, however they do continue to try and draw out more detail from SG about the records and information contained from within these sources identified:

[SCAI Counsel] "…..in terms of the records themselves, am I right in thinking that whilst you have told us sources where records might exist that are of relevance, it would be wrong of me to think that so far as what I would call departmental records are concerned, like records of the work of the Scottish Education Department, that it is realistic to….. proceed on the assumption that such records will not be comprehensive today and archived in the sort of places you have mentioned? We will not have a full set of departmental records anywhere; is that fair?"

[SG] "Departmental records -- there is a lot of files and there are a lot of files that are stored that are still in paper copy that can still be looked at. What they actually contain we don't yet know."

[SCAI Counsel] "No, I appreciate that, and I think you make that point and I don't want to be unfair. You have certainly told us, and we did ask for an overview rather than a detailed exposition of what's in them."

"So, there are records, but we don't know just how comprehensive they are, particularly the further back in time we go?"

[SG] "Yes."

[SCAI Counsel] "But I take it -- and these records that you have in mind, would these be records that are held within the Scottish Government Library or in the National Archives or National Library?"

[SG] "These files are held in storage. These are all our stored files."

[SCAI Counsel] "Within the Scottish Government "

[SG] "Yes."

[SCAI Counsel] "…. rather than with National Records?"

[SG] "Yes."

[SCAI Counsel] "But National Records also hold government records?"

[SG] "Yes."

(Scottish Child Abuse Inquiry 2017f pp. 35-36).

Whilst SCAI appear satisfied with the sources cited, the additional scrutiny they place on possible additions to these sources demonstrates their reluctance to accept this at face value:

[SCAI Counsel] "would these be obvious sources one would start looking at."

[SG] "I'm trying to think of other places where the information might be held."

[Lady Smith] "what about the National Archives at Kew? would that hold Scottish Office material?"

[SG] "I don't know the answer to that."

[Lady Smith] "Do I take it that you haven't checked? …Or your Team?"

[SG]" I personally haven't checked…. I don't know if the Team checked because it doesn't form part of this report."

[Lady Smith] "That maybe needs to be checked."

[SCAI Counsel] "I am sure someone will have the answer somewhere and perhaps that is what we are trying to search for because, as my Lady says, the pre-1939 or pre-war period is clearly one that is within our timeframe and there were quite significant legislation in that decade as well as in earlier decades. It is clearly something that we would probably like to find out whether we can get some information from that quarter on such matters."

(Scottish Child Abuse Inquiry 2017f pp. 26-27).

This particular area of questioning highlights that perhaps not all sources have been identified or included by SG in their researches. SG are not consistent in how they respond to these types of question and whilst appearing confident on some source areas, lack certainty on others. In addition, their response demonstrates a vagueness around the level of information or records these sources contain, albeit, SCAI accept this "overview rather than a detailed exposition of what's in them" (2017f pp. 35-36). However, other than identifying what the source is, we are left with a somewhat unsatisfactory understanding of what that may reveal, a matter SCAI do not pick up on. There is also perhaps some ambiguity around how SG testimony appears to convey a confidence in some sources cited but when pressed on a source they have not cited and presumably do not know what information it may contain, state that "it doesn't form part of this report", although it is not made clear why not.

One clear area that demonstrates the themes highlighted from the SG testimony and the challenges faced around how SG could demonstrate the State's role in and responsibility for children in care, linking the legislative and regulatory framework together, is around the inspection of specific residential services for children. In the period 1932-1948, the Children and Young Persons (Scotland) Act 1932 covered that regime for educational institutions, including State schools, approved schools and independent or private schools by the HM Inspector of Schools (Scottish Child Abuse Inquiry 2017e, f). SCAI Counsel try to establish how this worked in practice, who did it, what they looked at and the records evidence to demonstrate this.

It is perhaps surprising that once again SG are unable to answer SCAI Counsel sufficiently. The fact that Lady Smith, in her capacity as Chair of SCAI, feels the need to interject using her own method of questioning could suggest that she feels the need to support her Counsel who are clearly struggling to elicit the answers about records from SG that they require.

> [SCAI Counsel] "so you can see my difficulty, that there is a lot of terminology and a lot of inspectorates floating around, but I'm not entirely sure what they are doing, what their area is, where they are going, what they are reporting and so forth......It is somewhat complex and not easy to understand at the moment. But I think we will want to have more detailed information on that area"(Scottish Child Abuse Inquiry 2017f p.15).

> [Lady Smith] "It won't simply be a matter of what was the outcome [of the inspection], but I would certainly be interested in what guidance was issued, if any, to inspectors, whether there were standard practices, standard questions they should be addressing, such as we see now, for example, in HMI practice."

> (Scottish Child Abuse Inquiry 2017f p. 12).

> [SG said that whilst they recognised this may be an area of interest] "we didn't really look at the information about that because it wasn't within what we were actually looking at, but it did become clear that there wasn't an awful lot of information about inspections and inspection reports and what they were doing. But we were not specifically looking for that at that time, so it is something that we could be looking for."

> [Lady Smith] "Do you expect to find such information to be within government repositories? It sounds as if it should be."

> [SG] "I find that quite difficult to answer. I don't know what's held, where they are held, or how inspections were carried out and therefore if there was a requirement to actually provide manual reports on the inspections."

> (Scottish Child Abuse Inquiry 2017e,f).

SCAI Counsel continue to press SG for more precise detail on records which would appear to be missing or require further clarification from their written submission:

[SCAI Counsel] "Just on the matter of records and going back then about [government] departments and the work of the departments and how much was being done by particular divisions or teams or whatever terminology was then used, would I be right in thinking that both pre-devolution and post-devolution, whatever you call the departments, they must presumably prepare departmental reports annually that are submitted to, well, certainly to ministers and possibly to high level -- and perhaps even to Parliament? I don't know."

[SG] "Not necessarily."

[SCAI Counsel] "No? So, are you saying -- are you talking about now or are you talking about historically or both?"

[SG] "I'm talking about both. Departmental reports of work that is maybe carried out on a yearly basis, I don't think such things actually exist. I certainly don't remember seeing anything like that".

[SCAI Counsel]" You were in the Scottish Office?"

[SG] "Yes."

[SCAI Counsel] "Can you just tell us what period that would cover?"

[SG] "The Scottish Office? I would have been there from 1992 to 1999."

[SCAI Counsel] "So in that period you have no recollection of, say, the preparation annually of departmental reports that would be compiled and distributed at least internally?"

[SG] "Lots of reports are compiled but they cover various different things. A departmental report, which is an overarching report about everything that the department has actually done that year, I don't think such a thing exists, but other reports will exist."

(Scottish Child Abuse Inquiry 2017f pp. 32-34).

SCAI continue to elicit more information:

> [SCAI Counsel] "So there's no such thing like how you might get an end of year report about how the department had functioned, the major areas of work that were carried out, and so forth? Would there be anything of that kind? It seems a bit odd to me that there wouldn't be something of that kind."
>
> [SG] "There might be. I can't think of anything that is actually compiled in that way."
>
> (Scottish Child Abuse Inquiry 2017f pp. 32).

SCAI Counsel take another approach to try and elicit more, broader, forms of records, clearly having developed their understanding following Norrie's input:

[SCAI Counsel] "Maybe in looking at it in another way. Departments have to run on a budget. We all know that government has a finite resource and that certain departments have to fight for or certain departments of State have to fight for so much of the financial cake. Within that department presumably individual Civil Service department have to work within the overall budget. The point I'm making is that if you do that then I assume you have to say what you want to spend money on and therefore make your case. Surely there would be some kind of record about how much of the budget was spent by the Scottish Education Department in a particular year and in what areas."

[SG] "Yes, those sorts of reports are available for the preparation of budgets and for obviously accounting for those budgets at the end of the year."

[SCAI Counsel] "We all know I think that Government and Treasury are very interested and probably through history have been very interested in making sure that they can work within budgets that are set."

[SG] "Yes. So, reports in terms of budgets would certainly be done, but an annual report about -- not in the way that I'm thinking of an annual report, but it maybe we are at cross-purposes about the sort of departmental report you are thinking about."

[SCAI Counsel] "No, I think I was trying to cover both. I wasn't trying to confine it to one or other. I'm just trying to get a flavour as to where we might find something that would help us to piece together over what is a substantial period within the remit. I'm just seeking some guidance. But no doubt you have taken on board or those instructing you have taken on board -- I can leave it at that."

(Scottish Child Abuse Inquiry 2017f pp. 32-34).

The culmination of SG testimony leaves the reader with a sense of frustration from a perceived amount of unfinished business they have yet to provide and account for; reflected in the additional items they are asked to go and find out for SCAI prior to the second part of Phase One Public Hearings. The testimonies provided on behalf of SG reflect the difficulties central government have with providing their own corporate memory from the records they have inherited from pre and post devolution and changes to the structural components of ministerial departments and responsibilities. On that basis, it may be appropriate and understandable that the SG testimonies provided by legal representatives of Scottish Government Ministers are such that the answers and any detail they are being asked, is provided with ultimate caution, sticking very much to the letter of the law rather than the spirit of that law. This attitude means that further SCAI attempts to elicit more detail from the written responses they have received tend to be unsuccessful in the Public Hearing environment.

The inspection regime of residential care for children is an area that SCAI focused on extensively throughout Phase One of the Public Hearings. This area is particularly pertinent as the legislative and regulatory framework from the State's role in and responsibility for children in care could be further demonstrated by how this was practised on the ground within particular types of residential care; namely approved schools, voluntary homes and boarding out provision.

Interestingly, when Levitt provides his testimony on SG behalf, three months later in the year, he does so from a position of confidence and provides specific detail around record sources and record types:

> [SCAI Counsel] "If we then look at how you approached the retained government files. You cover that at paragraphs 3.1 and 3.2. Without being too technical about how you were able to access records, can you give an overview about how you set about your job?"
>
> [Levitt] "I operated on two research principles. The first was to look at the online catalogue in NRS [National Records Scotland] and do a word or phrase search for appropriate documents.
>
> I also used the departmental cyphers. These are codes that each file has, usually at the bottom, to indicate a series of issues that are all combined together.
>
> So, if you look at – I can remember this off by heart by now, 20531 – it will give you all the retained records on child care from about 1920 through and actually past the 1970s.
>
> There are some other records there in the Scottish Education Department, usually CA or CS, which indicates "children's approved schools" or "children's special schools". I used the departmental cypher on the online catalogue just to double check there weren't any other records that were there that perhaps didn't have the phrase, or the words used that I was using in the word search."
>
> (Scottish Child Abuse Inquiry 2017h pp.79-80).

SCAI Counsel promptly accept the answers given by Levitt around his methodology for searching the National Records of Scotland (NRS) as a source indicating they are satisfied with the evidence they now have (written and verbal) as complete. The rhythm of questioning by SCAI Counsel and the responses provided by Levitt about record sources produces a swifter coverage of the subject area, than that experienced with SG on the stand. Whether this is because SCAI now have a better understanding of the recordkeeping practice in place or whether it is because Levitt responds to questioning with a confidence and certainty that was missing from that given by SG is unclear.

SCAI Counsel move their questioning of Levitt to that of new and uncertain record sources within the confines of what records have survived and been cited by him:

[SCAI Counsel] "Perhaps you can just take us through [your methodology] that because, as you have already pointed out, the research that you have undertaken has had to be limited because of retention policies that existed".

[Levitt] "There were a number of different approaches. Firstly, that actually Treasury records affecting this area were kept and accessed, as I think you have seen with the TNS [The National Archives] reports [assumed to be part of written report submitted by Levitt]. There were clearly some general cabinet papers that had been retained by their very nature over the period. There were obviously a number of inquiries and official reports of this particular period, including a number of Select Committee papers......which were quite useful in filling in gaps in terms of the nature of the administration [Government] particularly of approved schools."

(Scottish Child Abuse Inquiry 2017h p.83).

The National Archives [at Kew] previously queried as a possible source for records by SCAI during the SG testimony in June is now unravelled with far more substance and clarity. From here, SCAI Counsel move the topic of their questioning of Levitt to highlight particular record types available from these sources, providing more clarity through examples of detail contained within them in relation to children in care.

First, we have the 'treasury records', a source already identified but lacking any sort of substance or detail from SG testimony earlier in the year:

[Levitt] "Treasury records affecting this area were kept and they were accessed, as I think you have seen with some of the TNA [The National Archive] reports. There were clearly some general cabinet papers that had been retained by their very nature over the period. There were obviously a number of enquiries and official reports of this particular period including a number of Select Committee papers of this particular period, which were quite useful in filling in gaps in terms of the nature of the administration, particularly of approved schools of this particular period"

[SCAI Counsel] "These are very detailed papers, the Select Committee papers?"

[Levitt] "They are very detailed, yes, but they perhaps give us more information about how the inspectorate conducted its inspections on approved schools than would otherwise be available".

[SCAI Counsel] "I think we have an instance in one of these papers of [the Approved School Inspector] being interviewed or cross-examined…. people of that sort would be called before the Committee to give evidence?"

[Levitt] "That is right and he [the Approved School Inspector] gives a fairly detailed explanation of his duties and roles and the history of his administration."

(Scottish Child Abuse Inquiry 2017h pp. 83-84).

1.2.5.4.1. The strays and the blue notes

More questioning of Levitt reveals further records sources; what he refers to as 'the strays' and 'the blue notes':

[Levitt] "I sampled five local authority children's departments, nine local authority children's homes, 16 voluntary homes and seven remand homes and approved schools. I also looked at 200 other files. The issue surrounding the other files is that often in retained files you can get what are called "strays ", actually papers which will tell you something about another topic and that topic might be of interest to you and this particular piece of research did actually access quite a large number of strays which you would not have expected in that file , but which told us something about the nature of the inspection system." (Scottish Child Abuse Inquiry 2017k pp. 84-85).

 [SCAI Counsel] "Perhaps I could ask you this before I talk about records. Throughout the report, in the footnotes you make reference to 'the blue notes……..can you tell us what the blue notes were or are?"

[Levitt] "They no longer apparently are compiled but they were first compiled in 1880, I suspect, at Treasury instigation to control public expenditure. If you look at the early notes, there about departmental commitments on public expenditure. They were used primarily for use by ministers in debates for public debate in Parliament. They were used every year with updates. There would be a main note, and so many years later, after a series of small amendments, the main note would be revised.

By this period, the 1930s, they are called blue notes because they are in blue paper, like buff paper, which was quite common in government at the time. By 1934 they were reformed and issued basically to indicate the legislation affecting a particular department, the function of the department in relation to the legislation, the organisation of the department to carry out its functions, and the public expenditure attached to the legislation that had been passed."

[SCAI Counsel] "Were they essentially briefing papers?"

[Levitt] "They were briefing papers for new ministers and they were also briefing papers for new civil servants as a kind of induction process. So that if you had been transferred, say, from the roads division of the Scottish Home Department into the children's department, you would look at the blue note to see exactly what the legislation was and the fact that there was an inspectorate."

(Scottish Child Abuse Inquiry 2017h. pp. 77-79).

The detail provided from Levitt's testimony around record sources consolidates that previously given by SG and helps to fill some of the gaps highlighted to them by SCAI Counsel earlier in the year. In addition, Levitt also brings new life and understanding to new record sources that underpin his testimony about the inspection regime in place and what he is able to derive from it in terms of how care for residential provision was applied in practice.

Levitt's knowledge and understanding about records sources, the limitations around why only some have survived, and the meaning he is able to derive from them in their own right, but also linked together, is clear. This is demonstrated by Levitt when he explains how he has conducted this exercise through the use of those additional record types about the inspection regime for residential care for the period up to 1968; including the strays and blue notes. With only a few hundred files surviving, none of which span the entire period for an institution or local authority, "it has proved impossible to sample different types of inspection". However, what could be derived according to Levitt was "by looking at the nature of the [inspection] reports over a distinct number of institutions, one perhaps gets a flavour of really what the inspectorate were seeking to undertake in terms of their inspection" (Scottish Child Abuse Inquiry 2017k p. 87). For example, "if you look for instance at voluntary homes, the reports between 1934 and 1948 seem to be about the homes themselves and there are no reports on the children per se"

"In the reports after 1948 you do begin to see reports on individual children emerging and recommendations for action concerning those particular children". Other noticeable differences regarding historical changes are visible in the length of reports produced; the earliest versions are less than a page, increasing to four or five pages by the 1960s."

(Scottish Child Abuse Inquiry 2017h p. 88).

It was unfortunate that Levitt did not provide his testimony until the second part of the Hearings in October 2017 as the depth and substance of his research findings are far reaching in that they span a wide range of record sources and types that provide the evidence required to answer much of what SG were unable to answer, earlier in the year. Levitt uses his expertise to drill down into some new areas previously untapped and unknown regarding the State's role. His specialist knowledge and familiarity with Scottish public administration allows him to extrapolate new record types, making new connections into the past that provide a whole different lens on the changing social history in which the inspection regime of residential care for children was based. This meaningful interpretation provides a whole new insight and narrative around how the legislative and regulatory regime was applied in practice from a State perspective; something SG could not provide an answer to earlier in the year. It is only after Levitt has given testimony and reflecting on what has already been provided by Norrie, that the importance of 'expert' witnesses and their contribution to the SCAI process emerges.

1.2.5.5.   *Expert and non-expert witness knowledge*

For each of the testimonies given, SCAI Counsel establish background credentials at the outset, presumably to establish for the Inquiry record who these individuals are and the professional positions they hold as part of their witness representations whether that be from an organisational, State or expert witness perspective.

It is only by marrying the testimonies of Norrie and SG and then adding Levitt into that analysis that sense can start to be made of the historical framework in which records play their vital part. It is the combination of these and the ability to extend and retract that, that the unfolding of evidence is revealed. This is exactly what SCAI said they were going to do over the course of hearings held, recognising from the outset that they had "a great deal of investigative work" to do (Scottish Child Abuse Inquiry

2017a). From the testimonies selected for this study, the factual content provided by those witnesses is representative of particular interests and interpretations that provide, and now unravel, key components within this complex landscape. The mere naming of available record sources and record types is not something in and of itself that provides the wide-ranging detail and contextual understanding sought, or needed, but act as tools available – present-at-hand - that can be transformed into purposeful aides that provide meaning – ready-at-hand - through the explicit or implied detail they contain. The key to making the connections and transition from records present-at-hand to records ready-at-hand is knowledge. Looking again at the witnesses providing testimony and the role they are fulfilling, the knowledge they bring to bear is as vital to interpreting the records as finding the records themselves.

Background credentials of each witness and the methodologies employed by them to respond to SCAI requirements are one of the first areas covered by SCAI Counsel after being sworn in. Particular attention is paid to the organisational representative role of the witness and their role in that submission, including their background experience and qualifications. The analysis of the testimonies for this study did not pick this out as overly relevant, assuming instead that those charged with providing witness testimony would be sufficiently knowledgeable to speak assuredly of their written submissions. However, following on the analysis of testimony, it is now apparent that those credentials, association and subsequent knowledge-base are far more significant aspects that warrant much more attention than previously anticipated.

1.2.5.5.1. Background credentials

The experts are asked about the detail contained in their Curricula Vitae, submitted as part of their research report, clearly something SCAI Counsel want to highlight in detail at the outset, in order to form part of the Inquiry record and establish the provenance, academic standing and experience of those giving testimony. After going through the various academic positions held by each, their published works and the relevance of those to the research produced for SCAI provides a measure of confidence for the testimony elicitation that follows. In the case of SG witnesses, the background credentials are of a different order, where the individuals concerned are employed in a legal role within Government. One of these witnesses has management responsibility for the Government Response Unit; a specialist team of six fulltime members of staff and two temporary legal research assistants, to fulfil the research into Government records for the SCAI requirements (Scottish Child Abuse Inquiry 2017e, f p.158).

The background credentials and academic disciplines of Norrie and Levitt are highly relevant to the broader subject matter areas charged to them and under scrutiny by SCAI. These abilities are also evident in the way they articulate their research findings during their testimony giving, clearly demonstrating their knowledge of wider aspects such as UK/Scots legislative and Regulatory frameworks and Public Policy and Administration. Individually, the 'expert' witnesses provide the broader contextual detail pertinent to map this complex landscape and reveal the understanding regarding how provision for children in care was practised over time. Their knowledge of the subject matter is clear from the transcripts where the questioning from SCAI flows at pace in response to the integrated and coherent answers provided by them. This knowledge-base enables SCAI Counsel to cover a lot of ground across this landscape, but also allows them to drill in to specific areas of provision and practice in their quest to 'investigate' and gain a better understanding of the regulatory regime within that framework. More importantly, they flit across the record source and record type evidence, knitting together and reinforcing their research throughout the duration of their testimony,

providing a rich and powerful narrative around the subject matter. There are no questions left unresolved, nor are they asked by SCAI Counsel to conduct further research from gaps revealed. The reading of these transcripts gives the reader a sense of assurance, that all areas under scrutiny are answered, even if there are no records to evidence what is being proposed as inference.

The same cannot be said of those non-expert witnesses however, who appear to falter frequently during their questioning, where the flow of questions and answers are stilted in their pace because the responses being provided do not and cannot answer the questions posed (see extracts above). In the case of those 'non-expert' witnesses representing SG, a very different tone and knowledge base emerges, one that could be interpreted as guarded and clinical, perhaps representative of the legal role they hold and the need to be mindful of maintaining the integrity required of that position. Surprisingly, there are many areas of testimony sought from SG that SCAI Counsel must leave unresolved despite various attempts to elicit more detail of State activity from a broader recordkeeping basis. In fact, at the end of their testimony giving, SG have a long list of further queries outstanding that SCAI Counsel state will be required prior to the second part of Phase One Hearings in the autumn. Interestingly, the Legal Counsel representing Scottish Ministers feels the need to address this at the end of the first SG witness testimony and provides additional comment regarding the further researches requested of them by SCAI:

> [SG Legal Counsel] "I'm very conscious that my learned friend Mr Peoples [SCAI Counsel] raised a number of questions…...about the reasons for legislation or the reasons for the exercise or non-exercise of executive functions [of the State]. I'm very conscious that that's something that [SG] were not asked to look at and indeed it may not be entirely appropriate for [SG witness] ….to give evidence to the Inquiry on those matters.
>
> What I was going to suggest was that the response team at Scottish Government is very happy to liaise with the Inquiry as to how that information can be provided most appropriately."
>
> (Scottish Child Abuse Inquiry 2017i pp. 150-151).

SG in delegating the subject matter expertise to their Government Response Team, recognise that the depth of scrutiny that is applied by SCAI Counsel is complex; a matter they alone cannot address. Over the two days of testimony given, SG have been asked to account for a far greater level of detail than they can provide at this time, acknowledged by SCAI as acceptable given the volumes of records they hold and the time it will take to do the necessary research regarding what they contain. The level of detail outstanding following these testimonies, illustrates the difficulties for the State and SCAI who are dependent on others' processes of identifying and sourcing the relevant information over the historic time period.

1.2.5.5.2. Witness Methodologies

In relation to the extents to which research was conducted for each written submission, SCAI Counsel appear to be satisfied:

[SCAI Counsel to SG]] "the information that was coming forward [from the researches] obviously covered [a] very large period of time and a lot of detail"(Scottish Child Abuse Inquiry 2017e p.159)……"a fairly elaborate and detailed exercise …was carried out which is an attempt to,…assist the Inquiry in identifying documentation that appears to be relevant to the terms of reference and the work the Inquiry is doing" (Scottish Child Abuse Inquiry 2017f p.20).

[SG to SCAI Counsel] "a huge volume of material that was going to be relevant which the inquiry can access "should [they] think necessary (Scottish Child Abuse Inquiry 2017e p. 157).

[SCAI Counsel to Levitt] "I think, it is fair to say …. [you have] …had regard to quite a significant amount of material."

(Scottish Child Abuse Inquiry 2017h p.70).

These particular areas of questioning would indicate the importance SCAI Counsel place on the aspect of researches conducted, addressing one of the key issues around previous research to identify and source the detail of what information and records exist. Whilst SCAI Counsel at the outset of each witness testimony appear satisfied with the scope of researches undertaken this does not necessarily guarantee that what is then revealed in terms of detail thereafter will suffice. In fact, it is only when SCAI Counsel proceed to ask questions about what the sources are, why they have been identified, what they have revealed in terms of record types and the meanings that can be taken, that the knowledge base of those providing testimony becomes pertinent.

There are different methodologies applied by SG to form their submission and which underpin the witness testimony they provide. The first witness conducted the analysis alone after receiving support to source records, and the second witness worked as part of a 'team effort' with the Government Response Unit (referred to earlier as 'team') (Scottish Child Abuse Inquiry 2017f). This delegated model employed by SG for sourcing, analysing and collating evidence for submission, and the subsequent questioning posed by SCAI Counsel, reinforces the complexity of the subject matter. However, it does raise the question whether those selected to give verbal testimony have the right knowledge to do so in a meaningful way. For the second SG witness called to provide testimony on Part A of their Section 21 Notice, this apparent lack of knowledge became more of a challenge that was visible throughout the duration of their testimony giving. Similar issues to that already identified with SG witness 1 continued to reveal aspects under scrutiny which could not be answered based on further research being required. More revealing and pertinent however, was the lack of knowledge surrounding the record sources and types identified and accessed, and the analysis about what they could convey, or how they connected to provide meaning to the historical framework.

It would perhaps have been more relevant to have had a senior official who had been involved in the research activities for records for SG to have given testimony and they might have been equipped with the knowledge that is clearly lacking from those who did provide that testimony; who were clearly not experts in the area of records.

1.2.5.6. *Knowledge*

The difference emerging from the analysis of testimony between non-expert (those representing State) and expert (those academics commissioned to do research on behalf of SCAI) witnesses and their ability to fully articulate comprehensive answers based on records evidence is stark.

1.2.5.6.1. The 'non-expert' witness

Those witnesses representing SG had yet to submit (by commencement of Part 2 Phase 1 Hearings) all their written content required by the Section 21 Notice, and the job of responding had been delegated to an established Government Response Unit of six fulltime members of staff and two temporary legal research assistants. (Scottish Child Abuse Inquiry 2017e p.158). The witnesses representing SG were not however, anyone from the Unit. Whether this was a choice that was made deliberately by SG is unknown. SG might have wanted their witness testimony to be represented from a purely legalistic, letter of the law perspective. Whether this was something that SG did consciously, without anticipating the issues this would pose for them, not having prior awareness or understanding of just how far SCAI Counsel would question the holistic, contextual matter of records as evidence is unknown.

SG witness 1 and 2 represented submissions for different elements of the Section 21 Notice that represented different aspects of the State's role in and responsibility for children in care, during the period 1930-1968. SG witness 1 covered the legal responsibilities of Scottish Central Government (Part B of Section 21 Notice) and SG witness 2 the remaining parts A, C and D, with more attention focussed on Part A; "looking at how the government structures and rules and responsibilities had changed over the decades" (Scottish Child Abuse Inquiry 2017e, f p.159).

A further distinction was made by SCAI Counsel regarding the type of testimony being given by SG witness 2, whether this was as a result of the tensions experienced during SG witness 1 testimony or not is unknown, "so far as the report is concerned, I think it is clear [that the report submitted by SG] is intended to provide information and therefore for it to be factual in nature and it is not really – you are not here, today at least, to express any views on perhaps the structures and whether they were good structures or bad structures, or whether the reporting lines were good or bad and things of that nature; is that correct?" (Scottish Child Abuse Inquiry 2017e p.160)

This uncertainty and lack of knowledge posed challenges that SG found difficult to handle, but because of the legal stance they take in responding to SCAI Counsel, their testimony becomes a rather protracted affair. Toward the end of SG witness 1 testimony, SCAI Counsel play-back their interpretation of the pre-1968 legislative and regulatory framework in which the State governed provision for children in care. The following interaction demonstrates the scrutiny SCAI bring to these proceedings and their unwillingness to accept any of the evidence submitted to them by SG at face value:

[SCAI Counsel] "Maybe this is a suitable point just to make this observation and see whether it accords with your researches and what you have done under part B. Where regulations are made, there are significant variations in content and matters covered, expressions used and so forth -- I mean depending on the setting and depending on the type of care being provided. Is that a fair observation?"

[SG] "That's fair. It is also, as you have anticipated, there are obviously similarities across them as well."

[SCAI Counsel] "There are similarities and similar expressions used from time to time. But if one was looking for -- if we are talking of children in care generally who are children under a certain age and under the care of the State and require care and protection under a State system in the broadest sense, one might think that one has to have consistency across the board, unless there's very cogent justification for treating what appear to be comparable situations in different ways. Can you see the point I'm making?"

[SG Witness 1] "I do and speaking personally I would –."

[SCAI Counsel] "So if you were starting from scratch that is maybe a principle you would apply?"

[SG Witness 1] "The point you would make is one wouldn't necessarily start from here."

[SCAI Counsel] "No, and if you were discriminating on what appears to be comparable situations, you would have to have some form of, as I think the current language is used, is objective justification which would justify a difference of treatment in terms of things like, for example -- to take an example here which is no longer valid, but corporal punishment for example. If you were setting down rules for the corporal punishment of children in the care of the State under a certain age, you might think that you would have a general position unless you can justify exceptions to that policy; would that be fair?"

[SG Witness 1] "Again, speaking personally, yes, it would. I am just conscious –."

[SCAI Counsel] "The reason I say that is not because I'm trying to re-write the rules. It does make the point that the rules themselves that were actually made and don't have that coherence or consistency and sometimes bear to be quite irrational in terms of when one compares and contrasts the various settings and the rules within those set that is were made under the powers that were conferred, do you think that is a fair observation."

[SG Witness 1] "I'm not sure I would characterise them as irrational."

(Scottish Child Abuse Inquiry 2017e p. 137-139).

An interesting point at which a legal stance is taken by SG:

[SCAI Counsel] "For example, if you say that in remand homes you can't discipline girls but in approved schools you can, by way of corporal punishment, is that rational unless you have an obvious justification?"

[SG Witness 1] "I can't see how that would be rational, no."

[SCAI Counsel] "You would need to have a very good explanation of why there was a difference?"

[SG Witness 1] "Yes, suppose if I could just explain my reticence, it is not because I think -- I'm not actively trying to disagree with what you are saying; I'm simply trying to recognise the limits of the value of the evidence that I can give."

[SCAI Counsel] "I appreciate that. I'm to some extent asking you to at least consider how fair these observations are because you have done an exercise of looking at the primary and secondary legislation. Today we have gone through various regulations and we have seen in some areas rules were not made; yes? "

[SG Witness 1] "Yes."

[SCAI Counsel] "In some areas rules were made but were a very light touch or very basic and that's again -- we have seen examples today; yes?"

[SG Witness] "Yes."

[SCAI Counsel] "Then we have seen examples of where rules are very detailed but only in particular settings?"

[SG Witness 1] "Yes, and only in certain respects."

[SCAI Counsel] "Yes, and we have seen examples of where in the same situation, boarding out, there appears to have been regulation in some situations where the boarding out was by a particular person but not in others."

[SCAI Witness 1] "It does appear that way, yes."

[SCAI Counsel] "That doesn't strike as a particularly consistent coherent and rational approach to child care by the State, does it?"

[SG Witness 1] "I don't know what the reasons were, which is why I'm reluctant to –. "

[SCAI Counsel] "They would call for an explanation."

[SG Witness 1] "It may well do."

(Scottish Child Abuse Inquiry 2017e p. 141).

SCAI Counsel subtly push further to make their point:

[SCAI Counsel] "It will also need a better explanation than just that we didn't have joined-up government at the time, wouldn't it? We have seen that different departments had different responsibilities."

[SG Witness 1] "Yes."

[SCAI Counsel] "And they may be made different rules in different settings."

[SG Witness 1] "From different perspectives."

[SCAI Counsel] "And some exercised powers and some didn't. Well, we have seen the Secretary of State -- I think you give examples in your report that although there are provisions for rule-making, no rules seem to have been made."

[SG Witness 1] "Absolutely."

[SCAI Counsel] "And that is not an uncommon thing that you found in the earlier part…"

[SG Witness] "Certainly in the earlier part of the research, the 1904 Act and the 1908 Act -- I was to some degree, personally speaking, surprised that the rules weren't made but -Q. You expected to find rules, but you were surprised not to find them?"

[SG Witness 1] "I was, yes, but I'm giving you that as my own take on it."

[SCAI Counsel] "I appreciate it. We are simply trying to see what we can take from what's there and from what the framework was and what we can derive."

[SG Witness 1] "It may be slightly naive, but as a lawyer if I see a rule-making power, I rather expect rules to have been promulgated."

[SCAI Counsel] "I am not sure; that is just a modern approach. We see from time to time rules were made. While rules were not made in 1908 under the Act in relation to, say, voluntary homes. For example, if there was a power to regulate at that time or as early as that we did see that approved schools were being regulated from 1933 and certified schools from 1866."

[SG Witness 1] "I think Professor Norrie made the point that the approach in relation to voluntary homes was quite different for quite a considerable period of time. So, following that through, it is entirely logical that the provision which was made for approved schools would be more comprehensive.

I'm not explaining it I'm just…"

(Scottish Child Abuse Inquiry 2017e p.141-142).

SCAI Counsel, not content with the "may well do" response, press further:

[SCAI Counsel] "No, no, I appreciate it. We are just trying to see what the situation was. But it does appear to disclose a somewhat fragmented and disjointed approach and showing some inconsistency at times in terms of the approach to regulation of children in care.

If you take children in care as a broad class of people who come into care in a variety of ways, it does show, does it not, these various rules as we have seen have an inconsistency of approach?"

[SG Witness 1] "There is an inconsistency there, yes. It is not a modern approach."

[SCAI Counsel] "For the child that's in that system during that period of inconsistency, it is a bit of a lottery, isn't it, or could be, if some settings have detailed rules and other settings don't?"

[SG Witness 1] "I suppose it is not a lottery as to how they end up there, but I take your point."

[SCAI Counsel] "It might be a lottery because they might go through the Poor Law and end up in being regulated by the State. They might go in under section 1 and not find that there's any rules applying to boarding out."

[SG Witness 1] "That's fair."

[SCAI Counsel] "They might go into a setting where corporal punishment is expressly prohibited by regulation and if they are a girl under a certain age and a girl of the same age might go into a different setting and find she can be punished using corporal punishment."

[SG Witness 1] "Yes, that's fair. The common factor being the Common Law, but I take the point about the difference between the regulations."

[SCAI Counsel] "But this wasn't really an area that the State felt should be left to the Common Law to regulate. I mean, why else would we have the Children Act of 1908, the Children and Young Persons Acts of 1932 and 1937, the Children's Act of 1948, the Social Work (Scotland) Act (1968), Children Act of 1995? We can go on, can't we? You have set all of these pieces of legislation out…"

[SG Witness 1] "Indeed."

[SCAI Counsel] "… have you not?"

[SG Witness 1] "I have."

(Scottish Child Abuse Inquiry 2017e p. 142-144).

This excerpt illustrates the acknowledged 'reticence' of this SG witness testimony and their willingness to concur with what is played back to them. The protracted flow of interaction between SG and SCAI Counsel is representative throughout the duration of their testimony, making it problematic and somewhat frustrating for anyone trying to gain a better understanding of the State and its role within the historical framework. Lady Smith, the Chair of SCAI, reinforces the importance to SG of SCAI understanding the 'mystery' of why legislation is 'disparate in nature' (Scottish Child Abuse Inquiry 2017e p.151) and not brought together in any coherent way, for example, Approved Schools (detailed regulation regime) and Voluntary Homes (light touch regulation regime).

These are two areas where SG are unable to provide satisfactory explanation in their testimony to SCAI Counsel, who then state their inability to 'find anything readily' (Scottish Child Abuse Inquiry 2017e p.129), despite 'fairly' thorough research (Peoples p129, line 8), and that this 'maybe telling', with the inference that this is indeed the case. SG respond with an alternative view that 'it is perhaps telling about the variety of sources that are required to be considered' (Scottish Child Abuse Inquiry 2017e p.129) and the need to do some further research to express this in absolute terms.

SG are astute enough to make this point albeit, they do not have anything beyond anecdotal evidence to back this up, apart from their inability to talk coherently about the exact records that exist within the SG context and the meaning and use these records can provide SCAI. However, the matter of considering the variety of record sources and content of those records is not picked up by SCAI, a matter that surely underpins the foundational requirements of their terms of reference (2017b), so the point appears to be lost. This particular exchange between SG and SCAI Counsel that took place very early on in the proceedings has actually turned out to be pivotal to the analysis presented in this study.

The second SG witness is unable to answer questions in detail around the Inspection regimes and whether inspections were focussed on education rather than welfare of children, acknowledging that SG had identified this during their researches, "the issue about what inspectors actually did historically is something that when this report was compiled we recognised might require further investigation" (Scottish Child Abuse Inquiry 2017f p.9).

Even when pressed further by SCAI counsel, SG refer back to legislation, but are unable to describe the practice: "the nature of inspections, how they were carried out, what they were doing is not something that we were actually able to find out in the information that we had available for this report. But would certainly merit further investigation" (Scottish Child Abuse Inquiry 2017f p. 10).

In the testimony that was provided by SG and their inability to provide a full account of their role in, and responsibility for children in care over an eighty-year period is not surprising given the difficulties they describe from the methodologies deployed. The challenges they face in the process of identifying records, the volumes and variation of those records, and knowing where they are and what they are, is only the beginning. It would seem that SG do have an understanding that even if they find records, this alone might still not provide the answers that are sought, from a State perspective or for SCAI purposes. The point SG make which is not taken on by SCAI Counsel about determining the meanings and use from those records and the need to look at multiple sources to harness that understanding. How that will be accomplished is unclear at this stage. Whilst the testimony provided by SG covered the period 1030 to 1968, it will be interesting to see if, when asked about more recent time periods, if that records recall improves.

1.2.5.6.2. The 'expert' witness

In the case of the experts, it is they themselves who have conducted and produced the research, analysis and report writing, all of which have been completed in full prior to giving verbal testimony. Professor Levitt is the only testimony selected by me, from the second part of Phase One Public Hearings that took place in October 2017. His testimony was commissioned by Scottish Government on an 'independent expert' basis where he was asked to provide a report on the inspection regime that was in place over the historic time period. This testimony proved to be very useful as it enabled the knitting together of the legislative and regulatory framework, demonstrated the practice on the ground from a State and governance perspective, helped to fill gaps in previous testimony provided by SG [and other organisations by association] as well as reveal new insights through records demonstrating a reality of how services for children were provisioned – governed and regulated - from a State perspective and how this might have impacted on an organisation providing that care.

1.2.5.7. *Summing-up of results for SCAI Public Hearing Transcript Testimonies*

The chronology and substance of witness testimonies are lengthy and complex to follow, each witness representing a similar but different perspective to the residential provision of children in care, whether this be from an expert, looking at the legislative and regulatory framework, or from looking at the inspection regime in practice for that provision. In addition, SG, in their testimony are asked about the role of the State in the setting and need for changing any of the legislation and regulatory framework, how this was governed, and what proof of this there is through records.

The duration of time over which the testimony giving took place, in days and hours and the length of those testimonies, (approx.100 pages/person) do not lend themselves easily to provide a cohesive understanding of the historical detail in scope. Nor does the following of those testimonies in chronological order provide linear accounts and meaningful endings to the particular witness perspectives pertaining to their various roles in and responsibility for children in care during the period 1930-1968.

There is a further challenge too, in the form of the content of those testimonies and the messages they might be revealing. When considering the analysis of the testimony given by SG and the predominance of incomplete answers they provide, the time it takes for SCAI Counsel to move from one line of questioning to the next is hindered. SG's recurring need to highlight the research difficulties inherent with large volumes of records, is a familiar difficulty demonstrated in previous research (Shaw 2007). The difficulties around sourcing records and the resource required to do this with any real purpose and meaningful use, appears to be something that SG acknowledge, although it is unclear at this time as to whether they will be able to meet the requirements being asked of them by SCAI at this time.

With that in mind, it would not be surprising if Care Leavers continued to feel the continued frustrations with the lack of clarity that SG are able to provide. It is unclear why SG completed their testimony without referencing the additional records research commissioned on their behalf to Levitt that was to be heard later on in the Hearings process; this could have made their testimony end on quite a different note. One could surmise that perhaps they only commissioned Levitt after the experience of testimony giving because of this very point; ironic when it is Levitt who really starts to transform the SG and State role with a whole new level of knowledge, understanding he narrates from his records research.

Chronologically, it is only by marrying those testimonies provided by Norrie, Scottish Government and Levitt that a more detailed understanding emerges around the nature, extent and development of the State's role in and responsibility for children in residential care, including foster care (formerly known and referred to as Boarding Out). Whilst this study has been restricted to the earlier historical period currently in scope within the SCAI process (1930-1968), the ways in which the State, experts and Institutions have responded in written and verbal testimonies tell us that the act of recordkeeping is largely unknown and underestimated. There is a clear lack of comprehension in understanding and knowledge around the meanings that can be derived from those records with concomitant consequences of those meanings for Care Leaver communities. Whether the comprehensiveness of witness responses change as SCAI move to hear further testimonies covering more recent recordkeeping evidence of practice remains to be seen. The next time period in scope proceeding from 1968, includes the establishment of the first Social Work (Scotland) Act legislation, suggesting that there would be quite a different regulation and practice framework in place requiring records.

From the analysis conducted in this study, covering the time period 1930-1968, the challenge of piecing together and investigating the complex processes of this wide-ranging landscape, how it connects in parts and across the whole is somewhat overwhelming. It is clear that the role of records remains vital, but even if and when records are found, it is in the underlying knowledge and ability to make the connections across these records, within the recordkeeping landscape, that their meanings and use can be provided. For those records not found, it may be that they never existed in the first place, something that has not been picked up in any previous research but can be inferred from the testimony provided by Levitt. This is new knowledge.

The analysis presented here acts as a lens with which to begin to reveal this complex landscape about how the care of children was managed and administered from a legislative, State and organisational perspective; one that has the potential to provide new insights into how a records framework should be designed for recordkeeping, management and administration arrangements for care provision past, present and future.

The difficulties and complexities involved with the unravelling of evidence and its 'parts' within this landscape reinforces the plight of those Care Leavers who have struggled to be heard, campaigning for an Inquiry. Recordkeeping from a State and institutional (Public Authority) perspective must be infused with a humanity that respects the individuals they have a moral duty to care for, one that not only ensures adherence to them operating within the legal framework of that care, but one that demonstrates respect, understanding and creation of records that are co-owned by the individuals who receive that care.

It is perhaps worth noting that no previous research has had access to the wealth of information contained within the testimonies provided during the Hearings in 2017, nor the insight into an organisation and the practicalities of responding to a Section 21 Notice. The Section 21 Notice response submissions were not published, but the areas of investigation set out by SCAI all notably underpinned by 'records' provide an evidence base to those seeking answers and insight through this broader 'records' landscape previously unknown or uncertain. These transcripts and recently commissioned research provide a rich base from which to conduct an analysis and discussion that align to and enhance existing themes around 'records' previously identified in the works of researching and understanding the historic nature of providing residential care services for children and the recordkeeping practices of the time (Shaw et al). This narrative is fundamental for the purposes of the Scottish Child Abuse Inquiry to achieve their terms of reference and for those Care Leavers seeking redress.

1.3.   Justification of research strategy

This study concentrates on activities that follow a somewhat parallel journey of a live public inquiry and an organisation that is within its scope as a provider of residential provision for children in care. This research strategy is based on observation of an organisational, multi-disciplinary and multi-sector participatory work practice and the iterations involved in its preparation for and actively responding to a national public inquiry, for this study, restricted residential and not the full scope within SCAI Terms of Reference detailed at Section 1.2.2.

This research setting provides access to a real-time environment in which to observe and investigate how related disciplines within an organisation collaborate to provide a response to the Inquiry requirements - specifically, in relation to aspects pertaining to the identification of relevant records relating to residential homes for children. Additional care provision within SCAI scope detailed at section 1.2.2 such as Foster Care are not in scope within this thesis because the organisation did not commence any investigative activities around these additional forms of care until after this research was completed. The period in which the research is positioned encompasses the lead-up, starting at 2013, to completion of Phase 1 Public Hearings in October 2017, broken down into iterations 1-3. It focusses on how the organisation responds to the SCAI records requirements, providing insights that could otherwise remain uncharted and therefore unknown. Data collected as part of the Council's preparation to respond to, and readiness for responding to, a Section 21 Notice, provide the landscape that informed what relevant records were and existed at different points in time. This was aligned with knowledge and factual detail about records pertaining to residential provision ensuring that comparisons from selected transcript testimonies coming before the SCAI Public Hearings aligned.

The historic scope and timespan of SCAI in which the research is based recognises the place Local Authorities have within this context, and that they are therefore key participants who can provide a significant portion of the organisational perspective and background which the inquiry will be dependent on. Local authorities are considered to be in a key position to contribute to the understanding of historic practice of residential child care provision through available records and information, past and present. On that basis, this organisation can be viewed as a valid and representative setting in which to conduct this study.

This study has been formed on the principles of an Insider Action Research approach within an organisation (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003). Simply put, the main aim of Action Research "should be to practically contribute to the change and betterment of society and its institutions through resolving social problems….[however], unfortunately, especially in the management area, aims such as betterment are always open to some dispute as they are open to retorts such as: Whose problem? Better for whom? What do we mean by 'better?" (Gill and Johnson 2010 p.100-101).

In the study presented here, the Stakeholders referred to throughout this study are involved from the perspective that the management problem is one that the organisation is facing involved with these research activities included individuals from my Information Management team and others representing differing professional disciplines, both within and external to the Council; collaborating within the Strategic and Information Sub-Groups throughout the duration, as necessary. This study provides the opportunity to apply the Action Research approach to explore whether the "notion it is founded on that organizations may be understood experientially though processes of deliberate change" (Coghlan and Brannick 2010 p.4).

The organisational Stakeholders have a key role in representing the various multi-disciplinary interests of their professional domains whilst they take a collaborative lead in responding to SCAI on behalf of the organisation. My dual role within this Stakeholder Group is one that I do not have to argue for. These Stakeholders form part of the practitioner manager quadrant of this study and as such are actively involved in what Gill and Johnson refer to as 'basic' research that affects the management practice within the organisation. It is recognised within the application of Action Research that there are some important distinctions to be made providing clarity between who is involved in the organisational practice, from those who may be part of the research. Gill and Johnson (2010) state that this difference lies within the questions of

As focussed activities resulting from SCAI were identified, those parties could develop their role and input, based on their business area or partner organisations' interests. Because the subject matter of the academic research was centred on the mutually shared goal of sourcing records to enable the organisation to respond to SCAI requirements, the demarcations between academic and organisational research from the Stakeholder perspective, disappeared.

The organisation gave consent to this research and with it an implied employees' consent, who as part of their contract of employment, to deliver public service duties, representing the professional interests of their domain, became engaged in the strategic programme of work to produce a response for SCAI on the organisation's behalf. This arrangement demonstrates the commitment and recognition the senior management within the organisation place on organisational learning and developing capabilities collectively across the functional disciplines, the importance of action research opportunities and development within their workforce, and the value they place on the ethical and legal aspects around the research subject matter.

However, the aspect of bias and balance involved with this research project, because of my dual role as insider action researcher and practitioner, have required close monitoring throughout. There have been conflicts of interest within the organisation-research setting for managing this dual role. At times, the boundaries between the two have undoubtedly been blurred, as the research area cut across my need to ensure proper governance in my role as information management practitioner, and my research needs, which were dependent on "buy-in" from my colleagues within the organisation (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Coghlan 2003). In addition, the research problem is one that sits within a context of extreme sensitivity around harms to individuals (for example, alleged abuse). This creates potentially contentious issues, both within the business functions of the organisation itself, and externally through the public scrutiny and organisational reputational issues this could create. At all times, the research area has had to be kept distinct from the abuse allegations to ensure that research objectivity and practitioner integrity as insider remained intact (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002).

This research is placed within a dynamic environment and has been built and shaped through the various iterations of identifying relevant records and validating information and data about residential provision for children with participative groups; those specific provisions and their existence as well as operational practices. The research has not been conducted in a linear way, as it has been dependent on many factors, including: developing organisational relationships across a diverse group of multi-disciplinary professionals; understanding the levels of understanding and range of perspectives across that landscape; and, negotiating and influencing consensus for the required resource allocation and activities at any given time throughout the duration of the study (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002). The dual role taken throughout this study has evolved to create a records framework that begins to reveal the corporate memory of

the organisation. The corporate memory would be unrealised without this particular research methodology being applied.

The agile iterative approach used enabled value from the research to be delivered early and often, something that is hailed as being fundamental to the success of an Action Research Project with "three main elements: a good story, rigorous reflection on that story and an extrapolation of useable knowledge or theory from the reflection on the story" (Coghlan and Brannick 2010 p. 15). Simply put, "What happened?, How do you make sense of what happened?, and So what?" (Coghlan and Brannick 2010 p. 15). This provided the Council with strong foundations on which to base their ability to prepare and develop readiness for the Section 21 Notice served on them in January 2017. This incidentally also proved to be a watershed moment for my dual role as manager and researcher, with my having more knowledge and understanding of the implications resulting from SCAI, a necessary pre-requisite to establish the right strategic management input and developments that were to follow.

It was from this standpoint that my dual role commenced. In Practitioner manager role, I worked with my Stakeholder colleagues in pursuit of resolving how we as an organisation would respond to SCAI. In my Practitioner researcher role, I could use the data gathered at national level to influence and compare what was happening within the organisation, stepping outside the practice and looking-in.

1.3.1.   First person narration

Following tradition within the method of Action Research for conducting studies within a live, practice setting, this study will be narrated in first person (McNiff 2013). The basis for this, is that it, therefore, acknowledges, from the outset, the bias of my dual role as practitioner and researcher, immersed within the research setting, managing the conflicts and bias as the

study proceeds, and doing this in an open and transparent way. Narrating the process that has taken place throughout the study in a more autobiographical format makes the work more honest and therefore more readable and easier to relate to, "you tell the story of your action research…the action you took, as well as how you researched the action, how you could understand and improve what you were doing, and how you could influence other people's thinking so they could do the same….you reflect on your action, so you step in and out of the text" (McNiff 29013 p. 146-147).

It is perhaps more in keeping with the tone of this study, which has brought to life a sense of the social history of a particular aspect of Aberdeen, that a personal approach is taken. That aspect is the residential provision that has been in place for the people and place, and which has been previously unknown, but which is based on our children's lives - past, present and future.

1.3.2.   Dialogue with the setting

1.3.2.1.   *2013-2017 – The Practitioner as Researcher within the organisation*

1.3.2.1.1. 2013 Activity

In 2013 I became involved in the Reclaiming Lost Childhoods project (Kendrick 2013) specifically because, having worked in a residential establishment, I had a good understanding of the existence, accessibility, and meaningfulness of records from both the Care Leaver and the organisational perspectives (full details at Section 3.4). In June 2013, I was asked to give a presentation at the second Reclaiming seminar; 'Reclaiming the Past: Historical Records and Information', entitled 'What Records Help Make Me the I, I am'. Following attendance at the Reclaiming events, I began to try to

discover what information and records existed within my own organisation. Although at that time employed as Records Manager, I had limited knowledge beyond the known existence of Children's case file records, that were current rather than historic.

In order to establish what information was held regarding historic residential child care establishments, I approached colleagues known to me within the Social Work service. Very little information was gleaned from this exercise, even when those contacts helpfully reached out to others no longer employed (mostly retired), with potential knowledge about the subject matter. From a local, organisational perspective, working within a local authority organisation, there was no legislative requirement to do more at this time in response to the Reclaiming Lost Childhoods project. The opportunity at this point for me to conduct any further investigation or pursue this research within the organisation was not possible at this time.

1.3.2.1.2. 2015 Activity

From October 2015, on receipt of correspondence from SCAI (Scottish Child Abuse Inquiry 2015b) and the notification that the Inquiry was invoking its power to place a hold on destruction of all records pertaining to historic residential child care services, the organisation recognised the need for formal action. I had been named on the SCAI correspondence in my role as Information Manager and was given the lead to convene an interim meeting with individuals who could action the SCAI destruction hold requirements. At this point, the individuals who were invited to participate included senior staff within the Social Work, Education and Human Resources services; those with direct responsibility and status within the organisation to action and implement such stringent requirements on recordkeeping practice across all business areas.

From my perspective, this initial grouping of internal business representatives also laid the foundations for raising the broader implications of SCAI, defined by their Terms of Reference, and highlight the implications, demands and potential risks this could bring for the organisation. It was clear from this first meeting in November 2015 that more knowledge was required from additional internal colleagues from across the organisation. It was recognised that there was limited understanding of the provision of historic residential care services for children within Aberdeen City, and managed by the Council. This meant that then unknown numbers of further discussions with the additional parties would be required, to determine the work necessary to be undertaken. Stakeholders initially identified were mainly from the Social Work service, but evolved over the duration to include Education, Human Resources, Legal, Archives and Library Services. I chaired this initial strategic grouping and took the opportunity to re-visit and re-focus on the collation of basic details around historic residential child care establishments by name, address, operational dates, ownership and type of care provided.

1.3.2.1.3. 2016 Activity

By July 2016, the Information Sub-Group, a subset of the Strategic Group, had been consolidated within a much higher profile grouping that provided strategic governance in which the organisation could respond to SCAI requirements. I continued to chair the Information sub-group with an ongoing focus on completing a definitive list of historic residential child care establishments for the Aberdeen area. In addition to this, I also participated within all the newly established groups, contributing my broad knowledge of the background, context and likely reach of the SCAI requirements and impact on the people and place of Aberdeen for which organisationally, the Council are accountable, both legally and morally. The impact of SCAI and possible organisational implications, should allegations of child abuse be made, had to be kept distinct from the research scope of this study. In my dual role as researcher/practitioner, my interest was in the broader aspects of all records pertaining to the organisation's ability to account for its

involvement in provision of residential care of children. Records' existence and the methodologies put in place to identify their existence and possible use were the founding principles of maintaining integrity of that dual role. At no time was it ever necessary for me to be involved with any specific records or discussions regarding historic or current allegations.

1.3.2.1.4. 2017 Activity

On receipt of the Section 21 Notice in January 2017 and the immediate realisation of the extent of information being requested, the strategic management group reviewed the Stakeholder membership and resource allocation. It was now deemed more appropriate for Stakeholder participation to be restricted to consist of internal Council staff only, as there might have been a conflict of interest between partners should any allegations of abuse be made; anticipating the possibility of future criminal investigations at a later date beyond the Inquiry findings.

Records sourcing by those currently participating in the Information sub-group to this point had focussed on historic residential child care establishments operating within the time period. The Section 21 Notice requirements went considerably beyond this; looking for details around organisational governance, staffing, training, and policy and practice of all residential child care provision over the time period, all of which had to be sourced afresh. My role within the strategic management response group changed dynamic and focus at this point, with the information sub-group Stakeholders' leading much of the planning and actions directly into the strategic management group monitoring activities.

1.4. Aims and Objectives

The aims of this study are to investigate critically a local authority's historic record keeping and management arrangements for looked after children within the context of the Scottish Child Abuse Inquiry.

Objectives:

- Track and chart the processes of identifying relevant records for Aberdeen City Council
- To explore the value of those records uncovered and assess their relevance to the SCAI requirements and the needs of Care Leavers
- Identify where existing records cannot meet these needs
- Identify potential improvements for future practice and policy

1.5. Research questions

1. Are the historical record keeping and management arrangements for records adequate for:

   i)   the requirements of Scottish Child Abuse Inquiry
   ii)   the needs of Care Leaver communities
   iii)   the authority to be able to adequately tell the story of its operations, account for its decision making, and be critically reflective (i.e. not a PR or defensive exercise)

2. Are there any wider implications for recordkeeping and management of records from a practice (organisation) and policy (national) perspective?

1.6. Structure of thesis

Chapter 1 introduces the research environment in which this study is based. It sets out the global, national and organisational context, of State, Care Giving Providers and Care Leaver record needs. It illustrates the pivotal role that records play in the evidential forms these legal proceedings take, emphasising the need for moral aspects to be considered as equally important.

Chapter 2 details the methodological aspects that underpin this study, setting out the methods chosen. The intricacies of this study within the live real-time nature in which it is set, the sensitivities involved and the dual role of researcher and practitioner within this research environment are all fully acknowledged as are limitations associated with the approach.

Chapter 3 explores what records are, who needs them and why, and what use and purpose they serve.

Chapters 4 and 5 set out the results from analysis of data collected from proceedings in the Scottish Child Abuse Inquiry and in parallel, the activities undertaken by the Council as they respond to those requirements.

Chapter 6 discusses the themes that have emerged from a consolidated view of the Inquiry and the organisational learning that emerged from the action research.

Chapter 7 concludes with summary answers to the research questions, linking the recommendations back to the themes and results conducted across the study.

Chapter 8 provides a reflective statement on the limitations of the study, linking this to the action research method applied and the personal, organisation learning that has resulted from my undertaking of a part time Professional Doctorate of Information Science.

2. Methodology

I have selected qualitative methods in Action Research for conducting this study, to connect the emerging sources of data and information produced and gathered from the national (SCAI) and local (Organisational) perspectives and allowing the creation of a research space in between these perspectives. This will allow the information and data emerging from both perspectives to be harnessed in a way which maintains the necessary scrutiny and rigour, but which also is flexible enough to respect the live and emergent nature of the research.

2.1. Conceptual Framework: placing the researcher within the research

This research is set within a local authority and follows the stages of the process by which an organisation prepares for and responds to the records requirements of the Scottish Child Abuse Inquiry (SCAI).

My dual role as Practitioner manager and Practitioner researcher is immersed within a context that is essentially a crossover between work and research, investigating how the social realities of the theoretical application for responding to the Inquiry's requirements plays out in practice. In Practitioner manager mode, my role and responsibilities in relation to SCAI have been as Senior Risk Manager, and strategic response lead for information governance and records management. This dual role of both Practitioner manager and Practitioner researcher, as an insider within that environment, provides the opportunities to influence the cultural (the people/professional discipline) aspects of the research setting; one that spans familiar multi-disciplinary fields and Stakeholder interests within the organisation such as social work, legal, risk management, human resources, elected administration and corporate management, This is in line with action research guidelines "The pre-understanding of the business context means

that the insider action researcher is not only aware of the organizational political system, but needs to be prepared to work within the political system such that the research project will yield the optimal results for both the system and the scientific community and action research will be sustained as a new organizational capability" (Roth, Shani and Leary 2007 p. 44).

How the researcher manages the interests of the research with the interests of the practitioner and Stakeholders, and how this might influence the findings derived from the study, present significant challenges and fundamental risks to the overall body of the research in scope: "insider action researchers have knowledge of their organization's everyday life. They know, at least implicitly, the everyday jargon; they know the legitimate and taboo phenomena of what can be talked about and what cannot; they know what occupies colleagues' minds; they know how the informal organization works and who to turn to for information and gossip; they know the critical events and what they mean for the organization, and they are able to see beyond objectives that are merely window dressing" (Coghlan 2003 p. 456).

Maintaining my credibility in this dual role entails my managing an appropriate balance of interests and understanding of perspectives from across the multi-disciplinary Stakeholders involved. My ability to influence and negotiate within this strategic forum requires a good understanding of the difference between my Practitioner manager and Practitioner researcher roles, whilst at the same time having an ability to take account of others across the different business functions. The challenges entailed with this research setting, one that is situated within uncharted territory, on a subject matter that is extremely sensitive and potentially contentious for the organisation, requires compromise, patience and humility (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002).

In my dual role as practitioner, I was focussed on delivering a response to SCAI in the best interests of Care Leavers and the organisation. As a researcher, I was concerned with standing back and observing objectively how the organisational aspects played out, gathering data about this and reflecting on the theory as I did so. As a practitioner I was interested in achieving an outcome on behalf of the organisation and as a researcher, I was interested in how organisations more generally and indeed society as a whole could benefit from this experience.

The actions I took as a practitioner and as a researcher were linked, but also kept distinct. In my practitioner role, I organised meetings to facilitate progress on the organisational response and as a researcher, I recorded and reflected on those meetings, utilising them and their design in a particular way that served a dual purpose for the organisation and my research understanding. My knowledge of and access to identify and research organisational records, as well those that I was able to create as a member of the Strategic Stakeholder Group were a unique set of circumstances and enabled me to compile a unique set of data sources. (see also Section 2.4, where practitioner and researcher data sources are set out in full).

The opportunities to chart and analyse the proceedings from a live public inquiry, investigating contentious subject matter and feed these back into the local, organisational practice-based context and their response approach, will provide a real insight to what goes on from a real-time, sense-making point of view, "where the action researcher is a 'complete member' of the organization and not one who joins the organization temporarily (but) immersed experientially in the situation to acquire 'understanding in use'……(where) they have to create a space and character for their research role to emerge" (Coghlan 2003 p.456).

The fundamental problem with identifying records relating to the existence of historic residential provision for children in Scotland is that there is no comprehensive, centralised information held, nor recognised method in place to support an organisation to address this (Shaw 2007; Kendrick and Hawthorn 2012). Those who have embarked on national attempts since 2005 have found the process of trying to identify and collate such detail extremely time consuming to the point where it was just not possible to achieve to any level of acceptable completeness or coherence (Kendrick and Hawthorn 2012; Shaw 2007).

The results from these exercises have been a collation of patchy detail about pockets of provision from a variety of sources that provided only some parts of the records puzzle, some of which incidentally lacked accuracy. The recurring issues of who had the required knowledge of what exists, and where to look, were hugely resource intensive and to date have raised more issues and questions about determining what records are relevant, before sourcing of their existence could even commence.

In order to pursue this organisational study, it was important that whatever method and activities were selected could support the intricacies of the study: namely those revolving around and dependent on select Stakeholders within the organisation and their knowledge and willingness to participate and contribute toward the organisational [problem] activity of responding to SCAI. This messy reality in which people are central, brings with it a range of further complexity in the design considerations when having to address differing stances, beliefs, and understandings. "[W]ho should participate in any action research activity is always problematic in management research because of the different coalitions of stakeholders who make up any organization and who have particular vested interests in how the organization operates…. It is usually taken to be important to identify stakeholders - individuals and groups, with varying amounts of power, who have an interest

in the problem and who will be affected by any possible changes aimed at ameliorating that problem. How decisions are then made around who will actually participate …inevitably confronts issues around organizational politics and power" (Gill and Johnson 2010 p. 104).

Any research design selected would need to be able to cope with a mix of activities, some of which could not be anticipated beforehand but had to be allowed to emerge and be brought into play when deemed necessary. Using the insider action research approach provides a richness to the opportunities to build, develop and navigate relationships and focus across a range of professional disciplines, an integral part of making any progress with the study aims and objectives (Coghlan 2003).

Investigating matters within the messy reality of the social world and looking to the social sciences to provide methods in which to do so provide a range of options to consider. The familiar debates of whether to use qualitative or quantitative research methods continue to argue the scientific rigour of one over the other, "Research that celebrates important issues of everyday living should be given as much priority as traditional forms….more perhaps, for practical, practice-based research is a key means of contributing to holistic, relational forms of cultural, social and intellectual progress……unbounded thinking that is free, emergent and unfolding, rather than boxed in and tidy (McNiff 2013 p. 4-7). However, the fundamental distinction between the two is the underlying differences in the beliefs and thinking that underpin them. Quantitative methods work on the basis that mastery can be made of reality, otherwise referred to as 'normative'; whereas qualitative methods work with the unknown, mysterious aspects of reality that can only be skimmed, otherwise referred to as 'interpretive'. The former method claims to reveal 'objective facts' about reality, whilst the latter enables 'fleeting, illuminating' aspects of reality that can be interpreted (Holliday 2002 p.5).

No research methodology is immune from issues of managing subjectivity or judicious balance in a way that retains scientific rigour, and this perhaps sits at the heart of questions that continue to challenge the choice of research methods selected. Polls used to inform the voting behaviours for the UK's exit from the European Union are a good example of these challenges when alleged tried and tested – quantitative - methods are no longer providing any form of accuracy. In this example, the methods employed did not predict the actual poll results and it is a demonstration of one of many instances of how survey and statistics alone cannot and do not provide the objective facts or mastery and that there are other mysterious variables in play that must be accounted for to provide more interpretive understandings.

Qualitative research is a flexible method of investigation that gives more freedom for choice of setting, representation of topic, duration, depth, breadth and choice of research activities. Taking this approach, research activities can evolve and be applied at any specific point in the research project –taking opportunities– whilst maintaining sound research principles of social science (Holliday 2002). This flexibility and research mindset provides a platform for emergent themes to be harnessed – the mysteries of a particular social situation. In attempting to unravel just a hint of these mysteries that occur within social settings the action research method was selected.

The decision to use a qualitative approach based on action research in this study, is designed to allow the capture and gathering of data from identified sources and record types that have emerged throughout the duration of the study. These sources have been compartmentalised into those produced by SCAI, the organisation's strategic response through Stakeholder collaboration, and the records the organisation has engaged with to locate and understand how it has provided for children in care historically. It is from these data sources, described fully at Section 2.4, that the research space is created, and the research questions can be explored. It is also from this designed space that my dual role as Practitioner researcher and Practitioner

manager is carved and core to the experiential narrative that unfolds. In doing so I have acknowledged above the extent to which I understood each of these roles and the intersection between them as the space in which new knowledge is generated in action research (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002).

2.2.   Action Research

Action research is recognised as a unique approach to conduct research within settings where the researchers are practising managers "(who) enquire into their own lives and speak with other people as colleagues…. (it is) an enquiry by the self into the self, with others acting as co-researchers and critical learning partners…" (McNiff 2013 p. 23). It provides the flexibility, emergent and collaborative space where an immersive experience with Stakeholders elicits the revealing of 'backstage' intricacies within organisations that otherwise can remain entrenched (Gill and Johnson 2010).

The dual positioning of Practitioner manager and Practitioner researcher within such a research environment is a complete contrast to traditional forms of research, where objectivity through distancing the researcher from the experiment is replaced with full Stakeholder collaboration throughout the research activities, the level and content of which emerges throughout the duration of any given study, "although you think for yourself and explain how you hold yourself personally accountable for what you are doing, you recognise that you are always in relation with other people, always situated in a real-life, social, political, economic and historical context" (McNiff 2013 p. 23-24).

It is incumbent upon the action researcher to identify the practical implications of their research and test their findings within a practical world setting, and to refine the research based on the feedback received from the

tests, thus creating a hermeneutic circle (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002).

> "…. action research is a participatory, democratic, process concerned with developing practical knowing in the pursuit of worthwhile human purposes, grounded in a participatory worldview…. It seeks to bring together action and reflection, theory and practice, in participation with others, in the pursuit of practical solutions to issues of pressing concern to people, and more generally the flourishing of individual persons and their communities."
>
> (Reason and Bradbury 2006 pp. 1).

This description of action research provides an indication of the appeal for those embarking on management research activities within an organisation; somewhat akin to an ethnographic approach, but starkly different in that the action research activities actively seek to develop understanding of, and improvements to, the problem through the collaborative contributions of all Stakeholder parties: organisational and theoretical.

Historically, action research is attributed to Kurt Lewin, a social psychologist who in the 1940s was, "concerned to apply social science knowledge to guide planned change to solve social problems, such as conflict between groups and the need to change eating habits during wartime" (Gill and Johnson 2010 p. 97). At the heart of action research is the ability for social science to be applied to the improvement of societal problems, complex social events and institutions out with the traditional research laboratory. By focussing on a problem in this way, the actions arrived at and the effects of those actions provide a knowledge and understanding of the dynamic nature of change within a research setting. This problem centred research has been adopted by

many and applied to areas such as organisational training, change management and community relations, "A key aim of action research is often to increase researchers' and practitioners' understanding of these complicated situations so that the latter can better practically cope by making their decisions more informed" (Gill and Johnson 2010 p. 103).

The action research cycle is the means by which developing iterations of research activities are conducted "with" Stakeholders rather than "to" them: diagnosis, planning, intervention and evaluation; where dynamic non-linear "learning loops" are created with relevant parties to experiment with the unravelling situations at hand (Gill and Johnson 2010 p. 88).

Figure 5 Action Research cycle and stages
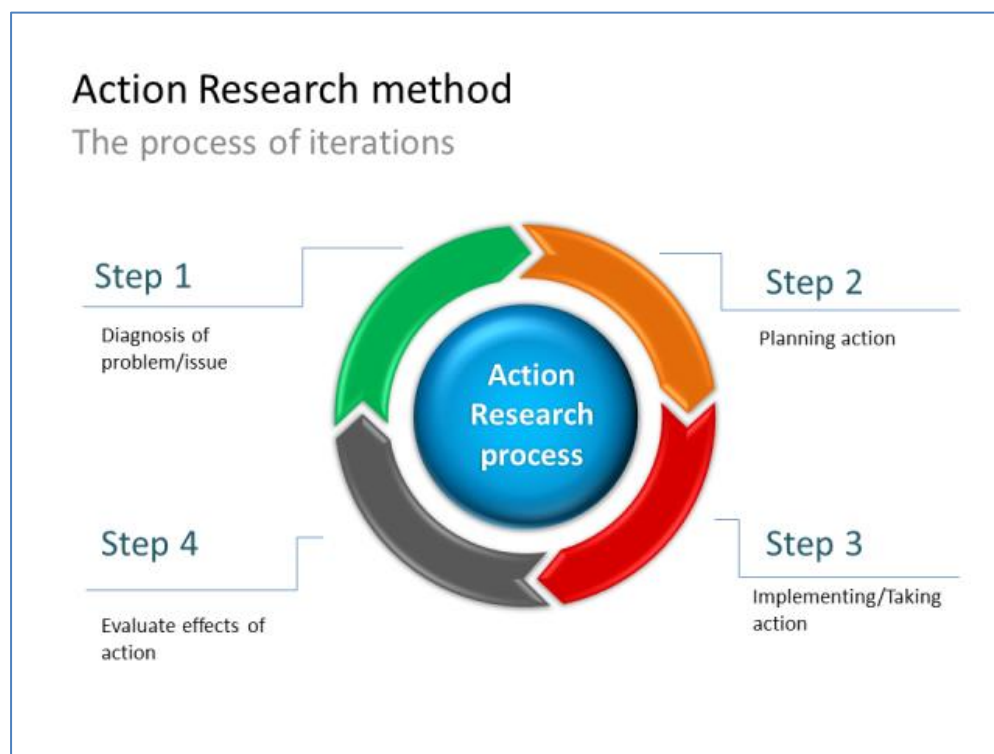
(Source: Gill and Johnson 2010).

In my dual role as an insider doing research, balancing the needs of all Stakeholders in a way that maintains mutual understanding, agreement with Stakeholders to intervene and act within the iterative cycles is paramount.

I am not the expert nor the lead, but instead, a support to those within the research environment to unravel problem situations at hand "As insider action researchers engage in their project, they need to be prepared to work in the political system, which involves balancing the organization's formal justification for what it wants from the project with their own tacit personal justification for political activity (Coghlan 2003 p. 458). Indeed, success within this type of research environment is thought to be effective through measurable outcomes, from exactly that viewpoint and therefore requires an approach and interpersonal skills that embrace empathy and an ability to relate to, and see others' perspectives "Throughout the project they have to maintain their credibility as an effective driver of change and as an astute political player. The key is assessing the power and interests of relevant stakeholders in relation to aspects of the project, while at the same time maintaining the integrity of the relationships" (Coghlan 2003 p. 458).

Conducting and evaluating action research aligns with the philosophical foundations of hermeneutics, akin to Lewin's holistic cycle of understanding, in which the view of a social system is broken down to reveal parts that can inform better understanding of the whole, and so on, back and forth, "You are researching how you are trying to influence people's learning so they can reflect on and change their mental and physical behaviours as they see fit. Therefore, one piece of your practice is going to be symptomatic of the whole…..... researching one aspect will reveal other interconnected aspects; you and your work are integrated as a constellation of interests, commitments and intents in which everything is interconnected and mutually influential" (McNiff 2013 p. 119). Any discrepancies between the parts and the whole, reveal the areas where change is necessary, and improvements can be further tested and developed from the prior understanding. This is

why research practices such as observation, focus groups and non-directive interviewing are activities often associated with this particular type of research methodology (Gill and Johnson 2010).

It is useful to note that there are a number of pertinent factors around the context in which action research and the iterative cycle referred to earlier take place: diagnosis, planning, intervention and evaluation. The entry diagnostic stage, - the point at which the research problem is being discussed with the organisation - requires consideration of the holistic view of the members of that organisation, their perceptions and interest in, and of that problem, and their concerns: to whom this matters, in what way, whether there are any preconceived ideas for change and how these can be factored into the study (Gill and Johnson 2010) – a psychological contract. The ultimate test of this contract "between the researcher and the members of the system is collaborative throughout the process, and so issues regarding, for example, publication are dealt with within the context of the authentic collaborative relationships" (Coghlan 2003 p. 458).

2.2.1. Diagnosis

Integral to this initial engagement are the eliciting of appropriate organisational Stakeholders and what lines of hierarchical boundaries there need to be to sustain confidence, integrity and power to implement change at any given time. As part of this entry diagnostic stage, careful negotiations are required to ensure a clear understanding of the Stakeholder roles and responsibilities, the boundaries within the organisation they operate, as well as their insights, perspectives and expectations of the research deliverables (Gill and Johnson 2010). It is from these foundations that the balance of the emerging issues, challenges and insights can be discussed openly and factored into the learning and improvements throughout the research (McNiff 2013; Gill and Johnson 2010).

2.2.2. Planning and Intervening

Any planning activities arrived at from this stage of action research will be as a direct result of what falls out of the diagnostic stage which focusses in on the perceived problem from individual and organisational standpoints. Differences in opinion, experience, knowledge and understanding can be powerful catalysts for a group of multi-disciplinary professionals to reach agreement on what steps are required and to what ends, be they individual or organisational. At all times, I will have to take account of all parties' views on the diagnosed problem to enable the appropriate evaluation of interventions within this collaborative framework (Gill and Johnson 2010).

2.2.3. Evaluation

The fundamental aspect of the evaluation stage is the ability to define whether or not any improvements have been made to the diagnosed problem; criteria which should have been established within the diagnosis and planning stages. As with all aspects of this approach, it is not a linear process and therefore it could also be determined at that stage that a re-diagnosing of the problem is required, having not made the anticipated improvements and the reasons underlying that. The collaborative, participatory and dialogic nature of this approach requires 'buy-in' from those parties throughout the process, and the evaluation stage is key to those perceiving benefit from that involvement, for the individual and organisation (Gill and Johnson 2010).

Whilst this dialogical view of action research sounds plausible, in reality it can be difficult to get collaborative agreement when Stakeholders bring their own perspectives to the fore which may differ significantly. The question of who participates, when they participate, how they participate [or not], how consensus is reached and how this influences the outcomes at differing stages of the action research cycle are an underpinning of this methodology (Gill and Johnson 2010).

2.3. Problems with Action Research?

As with all research methodologies, there are methodological challenges that must be taken account of. The difference with action research is that the full design of activities may not be known at the outset but instead emerge throughout the iterative design cycles of a particular study.

Because of the nature of this research environment, a constant monitoring and balancing of research activities must be maintained. Much of the criticism around the validity and rigour of action research stems from this very point, where the variety of practices that can be utilised using this form of methodology, and the demonstration (proof) of successfully implementing collaborative changes and improvements to either strand i.e. organisation and broader research knowledge, can be evidenced.

In addition, some action research is designed in such a way as to try and mimic more traditional forms of methodological practice and has been found to fail on any form of successful implementation, only achieving alienating managers and disregarding collaboration (Gill and Johnson 2010); a somewhat misunderstood application.

There are many factors to consider around maintaining the rigour and integrity of action research but what follows are some of the key areas and variations for consideration. The three areas commonly cited as causing action research challenges are goals, initiatives and ethics (Gill and Johnson 2010). All revolve around the difficulties of maintaining the right balance between the organisational and broader theoretical research needs whilst maintaining close collaboration (and agreed boundaries) between all Stakeholders throughout the sequence of research stages; entry, contracting, diagnosis, action, evaluation and withdrawal.

The acceptance of and agreement to commence research between client and researcher around specified subject goals (open-ended or pre-specified) can be an issue and one that requires early agreement to ensure all parties are clear and trust (psychological contract) is established at the outset. The initiatives embarked on, with whom in the organisation, on what basis, when and how require agreement to ensure clear boundaries of engagement are set out. Ethical issues including confidentiality and protection of respondents can also create particular challenges, if the study is taking place in a specific organisation where Stakeholders could easily be identified, the subject matter in focus is potentially contentious with outcomes unknown, and, as in some cases, the 'liveness' of the action research can be very much in the public eye, within the organisation and beyond.

An approach that enables these issues to surface across both organisational and academic spheres is key to ensuring the researcher/insider has fully considered these aspects in advance and continues to monitor and refine with Stakeholders to maintain the appropriate assurances and integrity of the client and researcher roles (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002). Any breaches in trust perceived by Stakeholders during these collaborative engagements put the study at considerable risk with the potential to jeopardise the validity and rigour of the research at any particular stage, sequence, iteration and indeed across the whole organisation and research endeavour.

Deliberation of the most appropriate research design for this study required considerations that could harness the live and exploratory, emergent nature of this particular research problem within this type of environment. This included Ethnography, Grounded Theory and Case Study and arguably all three could be recognised within the design up to 2016; however, on the basis that this research has been ongoing in practitioner mode since 2013 these were rejected by 2016 on the basis that what was required for this specific research was built on a participatory two-way relationship that

involved close collaboration with a variety of professional disciplines, developing an understanding and agreement between my dual role and Stakeholders at each stage (iterations) of the research study (Holliday 2002).

What evolved between 2013 and April 2017 was the need for an approach that could support my dual role to maintain research focus in an environment where emergent issues presented fast-paced challenges previously unforeseen from both of these perspectives and bias: active and implicit. Principles from the Action Research approach were selected specifically because of their distinct ability to support a test and refine methodology, supporting the iterative nature of this particular research design with the rigour required to maintain research and organisational integrity (McNiff 2013; Gill and Johnson 2010; Roth, Shani and Leary 2007; Reason and Bradbury 2006; Coghlan 2003; Holliday 2002).

This study has been formed on the founding principles of Action Research within an organisation which includes groups of staff and individual employees, all of whom represent a variety of Stakeholder interests. For me, an early realisation of the extensive landscape in which residential care for children had been provisioned, nationally across Scotland and regionally across the Aberdeen area posed significant moral and ethical considerations for the organisation to address at the outset.

This is a pragmatic approach to research that understands the controversial philosophical difficulties inherent in any research project. Action research acknowledges these controversies and attempts to mitigate against them. Action research is full, as all research methods are, of intellectual norms, social values and cultural traditions. Action research does not have privileged access to the truth; it is not immune from its own history and philosophical commitments. The key difference with Action Research is that the method is honest about such contamination and actively attempts to diminish the impact of its philosophical commitments by actively checking and dampening

assumptions and interrogating conceptualisation as an integral part of the research process itself.

Action research as a process is unlike any other as it "is about the individual or individuals working collaboratively, it is about their understanding and about improving their practice as a means to wider wellbeing and social good…it is about people reflecting on what they are doing and taking action on behalf of others ……developing ways of contributing to enhanced experience of life for all" (McNiff 2013 p.120).

2.4.   What data has been collected?

This study charts the evolving nature of an organisation preparing for and being ready to respond to the records and information requirements of the Scottish Child Abuse Inquiry. The data collected has emerged and grown, over time. There are 3 parts to the data collected: SCAI data, practice data and research data. When combined these provide a rich source of data with which to create an action research space to apply the two research questions set out in this study; first, that centre around the adequacy of historic record keeping and management arrangements for SCAI, the organisation and Care Leavers. The second, then draws out whether there are any wider implications from a practice and policy perspective.

Figure 6 Data collection model
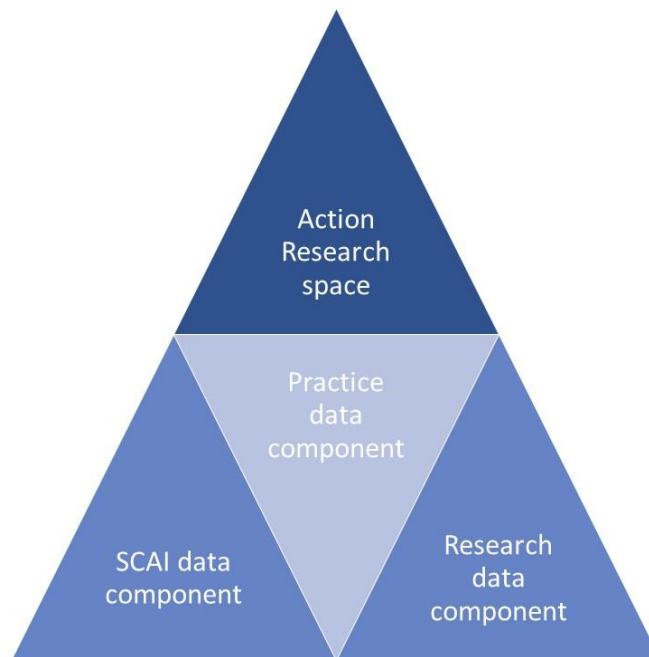
(Figure by author).

The data collated from analysis of SCAI transcripts, detailed in the Introduction in Chapter 1, provides contextual detail from witness testimonies around the Scottish recordkeeping and management arrangements within the legislative and regulatory framework in which residential care services for children operated from 1930 to 1968. In parallel to these witness testimonies being produced, the generation of practice data could begin, with full organisational backing. This data generation took the form of identifying records' existence, location and content, and informing the Council about what residential establishments were operational, historically, in the Aberdeen area. This exercise had been initiated in June 2013, but had limited success until the SCAI was established in 2015.Finally, the research data component is the Council Action Notes, emails, conversations, observations and reflections that were all used to steer and evaluate the Council's response, and which informed the research findings and conclusions drawn in this thesis. These data sources, when combined, enabled me to conduct an in-depth study of the organisation's record keeping and management arrangements and the developing organisational capabilities necessary for responding to the SCAI requirements in April 2017.

Tables 2 and 3 provide a breakdown of the data gathered for the study, set-out in a way that distinguishes between the practice data components and the research data components underpinning this study.

Table 2 Practice Data collected for the study

Practice data components
Aberdeen City Council record sources: • Aberdeen City and Aberdeenshire Archives Catalogue • British Newspaper Archive • The Town Council Memorandum of Information • Post Office Directories • Valuation Rolls

Aberdeen City Council record types	**and**	**retention periods (destruction hold in place):**
• Admission Register (Residential home for children)		- Permanent
• Child Case Files (Looked after Child)		- 100 years
• Local Authority Committee Minutes		- Permanent
• Staff Case Files (for those working with children and/or vulnerable adults)		- 25 years

Aberdeen City Council Residential Homes for Children in Care - requisites:
• Name • Address • Type of provision • Operating period (open and closed) • Ownership/responsibility • Sector • Source(s)

(Table by author).

Table 3 Research Data collected for the study

Research data components
Scottish Child Abuse Inquiry correspondence: • Records destruction hold letter October 2015 • Section 21 Notice, January 2017 - Sections A, B, C and D
Scottish Child Abuse Inquiry commissioned research: • Professor Kenneth Norrie • Professor Lorraine Radford • Scottish Government - Professor Ian Levitt
Scottish Child Abuse Inquiry Testimony transcripts: • Preliminary Hearing • Phase 1 Public Hearing Opening Statements • Professor Norrie • Professor Levitt • Scottish Government • Phase 1 Public Hearings Closing Address • Phase 2 Opening Statements • Phase 2 Public Hearings Closing Address
Aberdeen City Council Strategic Stakeholders: • Strategic Group Action Notes • Sub-Group Action Notes • Emails • Conversations • Observations and Reflections
Aberdeen City Council Official communications: • Committee Report (external) • Public webpages (external) • Corporate Risk (external) • Staff awareness Briefings, Managers soundbite (internal • Corporate Management Team Briefings (Internal)

(Table by author).

The practice data components produced as part of the organisational iterative cycles, supported the organisation to better understand their historic role in and responsibility for children in residential care across the Aberdeen area, through specific identification of record sources and types in existence. The research data components from the SCAI proceedings that I fed back into the organisation as part of the learning and improvement process, were used as a means to influence the resource allocation of the practice data components and at the same time, reflect on and inform my research questions in more detail, evaluating what that organisational journey entailed, and the themes that emerged. It is from these data sources gathered and analysed within this research space that the Action Research approach is applied.

The majority of data sourced nationally is already in the public domain and has been collected as the Public Hearings conducted by SCAI have proceeded and testimony transcripts and commissioned research were published between February and November 2017 (see Figure 2). The research data collected from the organisation has consisted of: internal records documenting the Strategic and Sub-Group Action Notes; Corporate Management (Chief Executive and Directors) and staff awareness briefings and Managers' Soundbite; a Committee report briefing the Council's Elected Administration; inclusion in the Corporate Risk Register; and, a newly created section on the Council website raising public awareness of SCAI and signposting to support agencies available. In addition, I have in my researcher role gathered emails, observed and created reflection notes following on from attendance at the organisational meetings and any related correspondence with Stakeholders, including ad-hoc conversations, before, after and in-between formal gatherings. The practice data gathered around identification of residential establishments in the form of historic record sources and record types, were collated over the period between November 2015 and April 2017.

The Strategic and Sub-Group Action Notes act, in part, as a chronological diary that charts the journey of events, actions and improvements that took place across the organisational iterations. I managed the construction of those meeting agendas and supervised the recorded action notes that were published as a result of the agreed Stakeholder actions. I wrote the briefing report that was presented to the Education Committee in September 2016, as well as supervising the corporate management team and contributing to the content of staff briefings and Managers' Soundbite and was able to use these exercises to raise awareness more broadly, demonstrating the impact of SCAI and the organisational impetus for action. These forms of data collection were twofold as they allowed me to steer the Stakeholder participation across consistent, themed areas of focus, whilst at the same time record any commentary from Stakeholders around this. The additional organisational data collected constitutes the records-based products that were created as part of the developing organisational response to SCAI.

There are some exceptions to the data collected which will not be published as part of this study, although the examiners will have restricted access to this, if required, as part of the viva voce assessment and examination process. The data collected but restricted relates to the correspondence received by the Council from SCAI in October 2015 and the Section 21 Notice in January 2017. The former correspondence has been paraphrased within this study to highlight the emphasis placed on records; regarding the latter, I have provided a link to another institution's equivalent available from the SCAI website. In addition, the Strategic Group Action Notes and corporate Management Briefings have also been withheld from publication as they contain sensitive detail that falls out-with the scope of this study.

Primary research data which I have collected, relating to the organisation, will be stored securely and retained for a period of 10 years. It will not be made publicly available.

2.5. How is the data analysed?

2.5.1. Managing the data

The number and variation of data source components gathered by me in my dual role as Practitioner manager and Practitioner researcher across the period of this study from 2013 to 2017, were analysed in different ways at different times. The management of these proved to be somewhat of a challenge as the emergent nature of this study meant that. I was constrained by the activities of others – the SCAI and the Council – and what the Council agreed to produce at any given time. This material was often produced in reaction to external events, and often material from multiple sources became available at the same time.

Whilst some of the data sources were formal organisational documentation, providing an audit trail of focus and facts, there was a significant number of underlying data sources gathered, in the form of email correspondence between Stakeholders. It was these sources that documented the behind-the-scenes conversations and relationship building activities with Stakeholders, going on in the background. The data gathered from this type of correspondence with Stakeholders is used strictly for the purposes of exploring the range of disciplines involved with the record keeping and management activities, and the issues that arose, and does not reflect upon the individual correspondents themselves.

The analyses conducted on some of the data sources were carried out at the time the sources were produced, for example those from the organisation, such as the Committee report and Strategic and Sub-Group Agendas and Action Notes, as these were naturally evolving organisational requirements to ensure awareness raising and accountabilities were clearly stated. In relation to commissioned research from SCAI and SG, Levitt's testimony transcript and Norrie's report took significant navigating and re-reading, due to the

volume of detail they contained, and the complexity of subject matter covered. Other challenges with these data sources were that as witness testimony (Levitt) they did not necessarily follow a linear sequence of questioning, often veering into other areas and different historic time periods, whereas, with Norrie, the research reports he produced covered specific time-periods that were revised and updated over the duration of 2017.

These data sources were revisited again when in the writing phase of collating and re-analysing across all data sources to allow for the coding of themed areas of research evidence in relation to record keeping and management arrangements; a somewhat iterative process to improve my understanding and linking together of what happened in the moment, in parts, and reflectively over the whole piece during the writing-up of the thesis stage.

I used traditional methods of coding across all my data sources, in hardcopy format, marking up over time the various themes that were emerging in parts, individually, and across the whole, from all sources. The analysis and coding I undertook in 2017 focussed on the sources produced by SCAI which were heard over a period of 10 months January-October 2017. Individually, each transcript provided a wealth of data, rich in content about the legislative provision for children in care and the records, whether from SCAI seeking particular details about their existence, or those witnesses providing evidence about their existence and meaning. It was only at the end of the 10 months, when all testimonies had been analysed that I could conduct a cross referencing of my coding and emerging themes from the individual to the collective witness perspectives. The identification of record sources and types from the individual witness testimony analysis, was an obvious starting point for coding and one that over the 10-month time period developed as the listing of those record sources and record types grew.

I used a similar pattern of analysis for the research data produced from the organisation, although these differed in the sense that I did not conduct the

reflective analysis across the whole piece until late 2017. This was due to the time constraints on my part, rather than anything else, as there were many competing iterations of work going on for me in my dual role as Practitioner manager and Practitioner researcher during this period.

The iterative cycles contained in the Results at Chapter 4, chart and describe this journey, throughout June 2013 to April 2017, harnessing these data sources that enabled the discussion and themes to emerge from within the research space created for this study.

2.5.2.   Action research cycles

The structure for analysing the data in this study aligns to the iterative action research cycles and phases, shaped around the live and ongoing contextual narrative. The research questions were used to generate and inform any further iterations to test and refine any additional actions identified and required. The initial aim of identifying what establishments existed for the Aberdeen area and what records could be sourced for those establishments involved a collaborative journey within the specific organisational culture.

This parallel aspect of the study - human behaviour, beliefs and attitudes - was central to the progress made in pursuit of developing a records framework. These aspects, viewed in parallel provided the environment where comparisons could be made, and themes/headings could be revealed between: a) the national context/policy and b) local, organisational practice, for example:

What establishments provide(d) residential care for children across Aberdeen, within the relevant timeframe?

Figure 7 Action Research - 1st phase iteration - National Context

Action Research - First Phase Iteration
National Context

Step 1
A need to source records:
• Shaw
• Reclaiming Lost Childhoods
• Care leavers
• SCAI

Step 2
What do we know so far:
• Commissioned research
• National Establishments listing

Action Research process

Step 4
What has been achieved - Evaluate information collated and identify any gaps

Step 3
What does this provide for the people and place of Aberdeen
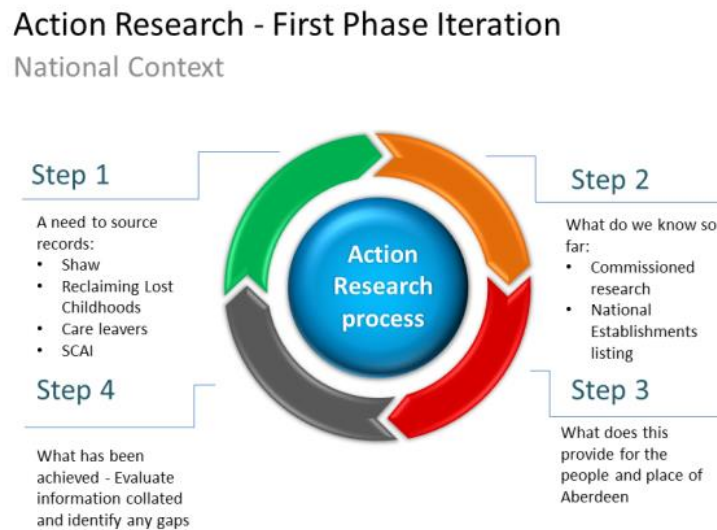
(Figure by author).

Figure 8 Action Research - 1st phase iteration - Organisational Context

Action Research - First Phase Iteration
Organisation Context

Step 1
What information does the organisation hold about historic residential child care establishments?

Step 2
What information is available, where to look and who to ask?

Action Research process

Step 4
Evaluate information collated and identify any gaps

Step 3
Collate all information, records and knowledge from first phase search

(Figure by author).

The means by which any improvements can be charted and understood flows out from the iterative cycles, illustrated at Figures 4 and 5. This particular example is based on iteration1 when I began to conduct informal research, full details of which are provided in Chapter 5, 5.1).

Figure 9 Action Research - Improvement Cycle

Making Records Ready: Developing a Records Framework for the Scottish Child Abuse Inquiry
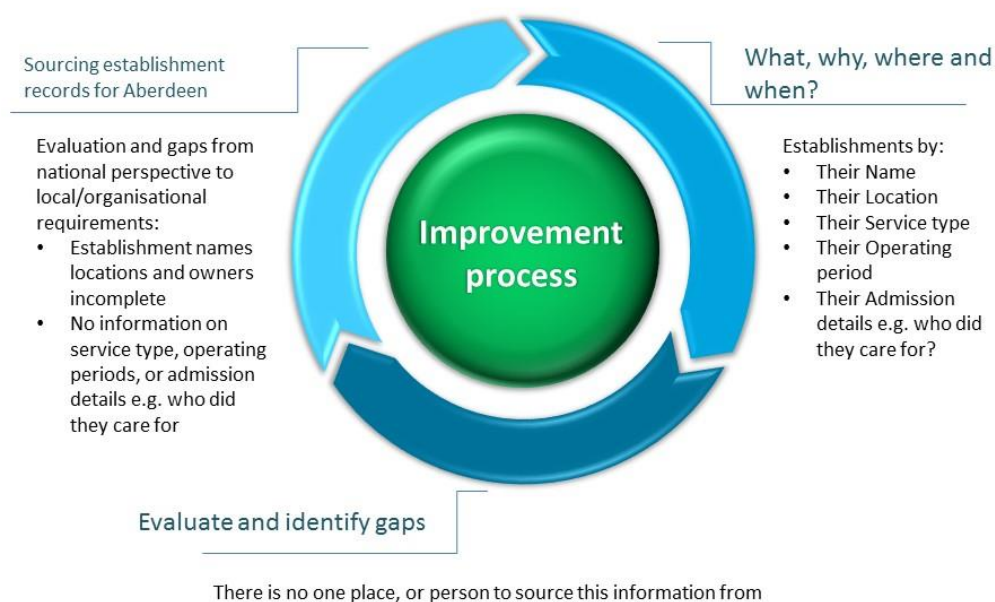
(Figure by author).

2.5.2.1. *Iterations*

The first phase iteration positions the research area in the national context enabling the first set of research activities to be applied to the local, organisational setting; essentially an audit of baseline information about what information (people and place) exists within the organisation. Subsequent iterations would follow on from the evaluation and effects, supporting the next level and phase to address revised problem issues to be explored.

These iterations did not operate in a linear fashion and Figure 3 acts only as an illustration of the starting point for this study which commenced in 2013. Figures 4 and 5 represent the exploratory and emergent phases of how this research is mapped out chronologically, charting the different iterations required to reach the outcomes of each phase. This evolving narrative provided the landscape to identified themes that could be categorised and made sense of within the confines of this study as it is brought to a close. However, the research problem will continue along with the public inquiry phases to come, and whilst there may have been some improvements for the organisation – research setting - around this problem, these might never be fully resolved.

2.5.3. Document analysis

Document analysis plays a major part in this study because of the live nature of activities being formulated from within the SCAI Public Hearing processes itself, and also from the organisation as it responds to the requirements that are made by SCAI. The detail contained in the documentation produced by SCAI and the organisation, over time, follow the national and organisational journey of capturing information and records collated through various iterations at different stages in the process– records – and the learning and further gaps and questions this posed along the way for the study to progress. In addition, due to the nature of SCAI being conducted within the realms of a public inquiry, the phases of which have informed this research as findings and updates are reported, information and records requests are made of organisations (the Council), public hearings commence, and new insights are revealed.

There are two levels to the document analysis activities in this study; firstly, the national context that includes the broader landscape of legal and Care Leaver perspective, including the current Scottish Child Abuse Inquiry and secondly the local, organisational level. The predominant part of the research

activities monitored and reviewed published reports from within the national context, whilst actively comparing records generated from the local level; which could in turn then provide a comparative benchmark from State and expert testimonies represented at SCAI Hearings.

Much of the research in this study is about addressing the issue of sourcing records within a context of national policy and scaling it down into and comparing it with the practical realities at a local, organisational level. Identifying what records are held that pertain to the historic management of residential care establishments for children who were provided with that service and gaining a deeper understanding of what that entails is key.

Document analysis plays a major part in this study because of the dynamics invoked from the live nature of SCAI requirements and the required responses in the form of records that flow back into that process. Making sense of this flow is challenging, as it is not a linear process, but one that is constantly reaching out for certain information and then pulling it back in; whether this information is being sought from experts commissioned to undertake research or from the State or organisations.

Through the various iterations of this reciprocal interaction, the records that are referred to, provided or published, or those in question or still to be found, provide a rich research environment from which learning and insights can be taken from a national and local level with gaps in each being identified along the way.

2.5.3.1. *Testimony transcripts*

Data has been sourced from the witness testimony transcripts produced during Phase 1 of SCAI Public Hearings, all of which were published within a matter of hours or days of taking place. These testimonies were heard throughout Phase One, in two parts, from 1 June 2017 to 12 July 2017 and October to November 2017. All witness testimonies from this phase were included in the scope initially, because at the outset it was unclear what would be revealed from them. As Phase One progressed, it became clearer that a rethink was required around what testimonies should be in scope and how this would contribute to the study. Whilst the sheer number of witnesses, breadth of coverage, and volume of transcripts were all arguably relevant, issues of manageability meant that all could not be given full coverage within the confines of this study. This early indication of the scale of subject matter in scope and the scrutiny being applied by SCAI in this first phase alone revealed that the foundational aspects of what was being investigated by them would be pivotal to what followed in the Case Studies in Phase Two. It became apparent that what was necessary for me to include in this study would be confined to a select number of those witness testimonies.

A part of that decision making was influenced when SCAI revealed at the outset of Phase One that in this phase they would only be covering the time period 1930 to 1968 and not to the extended 2014 period; this would come in later Phases in the proceedings. Once SCAI Phase One proceedings were underway, it became clear that a lot of the contextual detail required in understanding how care provision was governed and practised would come from evidence around the State's role and how the legislative and regulatory aspects worked in practice.

This evidence was provided by Scottish Government and academic experts who from varying perspectives contributed constituent parts of this puzzle. Those specific witness testimonies were based on records, produced in the form of reports, but based on records researched. It was this specific area that became more significant as it provided the foundations that would aid this study. Moreover, it would support and inform the contextual narrative of my organisation which in parallel was actively seeking to satisfy what would become their testimonial evidence if called.

Whilst Religious Orders and Faith-Based organisations were included in Phase One of SCAI proceedings, providing testimony from their returned Section 21 Notices, the ensuing detail from this has not formed part of the data set utilised in the current research. The reason for this was that from those testimonies, the recurring issues that came up were that they had not concluded their research and therefore any of the records they had found were sparse, or no longer existed. SCAI intended to pick up on this in Phase Two of proceedings (Scottish Child Abuse Inquiry 2017m), commencing on 28 November 2017 with the onset of Case Studies; the first being the Daughters of Charity of St Vincent de Paul, a Faith-based organisation.

Record types identified from these sources aligned with those previously identified by Shaw in 2007 such as admission registers, and therefore deemed to be of limited significance at this point. It is on that basis that only those witness testimonies from Scottish Government and academic experts, specifically Professor Norrie and Professor Levitt, have been selected (Scottish Child Abuse Inquiry 2017 d, e, f, h, i). Of the testimonies selected, references made to records as part of the evidential content, whether this is explicit from within actual record sources or inferred and speculated on from across these physical artefacts or from knowledge held by the individual witnesses, is included.

Figure 10 Scottish Child Abuse witness testimony transcripts
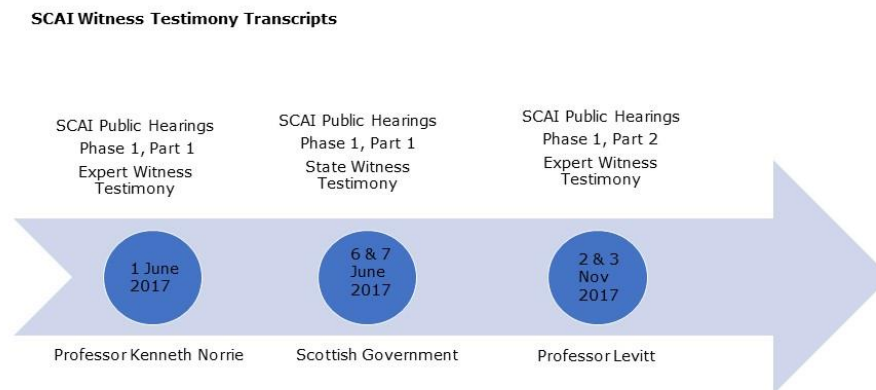
(Figure by author).

2.5.4.   Observation and Reflection

Observation and reflection activities have been embedded within the context of my role and dual capacity as researcher and practitioner within the research environment and organisational setting. My practitioner role was twofold; leading on corporate information governance standards and practice and representing those requirements within the strategic SCAI response group. The professional grouping formulated to support and represent the organisational responses to SCAI have in the main been the Strategic Management Group which is served by three Sub-Groups: Information, Support, Training and Engagement. I participated in all groups throughout the duration of this study.

2.5.5.   Present-at-hand and Ready-at-hand

Records that are present-at-hand and the identification of who has these, what they are and what they contain to be deemed ready-at-hand is a central component to this study and the SCAI process, and subsequently, what any organisation identified by SCAI as part of the Inquiry process (or indeed and retrospective to the Public Hearings) will therefore be subject to (Section 3.6).

This is evident from the Preliminary Hearing held in January 2017 where SCAI spoke specifically to their undertakings to date, their rationale, and how they intended to proceed, all of which is outlined in Chapter 1. The initial batch of Section 21 Notices served by SCAI on organisations by January 2017, including the Council, did not ask for any records to be sent. Only an indication of what was held present-at-hand was required to provide SCAI with the ability to request informed access ready-at-hand later on in the proceedings.

2.6.   System for representing data

Most of the national documents in scope are already available within the public domain, by the very nature of their being part of a public inquiry and subsequent Public Hearings completed and underway. These include commissioned research and testimony transcripts.

Any documents and data with restrictions due to their sensitivity and therefore only privy to those employed by SCAI and/or individual organisations under the Inquiries Act 2005 will remain so. These types of documents are the Section 21 Notices issued by SCAI and the formal

organisational responses to those Notices. This does not pose any issue for this study as reference to this type of data is only required for the purposes of distinguishing identified records types and what those records might contain, rather than what records do exist and what they do contain.

In the case of the organisation Strategic Group and Sub-Group action notes, emails, conversations and reflections and observations, these will only be made available to the examiners of this thesis to ensure that any content about staff and discussions that go beyond the scope of this study remains confidential. The essence of learning and improvements used to evidence the collaborative journey throughout this study and varying iterations have already been detailed at Section 1.3.

Piecing together and understanding the historic legislative and regulatory framework in which residential care services for children in Scotland was based has proved challenging and complex. Previous research (Kendrick and Hawthorn 2012; Shaw 2007) has looked at this matter for differing timeframes in an attempt to better understand the practice of providing these care services from a State and accountability perspective and that of a Care Leaver who has experienced that care. One of the key challenges in charting this landscape has been finding the right person with the right knowledge, their knowing where to look, and them having the time and inclination to do so.

SCAI has the legal authority to address some of these challenges utilising the powers of the Inquiries Act 2005. The approach taken by SCAI in the first year of operational proceedings invoked these powers by running simultaneous information collation activities: research was commissioned from independent academic experts to provide comprehensive detail of the legislative and regulatory framework in which residential care services for children in Scotland were formed; an ongoing communication campaign to raise awareness of and encourage survivors to come forward across the Care

Leaver community and broader society, reaching as far as Australia; Care Leavers were asked to come forward with any alleged abuse, and by January 2017 SCAI had collated instances by geographic location and type of provision which they then used to serve Section 21 Notices. This initial batch of Section 21 Notices (69) issued by SCAI were based on a representative sample of organisation types, including the Scottish Government. The Notices placed a legal obligation under the Inquiries Act (2005), to provide a response from within the organisational or institutional context, accounting for how that provision was governed and any known (or alleged) abuse that was known to have taken place.

2.7. Research limitations, ethics and governance

A key issue or challenge that ripples throughout this study is around the balancing of my dual role as Practitioner manager and Practitioner researcher, and the ability to maintain the right balance between the two, with all Stakeholders (detailed at Chapter 2 and Section 2.1) is paramount. "….the lurking problem of whether or not the concerns of management researchers are actually relevant to the concerns of practising managers, or, indeed, the other people who have a significant stake in how the organisation operates" (Gill and Johnson 2010 p. 101). The stages involved in an action research approach are where the Practitioner manager/Practitioner researcher has gone through the iterative process, maintaining that balance throughout: entry; contracting; diagnosis; action; evaluation; withdrawal. The ability to withdraw from the organisation, where it has developed the capabilities to be "self-supporting" in the context of the initial diagnosed problem is deemed to be the ultimate measure of success (Gill and Johnson 2010 p.102).

At the outset of this study, I gained consent from the organisation for this research, on the basis that it was about the recordkeeping and management arrangements for historic residential provision that were central to my research focus; what records existed, and what use and meaning they could provide us in our readiness to respond to SCAI. I was already immersed in the Strategic Stakeholder Group, playing a key role in supporting its establishment because of my knowledge and background understanding in SCAI scope and requirements. I made it very clear from the outset that I would not be using any individual employee data, but rather looking at the organisation activities, from key Stakeholder disciplines and perspectives, about records that emerged over time. How we identified record sources and through their existence could gain a better understanding of the meaning they held and subsequent use - for the Stakeholders, the organisation, SCAI and Care Leavers - was central to my research questions.

Having this clarity around my research focus with all Stakeholders, ensured that any ethical matters that arose during the research period could be addressed in an open and transparent way. As the research developed, the protocols were less formalised as my ongoing dual role had built the relationships and trust with the senior management team and Stakeholders involved in and accountable for the SCAI response works.

The organisational consent granted for this research came with an implied employees' (Stakeholder) consent. These stakeholders, as part of their contract of employment to deliver public service duties, representing the professional interests of their domain, became engaged in the strategic programme of work to produce a response for SCAI on the organisation's behalf.

In any instances where ethical issues did arise, I sought assistance from the supervisory team within Robert Gordon University; in others, a period of reflective inaction was required to ascertain the possible solutions, usually surrounding conflicts over rigour and relevance. These latter instances were often to do with Stakeholders' understanding of their role and subsequent reasoning and defending of practical and processual issues that were familiar to them. It was crucial for me to take an interpretive approach in order to gauge when to question Stakeholders' ways of working and how that would fit with the collective, organisational goals agreed at any particular time. Organisational risks always took precedence, but relationship building with Stakeholders remained key in building the collaborative practice and research space for any differences of opinion to be aired and resolved.

The information created and received as part of this research process has required strict protocols to ensure proper access and security measures were in place regarding ownership. This was especially important because of my dual role as researcher and practitioner within the organisation. The majority of data and information generated as part of this research has been in electronic form. This is stored within the organisation with the corporate security controls and back-up systems to ensure appropriate access and integrity are in place. Specific information relating to this research is held within the practitioner's private network drive where access is restricted to me alone with the agreement of the Council's Senior Information Risk Officer (SIRO).

Access to restricted organisational material (Strategic Group Action notes and Corporate Management Team briefing), will be provided for examination purposes, but will not be published as part of the thesis. In relation to detail relating to the SCAI Section 21 Notice, I have used the example of another institution, as an illustration of what that entails, that SCAI have published.

Great care has been taken to balance the research objectivity and organisational sensitivities within this study. As an insider, doing action research, this study explores from within my own organisation how it has developed the organisational capabilities to respond to the Scottish Child Abuse Inquiry. Respecting the access to and openness in which to explore the learning and improvements that have taken place within a snapshot in time, would provide a valuable contribution to the theory of knowledge, but one only realised if it can be published.

Publication of this research was discussed with the organisation prior to submission of the final thesis for viva voce examination. The response from the organisation was overwhelmingly positive, evidenced by their authorisation to publish this research without the need to apply any embargoes. A request from the organisation to include a next steps section (detailed at Chapter 8) to further develop the practice learning and improvements from this study, demonstrates the strength of the methodological approach taken and the multi-faceted contribution this can provide to our theory of knowledge.

3. Literature Review

3.1.   What is a record and what does it mean for them to be ready?

It is assumed that anyone involved with records management or responsible for creating records in a professional capacity knows what a record is. Yet, when asked to explain what constitutes a record, its meaning, characteristics become difficult to explain, and will be dependent on the context in which the question is being asked.

Even within the records management profession, there is debate about how to define records:

> "it can be argued that definitions that emphasise evidence or information are limiting, privileging one set of claims and perceptions over another, and undervaluing the complexity of records. Emphasis on evidence is often intended to link recordkeeping to the worlds of law and corporate governance; emphasis on information suggest an alignment to librarianship or computing. A focus on memory perhaps implies an association with history or cultural identity. All these perspectives are valid, but none is comprehensive."
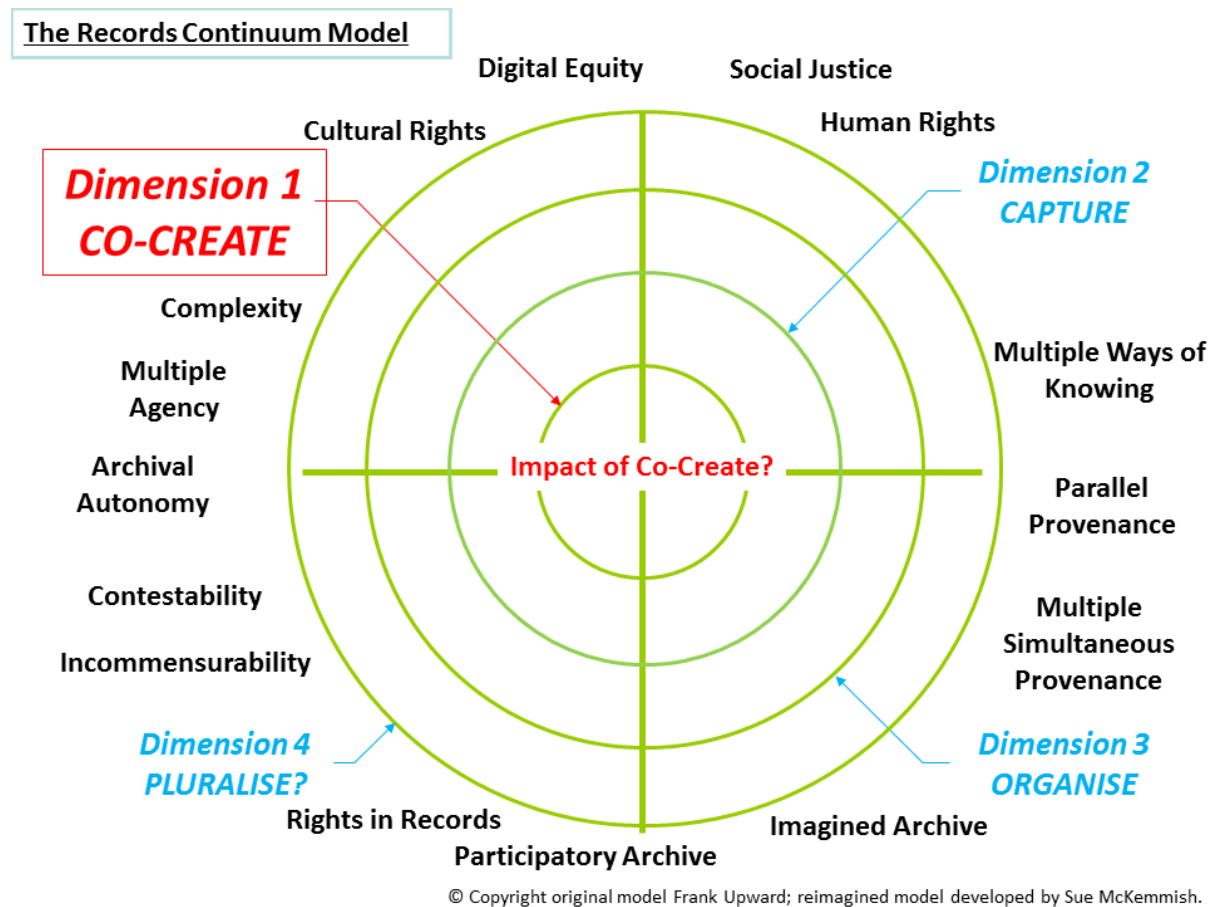
(Yeo 2008, p343).

There is no clear and comprehensive definition as to what a record is that takes account of the many uses it may have. This is because of the complexity of using records within any given setting and the perspectives of their use, similar to those of the Records Continuum model.

The Records Continuum approach supports a broader perspective of the record, more as a logical construct rather than a physical one. It gets to the foundational aspects of our role in capturing and managing the record-ness of recorded information, contained within the record (Evans et al. 2015; Reed and Lappin 2014; Upward et al. 2013; McKemmish 1998). The record lifespan has multiple dimensions beyond the mere stages of create, archive and destroy, viewing the record in its pluralistic sense, having a use beyond the transactional, organisational use that preceded its existence.

Recent developments in archival and recordkeeping practice, using the records continuum approach, have been able to harness the records and record-ness issues, that exist within the profession, one that takes account of the broader multifaceted elements of its use (Evans et al. 2015; Upward et al. 2013; McKemmish 1998). Take the example of records created by the organisation as part of their corporate parenting role as a means to recording the transactional activities involved with the provision of that care. The recordkeeping activities that are generated might serve the governance and decision-making requirements and be managed in accordance with the organisational business needs, but it is unclear how this serves the personal needs of the Care Leaver.

In the Records Continuum approach, broader consideration is given to the record-ness of the record: what and why it is created, whether it represents the collective personal and organisational needs and if the future needs of that record meet the needs of the collective memory, as demonstrated by Figure 8 (Evans et al. 2015; Reed and Lappin 2014; Upward et al. 2013; Kertesz et al 2012).

The Records Continuum Model

Digital Equity   Social Justice

Cultural Rights   Human Rights

Dimension 1 CO-CREATE   Dimension 2 CAPTURE

Complexity   Multiple Ways of Knowing

Multiple Agency

Archival Autonomy   Impact of Co-Create?   Parallel Provenance

Contestability   Multiple Simultaneous Provenance

Incommensurability

Dimension 4 PLURALISE?   Dimension 3 ORGANISE

Rights in Records   Imagined Archive

Participatory Archive

© Copyright original model Frank Upward; reimagined model developed by Sue McKemmish.

(McKemmish 2013).

The status of those same records could change within another setting, between differing perspectives, demonstrated through the example of an admission register in a residential establishment providing care for children. The admission register is appropriate for recording the admission of individuals about to receive a form of care by that particular provision type. However, from the perspective of an Inquiry, the status of that admission register will only be deemed suitable and not appropriate depending on the burden of evidence that may be placed upon the meaning of the entries contained within it.

Thinking of records as either being suitable or appropriate leads us into considering records as equipment or tools. Here a powerful distinction can be borrowed from the work of Martin Heidegger which gets us closer to establishing the status of any record in terms of its appropriateness by introducing the concepts of "present-at-hand" (Heidegger 1962 p. 88) and "ready-at-hand" (Heidegger 1962 p. 99).

Thinking of a record as present-at-hand is to think of the record as a subject, a thing that is made up of specific properties (Heidegger 1962). For example, an admission register (used in a residential establishment) is 12 inches by 14 inches in dimension, it has a leather cover, the entries are handwritten in black ink and contain form rows and columns. This type of encounter with the admission register is a way of seeing the register purely in the way it looks (Heidegger 1962). Viewing the admissions register (subject), through the properties it has, tells us very little about the use it may have as a record present-at-hand.

A restorer of the admissions register might think of it in this way; however, those with a responsibility for creating those entries, maintaining the record-ness contained within the admission register as a record, must think more broadly about its appropriateness and suitability through the meaning and purpose that it is required to serve. The admission register, and its entries must be considered as a tool which is part of a world of equipment. The record is a tool we use "in-order-to" do something (Heidegger 1962). In this way a record as a tool is ready-at-hand. Here, what we are concerned with is the work to which we will put the record.

Through the perspective of the residential establishment who own and are responsible for the admission register, using it to record the admission of children coming into that establishment, the subject and properties take on the ready-at-hand role. Now that the admission register is viewed from an alternative perspective, the entries contained within the record could be said

to provide an appropriate ready-at-hand piece of equipment, enabling those responsible for the operational management of that provision to know who is currently receiving care in that establishment.

Taking this scenario a little further, if the admission register contained full names and dates of birth of those children admitted, the reason for and date of that admission, the duration of the placement and the location discharged to, this could and would provide a whole different level of suitable and appropriate information that could prove meaning and use from multiple perspectives. If, however, for any regulatory body seeking to assess the level of governance and oversight within that residential provision, the ready-at-hand use it can provide as evidence within and across the admission entries it contains, will determine whether it is appropriate and suitable.

If the admission register only contained a list of forenames, it would not be appropriate or suitable as a tool for the regulating body to conduct the intended assessment and would not therefore move from the present-to ready-at-hand state. Interestingly, in this case, the process of the admission register present-at-hand as a regulatory piece of equipment whilst unable to evidence appropriate and necessary practice and standards within that particular provision, the mere fact that it cannot do this – it is not appropriate or suitable – indicates that there might be a practice issue within that establishment, whether that be with recordkeeping alone or in the actual care that is being provided.

The present-ness of a record, does not imply its readiness to fulfil its required function across the complex network that it is linked to. The meaning and use of the record present-at-hand, even if the properties of it are known and all the properties of all the other subjects it is connected to are known, is not enough to make it ready-at-hand.

This work bears within it the referential network within which the record becomes ready-at-hand and in so doing becomes appropriate for the purpose at hand. For example, the admissions register is ready-at-hand when it belongs to the admission process, the care setting, the institution, the historical and legislative framework, the Care Leaver, the Organisation, State, the evidence, and then ultimately its purpose within the Inquiry.

In my research a record is ready-at-hand, if, and only if, we can put the record to work in-order-to do something meaningful within the context of the organisation, the Care leaver and the Inquiry. For example, this might be confirming that an individual was within a care setting at a particular time, or that the establishment was operational at a specific point in history (Heidegger 1962).

The issue of records goes beyond the scope of SCAI Terms of Reference, where records as evidence will be required to substantiate the extent of any historic, systemic failings in practice that enabled the abuse of children to take place. However, it is worth noting that for Care Leavers this problem is fundamental in their quest for answers about aspects of their personal identity such as their medical history and sense of self, then and now (Evans 2015; Humphreys and Kertesz 2012; Goddard et al. 2010; Horrocks and Goddard 2006; Kirton et al. 2001).

More frustratingly is that, despite the information and records sourcing difficulties experienced to date, the work by Shaw's Independent Review that started to map what type of records would and should have been created for children in care across Scotland has not yet been realised into actual records that exist (Shaw 2007).

Figure 12 Regulatory frameworks and expected record types

Time period	Law	Establishment	Expected records
1930-1949	• Poor Law (Scotland) Act 1934 • The Prevention of Offenders Act 1907 (as amended by the Criminal Justice Administration Act 1914) • The Prevention of Crime Act 1908 (as amended by the Criminal Justice Act 1914 and by the Criminal Procedure (Scotland) Act 1938) • The Children and Young Persons (Scotland) Act 1937 • The Adoption of Children (Regulation) Act 1939 • The Mental Deficiency and Lunacy (Scotland) Act 1943	• Approved schools • Children's Home • Foster care home • Voluntary homes • Home for children with disabilities • Remand homes	•
1950-1968	• The Children and Young Persons (Scotland) Care and Training Regulations 1933 • The Approved Schools (Scotland) Rules 1961 • The Administration of Children's Homes (Scotland) Regulations 1959 • The Voluntary Homes (Return of Particulars) (Scotland) Regulations 1952 • The National Assistance Act 1948 • The Remand Home (Scotland) Rules 1946	• Approved school • Children's home • Foster care home • Voluntary home • Home for children with disabilities • Remand homes	• Records of all children admitted and discharged • Individual children's records • Log books containing details of visits, inspections, punishments, and any other events that the law said 'deserve to be recorded' or were considered important • A register of children attending schools • Personal histories with details such as medical histories, why the child was admitted to a home, visits by parents, relatives and friends • Letters from parents and guardians to be placed in individual files • Records of food – with enough detail to judge whether the diet was satisfactory • A note of every time a child absconds
1969-1995	• The Social Work (Residential Establishments – Child Care) (Scotland) Regulations 1987 • The Secure Accommodation (Scotland) Regulations 1983 • The Secure Accommodation (Scotland) Amendment Regulations 1988 • The Residential Care Order (Secure Accommodation) (Scotland) Regulations 1988	As above but referred to as residential establishments and secure accommodation	• Procedures used to select children to be admitted • Details of children admitted to and leaving an establishment • Procedures for access to records for staff, children and parents • Records on any involvement of children and parents in decisions about a child's welfare while living in the establishment • Records, including health details, for every child and...

(Shaw 2007 p124)

Across the spectrum of government policy, academic thinking and professional practice there is clearly an issue with how organisations and institutions respond to the requirements of SCAI, from an allegations perspective, and more broadly to meet the needs of all Care Leavers across the timeframe in scope. From a legal compliance and moral perspective, their ability to do this in a way that demonstrates their understanding of recordkeeping and the importance this has for maintaining the necessary corporate social memory is revealed. This, of course, then brings us back to the fundamental problem of records; identifying what record sources and types remain for those historic residential establishments, what they contain, what use they can provide, and how they can be accessed: an issue that remains to be resolved.

There is a growing debate within the records and archive management profession that acknowledges the difficulties with recordkeeping practice within the domain of Care Leavers (MacNeil et al. 2018; Murray 2017; Evans et al. 2015; Murray and Humphreys 2014; O'Neil et al. 2012; Humphreys and Kertesz 2012; Kendrick and Hawthorn 2012; Goddard et al. 2010; Duncalf 2010; Shaw 2007; Horrocks and Goddard 2006; Pugh and Scofield 1999). Increased public awareness and government scrutiny has exposed many public bodies and their inability to provide records as part of investigations and inquiries. This includes the Hillsborough Inquiry (Jones 2017) the Historical Abuse Systemic Review (Shaw 2007) and the Home Office child abuse allegations (Home Affairs Select Committee 2014). In these particular cases, where actual or potential harms to individual persons are involved, records that ought to have existed did not.

In other cases, records have been found to exist that were not submitted knowingly or willingly prior to external investigation. Also, records that were known to exist cannot be found nor accounted for. If records were destroyed as part of a planned cycle of managing records, no evidence has been given to support this. It is unclear why public bodies in these examples have had such difficulties in providing the evidence required in the form of records; only that this reality supports the notion that there are fundamental problems with recordkeeping practice within organisations (Evans et al. 2015; Upward et al. 2013; McLeod 2012; Shepherd 2006; McKemmish 1998).

3.2. Who are Care Leavers and what are their records requirements?

It is estimated that of the 480,000 children who have experienced care in Scotland since 1915, two thirds (320,000) were still alive in 2012 (Kendrick and Hawthorn 2012). These estimations capture the period from 1915 to 2005, where those of the oldest generation estimated as still alive, would be 98 years of age (Kendrick and Hawthorn 2012). Figure 10 shows the breakdown of these figures across the defined year range and age groups:

Figure 13 Estimates of children who have experienced care and those still alive

(Kendrick and Hawthorn 2012 p74)

Current Age / Year of birth
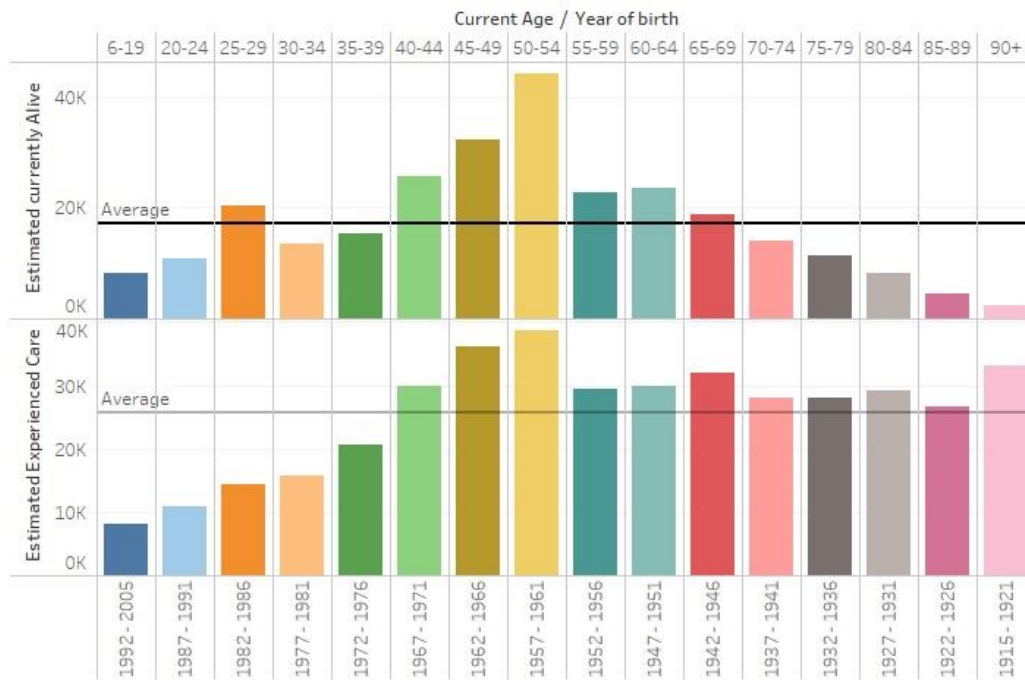
(Kendrick and Hawthorn 2012 p74)

The estimates in Figure 10, must be viewed within the context that they are approximations from within the limitations of information available. They do, however, provide an indication of the potential numbers of children who have been unable to be cared for in their own homes. The figures also give an indication of the numbers of children, now adults, who might seek information about their time in care, an area that is central to the plight of Care Leavers, whose attempts to do so, have been met with silence.

The historic period of these figures in scope spans a time of much social change and significant welfare reforms, including the years where the UK experienced two world wars. The impact of war alone, included many children, referred to as war time evacuees, estimated at 73,600 of the 480,000, were unaccompanied children who experienced some form of residential and foster care provision of the time, of which 43,300 were estimated as being alive today as of 2012 (Kendrick and Hawthorn 2012). These figures do not of course count the children who have passed through

the care system since 2005, a number presumably adding significantly to the overall numbers in scope.

The nature and prevalence of possible historic abuse perpetrated on these estimated child population figures, the majority of whom will now be adults, who have been in that care system and are still alive, is unknown. Recent research has concluded that there is a gap in how estimates on the prevalence of child abuse could be collated in Scotland (Radford et al. 2017).

There is a broad range of research about child abuse prevalence been conducted in Europe, US, England, Wales and Ireland. The range and variation of methods applied, using different definitions of abuse and different participant groups, suggests that there are multiple forms of child abuse that take place, in and out of the traditional family home (Radford et al. 2017). Those reported to authorities or captured within research conducted to date, reflect the varying definitions and perceptions of what is and has been classified as "child abuse" over time (Radford et al.).

The Rotherham Inquiry is one such instance where this can be seen in practice (Independent Inquiry into Sexual Abuse 2018). This example involves children known to the State authorities because of some form of child protection concern who have since been found to have suffered horrific forms of abuse, including rape by multiple perpetrators, being trafficked to other parts of the country, beaten, threatened with guns, or intimidated (Independent Inquiry into Sexual Abuse 2018). These children, an estimated 1,400, were subjected to horrendous acts of sexual exploitation from adults in the Rotherham area in the period 1997 to 2013.

Despite multiple concerns raised with and already known to the Local Authority and Police, by the children and young people themselves, their families and support agencies, it took years before any formal action was taken to investigate the matter further: something that continues today, as new allegations come to light and former employees who could and should have done something are investigated.

In 2013, Scottish Government commissioned research by Lerpiniere to explore the extent of child sexual exploitation in Scotland, demonstrating the impact such an event can have, on changing perceptions of child abuse not widely known, nor accepted, until recently (cited in Radford et al. 2017).

This example also illustrates the issue that not all allegations of child abuse will be made formally, even if they are happening and are recognised as abuse. This makes the task of using the national and global prevalence rates to better understand the Scottish context difficult. This being the case, it is only possible to form broad, high level estimates that state any clear or consistent basis for providing estimates of child abuse prevalence by national or international levels (Radford et al. 2017).

Given the numbers of children who continue to experience some form of residential care provision, it is perhaps not unexpected that some form of abuse will have occurred. From the number of Care Leavers who have alleged abuse nationally and globally, it is therefore perhaps not surprising that some of these allegations are now being validated through the legal, public inquiries processes, that have concluded, or are underway.

3.3. Requirements of Care Leavers

Care Leavers have played a central role in many of the Scottish Government activities (Figure 2) to ensure that any actions proposed align with the sensitivities that are required for redress. There are a number of issues highlighted by Care Leavers about the issues they face when trying to access any records held by institutions about their time in care. These issues include gaining access to those records, the number of redactions contained within them, the lack of support provided to make any meaningful interpretation of those records, and the different needs and expectations of Care Leavers (MacNeil et al. 2018; Murray 2017; Evans et al. 2015, Murray and Humphreys 2014; O'Neil et al. 2012; Humphreys and Kertesz 2012; Kendrick and Hawthorn 2012, Goddard et al. 2010; Duncalf 2010; Shaw 2007, Horrocks and Goddard 2006; Pugh and Scofield 1999). This study focusses on the issues of accessing records (what, where and how) and the value (meaningfulness to individual's memory and identity) they could provide to Care leavers about their time in care.

More recent research (MacNeil et al. 2018; Wright and Swain 2018; Murray 2017; Evans et al. 2015; Skold and Swain 2015) has begun to explore the social justice provided to Care Leavers, through comparison of Child Abuse Inquiries that extend globally. There are two areas that are coming through from this research: one is how Inquiries tend to focus on abuse that has taken place within institutions rather than Foster Care, and the other is how the recordkeeping practices, historic and more recent, continue to serve Care Leaver needs. This more recent research, whilst fascinating, is exploring a new realm of Care Leaver needs beyond the scope of this study. It does, however, reveal that the area of research into records and Care Leavers' needs has to date only scratched the surface, but may attract more interest and reveal new insights.

320,000 Care leavers are estimated to be alive today. A visual representation of this group (Figure 10) by age group and historic period is striking in that it illustrates the number of people who may be affected in some way (Kendrick and Hawthorn 2012). For those responsible for addressing the records issues within the context of children's residential services past, present and future, their readiness to respond to this is paramount.

There is little academic or professional literature available to inform this research specifically around what residential establishment records actually exist. What is available comes from a blend of Records and Archives Management, Social Work and Government policy. Even then, after reviewing the content of this, much of the attention is focussed on developing archival theory and practice, the importance and complexity of meeting the records needs of Care Leavers, and a broadly theoretical debate of what policy changes are required for the future, rather than the past. The only work that directly speaks to the historical nature of this study is that of the Australian Find and Connect Web Resource which commenced in 2009 in response to the various Inquiries in Australia addressing Care Leavers and their records needs (Evans et al. 2015, Murray 2017; Murray and Humphreys 2014; O'Neil et al. 2012; Humphreys and Kertesz 2012; Kendrick and Hawthorn 2012, Goddard et al. 2010; Duncalf 2010; Shaw 2007, Horrocks and Goddard 2006; Pugh and Scofield 1999). Working directly with the Care Leaver communities in the initial phases of development, extending this out to historians, advocacy agencies, social workers, archivists and Government, the Find and Connect Web Resource "lifts the layers of bureaucracy and shrouds of secrecy around Care Leaver records…... that describes records that better reflect the Care Leaver experience and needs, ensuring the key information they are likely to be looking for is included" (Evans et al. 2015).
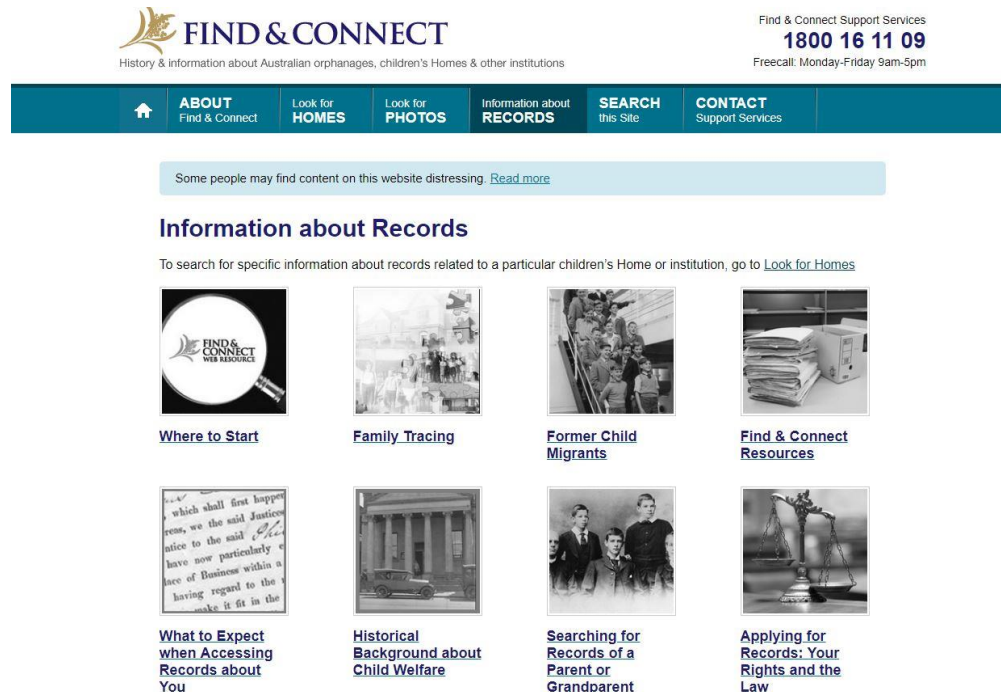
The Find and Connect Web Resource has developed significantly over time and as demonstrated from Figures 11 and 12, has clearly been developed with Care leavers at the forefront:

Figure 14 Find and Connect Web Resource Home page
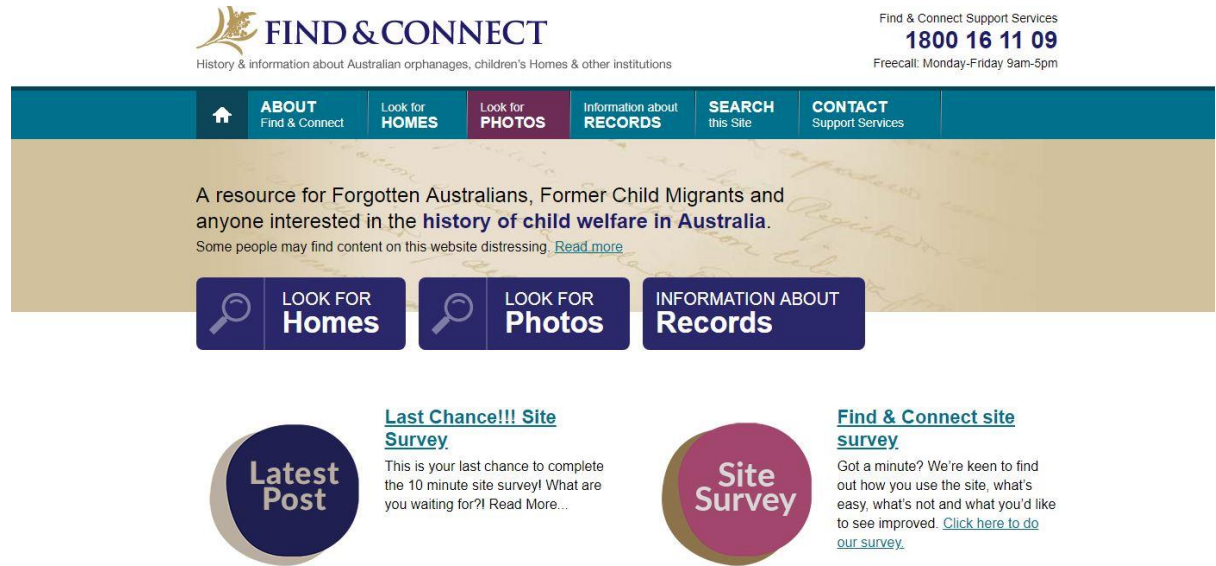
(Find and Connect 2018)

Figure 15 Find and Connect web Resource - Information About Records

(Find and Connect 2018)

The 'Listen Up!' Study, conducted in 2010 (Duncalf) is one of the few UK studies to have focussed on Care Leavers' experiences and their access to records. Surveying 310 Care leavers aged between 17-78 years, Duncalf's findings support and further previous work (Evans 2015; Humphreys and Kertesz 2012; Goddard et al. 2010; Horrocks and Goddard 2006; Kirton et al. 2001) with consistent themes around Care Leavers' age range and the impact records had on their experience. The 109 (44%) respondents who had requested access to their records described a mix of positive (9) and negative (25) experiences (Duncalf 2010).

Consolidating the positive and negative aspects of these experiences into a real-time human context, Duncalf's study published some specific narratives from the respondents.

> *'The saddest moment in my life, yet the most liberating too…
> However, they open up a new can of worms as you can learn
> about things that you didn't know that had happened…. Having
> access to files is the best thing ever.'*
> (Male, 44, Cheshire)

> *"Fairly straightforward but ultimately it left more questions
> unanswered. There was little in my Care File. I was in care
> for 7 years but there was not one 'photo, no parental letters,
> not one school report, no mention of how I was doing at
> school, nothing insightful. My Care File had all the use and
> interest of an old shopping list. It seems to have been
> written by complete strangers about a complete stranger.
> Some of the remarks were about someone else, they must
> have been."*
> (Male, 58, Hull)

And:

"The process was quite quick for me, and I had support from a friend, which helped. I received my file within 3 weeks of applying and have had further support from the person who deals with the process, she has been very helpful and understanding. I am still coming to terms with a lot of the content, and still need to read more thoroughly. Very emotional and traumatic, but also giving me answers to some lifetime questions. Sometimes I wonder if I have done the right thing, but mostly, despite the pain, I am glad I made that step."
(Gender unknown, 38, Wirral)

(Duncalf 2010 p.39).

These narratives encapsulate the bittersweet themes that have been prevalent in other studies, that can range from specific questions Care Leavers have about events, to more general, - where and why - curiosities: all of which might serve to support Care Leavers' sense of identity at a particular time in their adulthood (MacNeil et al. 2018; Murray 2017; Evans et al. 2015, Murray and Humphreys 2014; O'Neil et al. 2012; Humphreys and Kertesz 2012; Kendrick and Hawthorn 2012, Goddard et al. 2010; Duncalf 2010; Shaw 2007, Horrocks and Goddard 2006; Pugh and Scofield 1999):

Table 4 Positive experiences of accessing records

It was a positive experience	9 (6%)
It helped them to understand their time in care and why they were placed in care/ Helped respondents understand who they were and where they came from	8 (5.3%)
They received positive support from social workers/services	8 (5.3%)
The file contained information about unknown siblings, who respondents were then able to contact	5 (3.3%)
It was a difficult but worthwhile process	4 (2.6%)
Respondents found it very easy to access their records	3 (2%)
No information was removed from the file and respondent felt it was positive to have access to full/complete history	1 (0.7%)
Respondent received pictures from their time in care	1 (0.7%)
The file was posted out to the respondent	1 (0.7%)

(Duncalf 2010 p.61).

Table 5 Negative experiences of accessing records

The file took a long time to access (respondents identified between one and seven years)	**23 (15.2%)**
Respondents still do not have access to their files, despite waiting a year or more	15 (9.9%)
Sections of the file were deleted/blacked out	12 (7.9%)
Respondents had to make lots of follow-up phone calls, emails and letters to access their records	11 (7.3%)
Reading the files made respondents feel angry, upset or depressed and/or it was a traumatic, painful or emotionally difficult experience	10 (6.6%)
Respondents did not know they could get access to their file or that a file existed	9 (6%)
Respondents were told that their file had been lost or destroyed	9 (6%)
Respondents had to have a social worker present when reading their files	7 (4.6%)
Some sections of the file were missing	7 (4.6%)
Files contained inaccurate/incorrect information	6 (4%)
Sections of the file were poorly photocopied	6 (4%)
The file contained information that was negative and/or judgemental	6 (4%)
Respondents were not aware of some of the information contained in the file	6 (4%)
Respondents needed to seek support from an organisation or an MP in order to get access to their files	4 (2.6%)
Respondents could only read the files but not take photocopies of them	4 (2.6%)
Respondents found it difficult to find out where their file could be accessed from	3 (2%)
Respondents found out about medical conditions that they have such as epilepsy, a heart murmur and an allergy from their file	3 (2%)
Respondents had to travel a long way to get access to the file	3 (2%)
The file did not contain any pictures	3 (2%)
Payment had to be given before the respondent could gain access to the file	2 (1.3%)
Respondents were refused access to their file because of staff shortages	2 (1.3%)
Respondents were refused access to some sections of their file	2 (1.3%)
Respondent received poor support from social work/services	1 (0.7%)
The content of the file was too clinical i.e. too many tick boxes	1 (0.7%)
The file was posted out to the respondent	1 (0.7%)

(Duncalf 2010 p.60).

Of all the experiences gathered around the personal impact of making requests for access to records, most can be themed as specific issues in relation to getting access, the remainder can be themed as the 'meaningfulness' of what the records contained. Of additional interest, many of the Care Leavers participating in Duncalf's survey were not previously aware that records were created about them during their time in care (2010).

Previous studies have found that the average age a Care Leaver is likely to request access to their records is between 35 to 49 years (Goddard et al. 2010; Horrocks and Goddard 2006; Kirton et al. 2001). This corresponds with more rigorous studies conducted with adoptive adults (Evans 2015; Humphreys and Kertesz 2012; Goddard et al. 2010; Horrocks and Goddard 2006; Kirton et al. 2001). However, the Listen Up study findings suggest that the age range extends more broadly with 52.2% across the 31 to 70 years age range.

If these figures are a more accurate reflection of the age range at which Care Leavers might want to access their records (those that know records were created about them), this poses significant issues for the organisations responsible. Although SCAI have not released the numbers of Care Leavers who have contacted them to make their allegations of abuse known, since 2016, there are indications that whatever these numbers are, they are increasing all the time (Lady Smith (Scottish Child Abuse Inquiry 2018o). The resulting impact this has on SCAI, is that there is an increase in the institutions that are in scope for investigation, reflected most recently in the request to Scottish Government by SCAI to amend the completion dates of the Inquiry, in the Terms of Reference from 2019, to when "reasonably practicable" (Swinney 2018).

Notwithstanding the public awareness that may be generated by the Scottish Child Abuse Inquiry, and the increased awareness for those who did not know records were held about them, if the negative experiences of those having attempted to access their records is as commonplace as suggested by the literature, it is vital that organisations are equipped with the knowledge of what records exist (are present and available) and how they can provide access to them, in the right way at the right time (ready to be provided to the Care Leaver with the required interpretation and supports).

3.4.   The Government Perspective

Scottish Government has been under increasing pressure from Care Leaver groups and support agencies to recognise that whilst many children have had positive experiences in care, others have experienced significant harms. The voice of Care Leavers was finally heard following a Petition 535 lodged with the Public Petitions Committee (2002) (Scottish Parliament 2005), presented by those who had campaigned for years to have their claims of child abuse acknowledged and the need for a public inquiry. In 2004, the Scottish Government did provide that long-awaited acknowledgement, offering a public apology and commitment to provide support for Care Leavers:

> "It is clear that some children were abused in Scottish residential care homes in the past. Children suffered physical, emotional and sexual abuse in the very places in which they hoped to find love, care and protection. Those children, adults today, deserve our full recognition of what happened to them. They should not have been abused, they were badly wronged. Such abuse of vulnerable young people whenever or wherever it took place is deplorable, unacceptable and inexcusable."

(McConnell 2004)

Since 2004, and following on from the apology, Scottish Government have developed and released a steady stream of strategy, policy, reviews and frameworks, that place the care and welfare of children now and the voice and needs of children past (survivors) at its heart.

These initiatives set the context which informed the Terms of Reference that the Scottish Child Abuse Inquiry, launched in October 2015, and currently underway is now addressing:

Figure 16 Scottish Government Events timeline
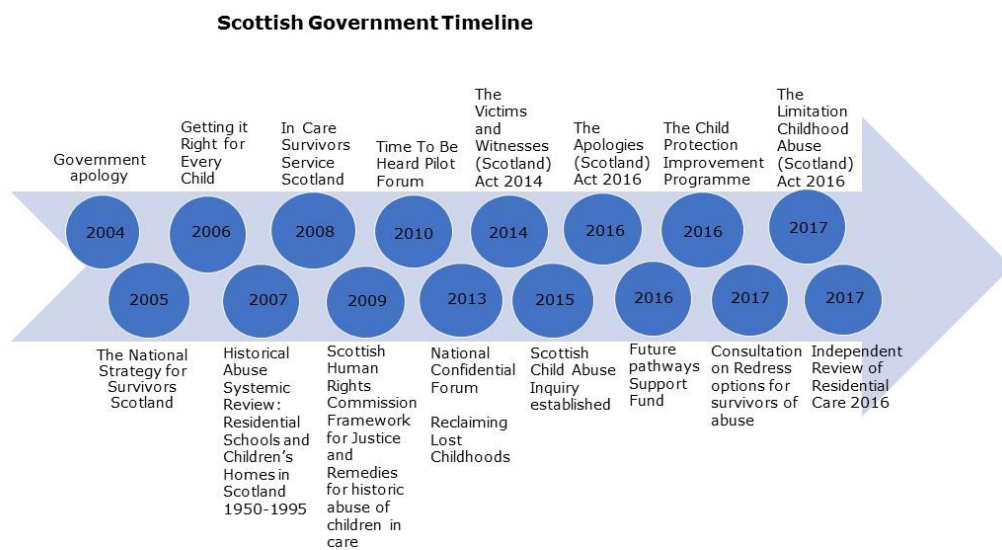
(Figure by author).

The Historic Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995 (Shaw 2007) and the Reclaiming Lost Childhoods Project (Kendrick 2013) have both been instrumental in highlighting the importance of records and confirming the issues Care Leavers have raised about their inability to access those records.

Tom Shaw was commissioned to conduct an Independent Review to investigate the regulatory framework in residential schools and children's homes in Scotland, for the period 1950-1995, as a background to child abuse claims being made (2007). The Review itself took two years to complete, and

when it was published, it highlighted records as a consistently significant and important issue.

The team of staff employed by Shaw to support the research for the review, had experienced those issues first-hand, when attempting to source and access the required information from care provider representatives as part of their investigations of the review work. The diverse range of organisations that had provided care during the forty-five-year timeframe presented challenges at every turn, when trying to identify who had the knowledge of what records had existed, where records were located, and what information these records contained.

This was further complicated with the number of individuals involved, and their differing interpretations of what records would be relevant (Shaw 2007); a point which will be central to and discussed in more detail throughout this study.

Shaw (2007) identified key recommendations across three themes;

    a) Current provision to ensure the welfare and safety of looked after

       and accommodated children

    b) Former Resident's Needs

    c) Records

The fact that records was raised by Shaw as a key recommendation (at c), is an indication of just how much of an issue Shaw perceived this to be. Shaw stated that under the records theme, there was a need for a review of public records legislation, and appropriate training for any organisations involved with providing care to children. These would be set in accordance with the necessary standards and regulations required to monitor and report adherence and should provide accessibility to records for those seeking access (Care Leavers).

These recommendations were further supplemented by additional records requirements made under theme b); that a database and index for all geographic locations of historic and current children's residential services be developed and maintained, and a resource centre with information about those services in general be provided.

Shaw had himself attempted to build a national database of residential establishments whilst conducting this review, but on completion of this work, stated, "I couldn't justify the time and effort to take this [database of residential establishments] to a level of inclusiveness to warrant its being regarded as a national database" (Shaw 2007 p12). The matter of compiling a national database, first highlighted by Shaw, has continued to pose challenges for those who made attempts thereafter, and are a matter that will be a central part of this research and is discussed in more detail throughout this study, specifically in Chapters 3 and 5.

In 2013, the Reclaiming Lost Childhoods ran five practice-based seminars, which brought childcare professionals, historians, archivists and records managers together with Care Leavers. The core purpose of the project, supported by the Scottish Universities Insight Institute and Scottish Government was to explore and understand the barriers and issues in tracing information and accessing records pertaining to historic residential child care establishments and placements. This was a key recommendation from Shaw's Independent Review in 2007.

The overarching aim of the Reclaiming Lost Childhoods seminars (Kendrick 2013) was to devise an action plan that addressed: the needs of Care Leavers and Survivors of abuse, historical records and information on care services, and technical issues in developing a web-based care archive directory. Connections made with counterparts in Australia, in response to meeting the needs of their Care Leaver communities, resulted in their attendance at some of these events. The Find and Connect web-based

directory they had established provided the collated information they had found from records about residential establishments. The journey they took to developing this resource was shared at the events, along with the challenges and achievements they had experienced.

The Find and Connect resource acted as an aspirational model, that if adopted could serve the needs of Scottish Care Leavers, who could use this as a resource to access records about their time in care. For the professionals at the event, it provided an example of how a corporate memory, charting the social and historical aspects could be hosted in one place and made public to anyone with an interest.

Despite the attempts made by Shaw in 2007, Kendrick in 2012, and through the Reclaiming Lost Childhoods project in 2013, no real progress was made with developing a national database. This lack of progress suggests that what Shaw had identified back in 2007 was accurate and the proceeding attempts, all supported through government initiatives, had not quite captured the right resource to do so.

These recurring issues are perhaps why the data about residential provision held nationally, that has been collated to date, between the period 2012 (Kendrick and Hawthorn) and 2016 still have many gaps and inconsistencies. In a comparison made between the national establishments list collated in 2012, followed by that contained at 2016, compared with what was held for the Aberdeen and surrounding area, a number of inconsistencies were noted. Some of the establishments from 2012, although validated as operational for the Aberdeen area, had now been removed from the 2016 list. There were very few consistencies between the lists, with only 2 matching between Aberdeen and the CELCIS list of 2012 and an increase to 8 in 2016. Out of a possible 39, this does not equate to having made much progress:

Table 6 Comparison of Children's residential establishments 2012 to 2016

National Data Base 2016	CELCIS 2012	National Data Base 2016	CELCIS 2012
Aberdeen Childrens Shelter		Linksfield Residential Unit- Barnardos	Linksfield Residential Service
	Aberdeen School for the Deaf	Linn Moor Residential School- VSA	Linn Moor Residential School
Abbeyfield Lodge		Long Walk Road Children's Home	
			Marischal Street Children's Home
Aberlour Orphanage		Nazareth House	
Adapt Shortbreaks - Respite: Aberlour Childcare Trust	Adapt Short Breaks		Netherhills Children's Home
	Alba Children's Home	Oakbank School	Oakbank Residential School
	Alpha School	Oldmill Poorhouse	
	Apache Cottage		Proctor's Children's Home
Bachlaw Intensive Support Unit		Residential Support Services	
Balgay Approved Girls School		Richmondhill House	Richmondhill House
Balnagask House	Balnagask	Scalloway Park/ Fraserburgh Childrens Home	
	Banchory respite	School for the Deaf/ Aberdeen Deaf School	
Broomfield House		Sisters of Nazareth	
Brimmond Assessment Centre		St Andrews Project	
Buchan Combination Poorhouse		St Clements Church House	
Balnagask House		St Marthas	
Camphill School Rudolph Steiner	Camphill School Rudolph Steiner	Strathmartine Hospital/ Baldovan Institution	
Coble Haugh		Strathmore Centre	
Craigielea		Taylor House- Aberlour	
Fernbank Childrens Home		The Dale School	
Ferryhill Home for Children	Ferryhill Home for Children	The Willows Childrens Home	The Willows
	Gilbert Road Children's Home		Troup House School
	Hopetoun Court		Two Mile Cross
	Kaimhill Project	Wellwood Unit (Woodlands Hospital)	
Keilhill Childrens Services			Westburn Road
Kincorth Childrens Home			
Kingsfield Childrens Home	Kingsfield Childrens Home		
Kinnaird Street Young Person's Unit		Woodlands Home for Handicapped Children	Woodlands Home for Handicapped Children

(2016 by author; Kendrick and Hawthorn 2012).

From a records perspective, the need to know about establishment provision is key, as Shaw states:

"No central government databases exist of children's residential establishments in Scotland between 1950 – 1995 or which organisations were involved in providing these services **– let alone what records are associated with which services and where these might be**. Hundreds of children's residential services existed in Scotland and across the review period (1950-1995] they changed function, location, management or closed down."

(my emphasis) (Shaw 2007 p5).

The significance of knowing what establishments were operational in Scotland over the historic time period cannot be underestimated. It is only from knowing what those establishments were, who was responsible for them and where they were located, that further sourcing of records is made possible.

The establishment list acts as cornerstone to help determine who is being asked for records, across what time period for the delivery of specific types of residential provision. The matter of what records are relevant to the governance and operational management of those establishments, as Shaw highlighted, poses more challenges thereafter.

Despite the limited progress made at national level regarding the collation of operational establishments across the historic period, there was significant progress made on Shaw's recommendation that public records legislation be reviewed. Ultimately, this lead to The Public Records (Scotland) Act 2011 (PRSA), which was brought into force in January 2015.

3.5.   Public Records (Scotland) Act 2011

Prior to the PRSA coming into force and supplementing the historic Public Records (Scotland) Act 1937, the Keeper of National Records Scotland conducted a review of public records legislation. This involved seeking the views from a range of Stakeholders, including police, social work, information governance, records management, and archives professionals, as well as regulatory bodies and Care Leavers (Longmore 2013).

With the findings produced by Shaw, there was little argument from these Stakeholders as to the moral imperative for improved recordkeeping. However, the need for this legislation to be updated to incorporate a broader scope of recordkeeping, beyond Care Leaver needs, reflective of the 21st Century reality of multi-sector public records being practised nationally, and in a way, that was consistent and standardised, was revealed (Longmore 2013).

Despite well-established records management toolkits available from the National Archives of Scotland, the Information and Records Management Society, Section 61 of the Freedom of Information (Scotland) Act 2002 there was much emphasis placed on the importance and value of the Public Records (Scotland) Act 2011 (The 2011 Act). The need for legislation in this area was something that had been championed by the Archives and Records Management communities for some years to no avail, but with the scandal of child abuse allegations, and the findings produced by Shaw, Government Ministers were aware that something more had to be done (Longmore 2013).

The 2011 Act is generally acknowledged as having "light touch" powers, which could nonetheless improve the standards of recordkeeping in Scottish public authorities, with an acknowledged acceptance that to be anything more would have seriously hampered its progression through Parliament (Longmore 2013 p258).

Objections toward the 2011 Act were based on the perceived resource and financial burden such legislation would create, with objections coming from national bodies representing Local authorities: Convention of Scottish Local Authorities (COSLA) and the Society of Local Authority Chief Executives (SOLACE) (Longmore 2013). Objections received from Third Sector were made on the basis that they would be captured within the realms of any public authority legislation, as part of the contracted programmes of work they carried out for public authorities on their behalf (Longmore 2013). This, they said, would impact on their ability to finance the additional burden placed on them (Longmore 2013). Responding to these concerns from Ministers, the Keeper stated: "Good records management is not free, but it is cheaper than bad records management and much cheaper in the long run than no records management" (Longmore 2013 p.254).

The 2011 Act introduced a legal requirement for Scottish public authorities to develop and maintain a Records Management Plan. Every public authority in scope has been invited to submit a Records Management Plan to the Keeper of the National Records of Scotland (The Keeper), evidencing their proper arrangements for managing public records.

The 2011 Act mandates that the Keeper produce a Model Records Management Plan to support public authorities in this duty. The resulting Model Records Management Plan lists fourteen elements:

1.   Senior management Responsibility*

2.   Records Management Responsibility*

3.   Records Management Policy/Strategy*

4.   Business Classification

5.   Retention and Disposal Schedule

6.   Destruction Arrangements*

7.   Archiving Policy and Transfer*

8.   Information security*

9.   Data Protection

10.   Business Continuity and Vital Records

11.   Audit Trail

12.   Competency Framework

13.   Assessment & Review Procedures

14.   Shared Information

Whilst it is not compulsory for a public authority to set out their Records Management Plan in accordance with the fourteen elements, all public authorities who have so far submitted Records Management Plans for approval have chosen to do so.

Only six of the elements are named under the legislation and are therefore compulsory (those marked above with an *), and any Records Management Plan, however it is set out, must include arrangements it has in place for these elements. The others are considered critical by the Keeper and should therefore be part of any robust Records Management Plan.

The 2011 Act has the potential to raise the standard and provide consistency of records keeping within and across the public sector and their partner organisations. This regulated piece of legislation means that it does not stand in isolation but has required all public authorities to actively engage with the process of accounting for their recordkeeping practices from a strategic and operational perspective; it cannot be ignored.

All Records Management Plans submitted to the Keeper are assessed; against each element within an authority's plan the Keeper assigns a Red/Amber/Green status, based on the strength of the evidence submitted to support a plan. The Keeper produces a report setting out their assessment of each authority's plan and this is published on the National Records of Scotland's website. In addition, the Keeper encourages all authorities to publish their own plans.

In this way, the openness and transparency of public sector recordkeeping is more publicly visible and therefore accessible, than it has been previously - something that in theory should ensure that future records around the provision of residential care are actively managed in a way which will enable

Care Leavers in future to access records about their time in care more readily.

It remains to be seen to what extent the 2011 Act will impact on the public authorities since it came into force in January 2013. When The keeper reports to Scottish Parliament in September 2018, there may be some indication of how the regulation of the 2011 Act is bedding in, as they commence the first five-year review.

3.6.   The Organisation

Aberdeen City Council (the Council) have submitted two Records Management Plans in this five-year period, one in 2015, and again in 2017; an updated joint plan that included the Licensing Committee function (Aberdeen City Council 2017d, e). The Council took a broader perspective in relation to the governance of their information (record) assets, detailed within the records management plan summarised in the forward as "(this) corporate programme of work (is) framed around our corporate Information Management Strategy…….(it) embraces a holistic, developmental approach which recognises information management as a corporate function, setting out the adoption of an integrated approach to managing information which encompasses governance, compliance, lifecycle, risk, sharing and culture." (Aberdeen City Council 2016b).

Since the submission of the Council's first Records Management Plan in 2015, targeted work has been done to design and implement an Information Governance Framework which was focussed, but flexible enough to provide appropriate assurance around the governance and use of all information assets.

The resulting framework sets out the necessary and required controls and proper management of all assets through assigned Information Asset Owners and Stewards across each of the functional business areas (Aberdeen City Council 2018b). The framework focusses on three key areas:

- **Information and data**

This area is focused on making sure that the Council has the right assurance in place around the use and governance of its information and data assets. The Council has established the role of Information Asset Owner; an Information Asset Owner is a senior business manager who is responsible and accountable for ensuring that information assets within their remit are used and governed in accordance with the Council's Information Asset Owner Handbook (Aberdeen City Council 2018b). An Information Asset Owner's first responsibility under this is to ensure that:

> "Make sure that your information assets are fit to comply with any legal requirements which apply to your business area, and sufficient to robustly evidence the decisions and processes of your business"

- **Systems and processes**

At a corporate level, making sure that the Council has the right systems and processes is key. This includes Corporate Policy, supporting procedure and aspects which require a corporate approach, for example, contracts and contractual arrangements, where these involve public records or council data and information. The Council's Information Policy demonstrates the recent changes to that approach, focussing on the importance and value of managing information from a people centred perspective, both internally across the workforce and for the people and communities served:

"The Council values its information and data, and recognises the crucial role that the proper use and governance of our information and data plays in:

- delivering outcomes for our people, place and economy
- respecting privacy and fostering trust
- demonstrating accountability through openness
- enabling and supporting our staff
- building Aberdeen's memory."

(Aberdeen City Council 2017f).

For Council staff, procedure and guidance to support this policy is set out the Council's Information Handbook, which brings together information previously covered in a disparate range of data protection records management, information security guidance and procedures. Similarly, this handbook also emphasizes the need for:

"Everyone who works here is responsible for playing their part by creating appropriate records of the work that they do and making sure that information is managed appropriately throughout its lifecycle."

(Aberdeen City Council 2018b)

- **People and behaviour**

This area recognises that people create records, Council records are mainly about people, and that people make decisions about how we use and manage the records, data and information the Council holds. This area focusses on making sure that staff working at the Council can play their part effectively; it encompasses appropriate reporting to Senior management and to Committee, training and awareness programmes, and equally importantly, the broader culture within which staff do their jobs.

Managing local government records – information and data in all formats – is a complex business and the Records Management Plan, Information Governance Framework and any policies that underpin it, will not in themselves ensure complete legal compliance. The recent programme of works involving the requirement to develop privacy notices for the Council's high-risk information assets, part of the new requirements General Data Protection Regulation and the Data Protection Act 2018, has initiated different conversations about the Council's moral and ethical position around the creation of those assets; why we have them and what we are using them for.

From a historical perspective it is unclear to what extent the 2011 Act, on its own, will serve the need for access to, and meaning from, records that our Care Leaver communities and the Scottish Child Abuse Inquiry seek from a historic, current and future perspective discussed here.

Whilst the 2011 Act and its creators are confident of the role it will play, incorporating the needs of Care Leavers and their records, it does not stipulate in detail what these will be and therefore cannot be viewed in isolation. The statutory instruments that govern the State's corporate parenting role for Looked After Children provide the organisation with more detailed records requirements from a legal perspective (Scottish Government 2015). Taking account of this broader holistic context, the interpretation and management of Care Leaver records by organisations, for organisations, appears to remain open to interpretation and practice. How PRSA serves the needs and requirements of Care Leavers and their families in practice is a matter that will only become more understood over the course of time.

4. Results - Local Government

This chapter follows the timeline of organisational activities I embarked on after attending the Reclaiming Lost Childhoods seminars held during 2013 detailed in Chapter 1. The chronological journey triggered from this point and detailed here began with the establishment of SCAI (Scottish Child Abuse Inquiry 2015a) and continued until a response had been made to the Section 21 Notice received in January 2017 (Scottish Child Abuse Inquiry 2018b). This organisational journey is set out in four iterations, using the Action Research cycle (Gill and Johnson 2010) and subsequent stages: diagnosis, planning, intervention and evaluation within each. It is through the flow of these iterative cycles, from one to the other, that the journey of organisational learning, developing understanding and growing capabilities through records identified is captured. Any improvements or issues identified along the way are detailed at the end of each iteration, captured within the evaluation section and then folded back into the next iterative piece. Each iteration is introduced at the outset, providing a summary of the activities and supporting the flow from one to the next. The way these iterations are charted within this chapter provides a live account of actual events that took place within the organisation and enables the reader to connect with that organisational journey and navigate through it from a linear and reflective perspective.

It is within this chapter that all data sources collected and analysed come together and the research findings are presented. The three types of data that I drew on for the analysis that is presented here, (see Section 2.4) are SCAI data, practice data and research data. When combined these provide a rich source of data to which to apply the research questions set out in this study. These questions centre around the adequacy of historic record keeping and management arrangements for SCAI, the organisation and Care Leavers. They then draw out whether there are any wider implications from a practice and policy perspective. The findings in this chapter are presented in this sequence.

Figure 17 Organisational timeline
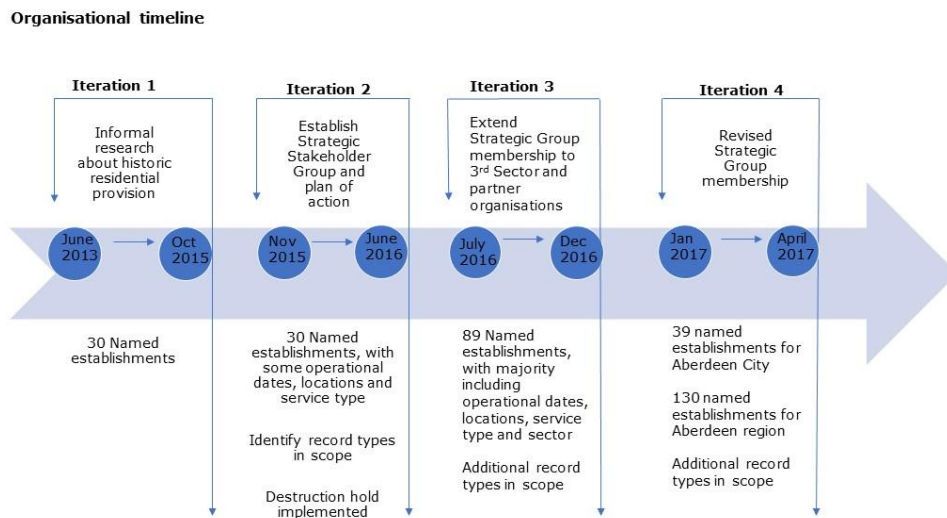
(Figure by author).

4.1.   Iteration 1   June 2013 – October 2015

4.1.1.   Introduction and diagnosis

This first iteration details activities I was involved in following my participation at the practice-based, Reclaiming Lost Childhood events in 2013, prior to the establishment of SCAI in October 2015. This was not part of my job role as Information Manager, but an area that I had a personal interest in, previously detailed in Chapter 1. My understanding of Care Leavers' needs and the potential legal and ethical requirements this could potentially pose for the organisation compelled me to find out more. In order to establish the extent of what could be facing the Council, I needed to know what establishments that provided residential care for children had existed.

This work was undertaken in the context of the Public Records (Scotland) Act (2011) legislation coming into force in January 2015, another aspect that I anticipated as posing further, potential scrutiny on my organisation regarding their Care Leaver (and beyond) recordkeeping and management arrangements. The diagnosed area in focus for this first iteration was to find out what establishments were in scope.

4.1.2. Planning and Intervention

Bearing in mind the different structural constructs the Council had taken over the duration 1930- 2014 and the changes to services delivered and lines of responsibility (detailed at Figure 1), I literally started this exercise with a blank sheet of paper. I contacted colleagues known to me, some of whom were internal to the organisation, e.g., in Social Work and some external such as my ex Manager who worked for a Third Sector organisation. Because these contacts were known to me and I had an existing relationship with them, I was able to make my approach to them in an informal way; bumping in to them in the corridor at work, or even taking advantage of social events such as retirement parties. As part of the usual courtesy conversations, I then asked them about their knowledge regarding historic residential establishments for children. This method of initiation worked well for me in introducing the subject matter to my known contacts internal and external, but it also allowed me to meet new contacts as part of those conversations or as a result of the work my contacts then went on to initiate on my behalf

These informal approaches usually resulted in a discussion about the Reclaiming Lost Childhood events I had attended, and the plight of Care Leavers and the issues they faced around finding and accessing records about them from their time in care. All the individuals I contacted could recognise and relate to the recordkeeping aspects facing Care Leavers because of the recordkeeping practice inherent within their profession. These contacts were or had been involved with providing some form of care service to vulnerable individuals, some of which dated back some 40 years. They were also aware

of individuals' rights to access their records, again something that they were familiar with, or involved with as part of the Council's current service delivery.

Using these known and newly identified contacts and building the relationships around this Care leaver issue, sparked a curiosity and willingness on their part to get involved with helping me make more progress with the identification of establishments.

Most of the initial responses received from those contacts consisted of them asking me to leave it with them, so they could think about it to see what they could recall; demonstrating that there was no one place they could look to provide that detail. They might speak with some of their colleagues to see what they could remember, but ultimately, they would get back to me. There was no need to chase responses as they responded within a couple of weeks. The responses were variable in terms of supporting any progress with the establishment list. There was a period of interaction, where some contacts were pursuing ex-colleagues now retired for information and others who simply could not recall any relevant information at all. This exercise lasted a few months and it was from this that a list of historic residential establishments was initiated.

4.1.3. Evaluation

4.1.3.1. *Improvement*

A total of 30 establishments were identified using this network of internal and external contacts, although for the most part, it was only names of establishments. It was still unclear when the establishments had operated across the period, where they had operated from, what type of care they provided and therefore what structural formation and subsequent

responsibility the Council would have been. It was clear that many of those establishments identified were of a more modern time period, in the sense that they appeared to have closed in the 1980s and 1990s and 2000s. This reflected the knowledge provided by my contacts at the time, currently in employment or retired as in their living memory. There was some indication as to who owned and therefore was responsible for establishments by sector, but there were lots of gaps. The anticipated breakdown of ownership across the 30 establishments was: 9 local authority (Aberdeen), 4 neighbouring authority (Aberdeenshire), 13 Third Sector and 1 that remained unknown beyond the name. This breakdown of course could and would be different when taking account of the operational period and structure of the council at that time as per Figure 1.

Table 7 List of residential establishments at November 2015

Owner	Sector	Name	start	current	closed	Location
Aberdeen City Council	Local Authority	Marischal Street	?		?	
Aberdeen City Council	Local Authority	Long Walk Road	?			
Aberdeen City Council	Local Authority	Aberdeen School for the Deaf	?		1997	
Aberdeen City Council	Local Authority	Balnagask	?	?	?	
Aberdeen City Council	Local Authority	Gilbert Road	?			
Aberdeen City Council	Local Authority	Kingsfield	?			
Aberdeen City Council	Local Authority	Kincorth	?			
Aberdeen City Council	Local Authority	Netherhills	?		2008	
Aberdeen City Council	Local Authority	The Willows	?			
Aberlour Child Care Trust	Third Sector	Adapt Short Breaks	?			
Aberlour Child Care Trust	Third Sector	Kaimhill Project	?		2010	
Aberlour Child Care Trust	Third Sector	Hopetoun Court	?	?	?	
Archway	Third Sector	Two Mile Cross	?			
Archway	Third Sector	Victoria Street (153)	?			
Archway	Third Sector	Westburn Road	?			
Barnardo's	Third Sector	Linksfield	?			
Voluntary Service Aberdeen	Third Sector	Apache Cottage	?			
Voluntary Service Aberdeen	Third Sector	Ferryhill Children's Home	?		1981	
Voluntary Service Aberdeen	Third Sector	Linn Moor	?			
Voluntary Service Aberdeen	Third Sector	Richmondhill House	?			
Camphill Rudolph Steiner	Private	Camphill Rudolph Steiner School	?			
Camphill Rudolph Steiner	Private	St Andrews Project	?			
	Private	Nazareth House	1862		?	
	Private	Oakbank School	?		2008	
Aberdeenshire Council	Local Authority	Abbeyfield Lodge	?			Fraserburgh
Aberdeenshire Council	Local Authority	Banchory Respite	?			Banchory
Aberdeenshire Council	Local Authority	Fernbank Children's Home	?			Peterhead
Aberdeenshire Council	Local Authority	Scalloway Park Children's Home	?			Fraserburgh
PAKS UK		Alpha School	?			Peterhead
?		Proctor's Childrens Home (previously Orphanage)	1891		1990	Westhill

(Table by author).

4.1.4. Re-diagnosis

In my Practitioner researcher mode, based on my analysis of the email correspondence, observation and reflection and overall dialogue with Stakeholders during this period, the personal conclusion I had arrived at by the end of this first iteration was that it was not the right time to pursue the identification of residential establishments any further. Despite the recognition by my contacts, now aware of the national Care Leaver issues, previously unknown to them, and the importance placed on my endeavours and the forthcoming knowledge and goodwill this generated from them, I had exhausted this line of enquiry. Having developed my relationships with these known and new contacts it was clear that the broader Care Leavers' records' needs and apparent lack of organisational knowledge highlighted at a national level were reflected at a local level within the Council and more broadly across the region. I would have to exercise patience, and wait for another opportunity to revisit, something I anticipated coming in the form of a public inquiry that would provide the organisational imperative that would allow me to pick this work up again.

4.2. Iteration 2   November 2015 – June 2016

4.2.1. Introduction and diagnosis

The second iteration described here follows the period November 2015 to June 2016, charting the initial period of organisational activities resulting from the formal establishment of the Scottish Child Abuse Inquiry (SCAI) and letter of instruction. This iteration details the content of the letter received from SCAI pointing to the specifics of those instructions given and the organisational activities that ensued thereafter. This includes identification of organisational Stakeholders and the activities formulated over that period in response to the interpretation of initial requirements specified by SCAI. This iteration includes how the re-diagnosis from iteration 1 around the need to

establish organisational knowledge about residential establishments for children across an historic time period was renewed and repurposed into this next iterative cycle; more broadly, it describes the use of organisational records as the central component to address SCAI requirements.

4.2.1.1. *SCAI Letter*

SCAI, formally established in October 2015, provided the national impetus for the Council to become fully aware of the extent of Care Leaver lobbying and the Scottish Government response. On receipt of the letter on 31 January 2015, from SCAI, the Council received their first formal correspondence, headed "PRESERVATION OF RECORDS RELEVANT TO THE INQUIRY" (Scottish Child Abuse Inquiry 2015b) The content of the letter constituted a legal instruction to place a hold on the destruction of records "that may be" pertinent to the Inquiry (Scottish Child Abuse Inquiry 2015b). SCAI did not specify what these records might be: "At this early stage we are not in a position to identify precisely which records we will wish to evaluate", nor did they wish to receive such records at this time: "I have taken a careful decision not to ask for every possible document, as I am mindful of the expense involved. This letter is therefore NOT a formal request to produce documents under your control, in terms of s21 of the Inquiries Act 2005". However, the expectations were made very clear that records were going to be an integral part of the Inquiry proceedings, as were the identified organisations: "However, I am writing to all organisations which I believe are likely to be relevant to the Inquiry to ask that you take immediate steps to preserve records which may be sought by this Inquiry at a later date. I would also ask you to consider setting up your own process for identifying and organising the documents which you think the Inquiry may need" (Scottish Child Abuse Inquiry 2015b).

In addition, the letter specified the timescales: "the Inquiry's remit covers a time period within living memory, up until such date as I may determine, but no later than 17 December 2014 (Scottish Child Abuse Inquiry 2015b). Provisionally, I ask you to treat the timescale as starting in 1945, although no formal decision has been taken about this" (Scottish Child Abuse Inquiry2015b). The residential care types in scope (detailed at 1.2.2), "You will note in the definition of children in care and the many different types of residential care used for children, spanning the decades which we will consider. It may be that your organisation holds records about more than one type of residential care establishment" (Scottish Child Abuse Inquiry 2015b). An added caveat presumably trying to capture any historic changes to how organisations were comprised is also included, "Please also consider whether your organisation (or its predecessors, detailed at Figure 1) holds records relating to any legal responsibilities it had for children in care over the relevant decades, whether or not those records mention individual children by name" (Scottish Child Abuse Inquiry 2015b).

SCAI go a step further and bullet point what has already been said and referring to this as organisational considerations:

"While it is up to each organisation to make its own preparations for assisting the Inquiry, I would suggest that you might wish to consider:

- the identification of any records which might be of interest to the Inquiry;
- the creation of an audit trail showing the steps taken to identify and protect relevant records (including the search terms used in any electronic archives or registers);
- the protection of potentially relevant records, to ensure they are not destroyed before the Inquiry has had the opportunity to consider them;
- the indexing and cataloguing of relevant records, to ensure greater accessibility in due course;
- the identification of any gaps in the relevant records held by your organisation."

(Scottish Child Abuse Inquiry 2015b).

SCAI leave the recipients of this letter in no doubt when they conclude the letter with the following points:

"The Inquiry will contact you later, formally, when it is ready to request the production of particular records from your organisation. I hope that all records will be provided voluntarily, but you should be aware that the Inquiry has the legal power to compel the production of documents in the custody or control of your organisation.

I hope that this letter will enable your organisation to respond promptly to a formal request for documents in due course."

(Scottish Child Abuse Inquiry 2015b).

In the Terms of Reference attached to the letter, SCAI defined the residential care types in scope; these were not listed, but the variety acknowledged:

"For the purpose of this Inquiry, 'Children in Care', (Scottish Child Abuse Inquiry 2015b) includes children in institutional residential care such as children's homes (including residential care provided by faith based groups); secure care units including List D schools; Borstals; Young Offenders' Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent Boarding Schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care."

(Scottish Child Abuse Inquiry 2015b)

This study has concentrated only on residential establishments, such as children's homes, as at the time of this study, up to April 2017, the organisation had not carried out any investigation of existing data sources in which it would be possible to identify historic information about Foster Care provision: this was a matter that ACC began to explore after the time period of this study.

Anyone reading this letter could be in no doubt of the importance SCAI place on records from the outset of their proceedings, the word itself is mentioned in one way or another, either as document or record in every paragraph (Full letter detailed in Chapter 1). The underlying message from this initial correspondence from SCAI to the organisation is two-fold; firstly, it proposed amicable terms of engagement revolved around specific recordkeeping management arrangements and secondly, there is a subtle but explicit caution to those organisations that any reluctance by them to willingly engage with this process would invoke legal sanctions being imposed.

The letter received in October 2015 was significant in that it was the first contact SCAI had made with relevant Stakeholders following formal media statements of its establishment just the previous week. Until this point, organisations, although aware that a Public Inquiry had been commissioned by Scottish Government, were somewhat detached from any impact this may have on them specifically. When the letter arrived at the Council, copies being sent to the Chief Executive and me in my role as Information Manager, the realisation of what impact this would have was very real. Having had an interest in this area and carried out background work in 2014 to identify establishments' provision in existence, the letter gave me my first opportunity to formally engage with the organisation about what subsequent work might be required.

4.2.2.   Planning and Intervention

Following receipt of the SCAI letter, I had a conversation with the Chief Executive and Director of Education and Children's Services, highlighting the knowledge I had from the national Care Leaver perspective and the local detail I had collated about residential establishment provision across the Aberdeen region. It was agreed that I bring a group of internal Stakeholders together from across the Council to scope out how the organisation would manage this initial instruction from SCAI.

During the period November 2015 to June 2016, four Strategic meetings were held. Membership initially included those identified Stakeholders who represented key business functions for that first meeting. The initial membership comprised of me in my role as Information Manager with a member of staff from my Information Management team; the Chief Social Work Officer/Head of Children's Services, and representatives from Business Management and Performance Management for Education and Children's Services, Human Resources and Legal Services. Any amendments to the membership of this group were around an identified need for additional business function expertise and knowledge and delegated representation to ensure that progress updates from all areas were represented at every meeting. By the end of the second iteration, the addition of the Archives Service was the only formal change made to the membership of the group, although others had been considered, "accept that other Stakeholders may be invited to participate at later stages" (Senior Management, personal communication by conversation. 30 June 2016).

The agenda format in place for this first iteration did not change throughout the duration of these meetings and was structured with a clear emphasis on roles, responsibilities and records:

1. "Roles and Responsibilities
2. Inquiry requirements
    2.2   Identify records in scope
    2.3   Remit and responsibilities
    2.4   The protection of relevant records
    2.5   Indexing and cataloguing records for accessibility
    2.6   Identification of record gaps across the Council"

(Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015).

Agenda items 1 and 2.3 would suggest a duplicate agenda and action item for 'roles and responsibilities' and is interesting to see, as it is something I did not pick up on at the time. On reflection, this could be explained as our early attempts at navigating the landscape with the representative Stakeholder in the group; this was something of an overwhelming concept in that initial period and one that required frequent testing. In the second iteration, representatives were unsure of where boundaries for roles and responsibilities lay, as the understanding of the landscape underpinning SCAI requirements became clearer.

The topic of records was a core aspect of the agenda items for every meeting held in this second iteration (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). There were two parts to this: firstly, addressing the SCAI instruction to: "take immediate steps to preserve records which may be sought by this Inquiry", and secondly, "consider setting up your own process for identifying and organising the documents which you think the Inquiry may need", both of which were dependent on a knowledge of what those records might be (Scottish Child Abuse Inquiry 2015b). More broadly, the scale of this request, within the time-period 1945-2014, appeared achievable for the

more recent recordkeeping activities, but the Stakeholders in the group were challenged with where to begin for the historical aspects.

In order to implement a hold on the destruction of relevant records across the organisation, I presented a draft list of records that would possibly be familiar to the Stakeholders in attendance (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). I used the corporate retention and destruction schedule, something that had been created in 2014 as part of the ongoing readiness work I was leading on in my practitioner role for complying with the Public Records (Scotland) Act (2011). The identified records provided a prompt for discussion around relevant record sources and types comprising of: Child Case Files, Adoption and Fostering Case Files, Educational Establishment Case Files, Child Protection and Schedule One Offenders Registers, Children's Residential Care Home Case Files and Staffing Case Files (for those working with vulnerable children and adults).

These record types were selected as broad brush, high level descriptors representing a simplistic view of business functions and transactions, with an underlying knowledge on my part that there could be a variety of records beneath the surface of each. These could range from records for referral, admission and review for individual care case files, training and disciplinary records for staff files and for those relating to an establishment, staffing rotas, building refurbishments, and health and safety assessments etc.

These high-level record sources and types chimed with the stakeholders present who in recognising their business function within them, albeit from a simplistic surface view, would engage them to bring their knowledge to bear on a more complex set of records in existence beneath that. This is perhaps why the list of possible record sources and types in scope did not change throughout this iteration. There was, however, recognition that there may be other record sources and types unknown to be included in the scope, hence agreement from the group to identify other stakeholders across the

organisation (additional membership considerations) and within specific business functions.

A core subset of identifying possible record sources and types brought the question of what residential establishment provision had been run by the organisation during the historic time-period brought back into focus the question. I did not raise this aspect with the Group until the second meeting of the second iteration (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). There were two reasons for this: firstly, the initial meeting with Stakeholders in November 2015 was more of an introductory session, looking, for the first time, at the full scope of SCAI requirements, and secondly, the Group at that meeting, spent much of their time alternating between trying to determine the parameters of their role in the Group, and how they could contribute to the organisational response, to articulation of feelings that this task was just impossible to even try to begin formulating.

The Strategic Group Stakeholders were overwhelmed by the magnitude of SCAI scope, not surprising given the historic time period it covered and the organisational knowledge that would be required to begin that articulation of corporate narrative (see Figure 1). That could explain why during the second iteration, an outstanding action remained as the Group continued to explore the legislative and regulatory framework in which residential provision for the care of children had been based This detail and understanding was not fully understood until much later in the SCAI Public Hearings process, following publication of SCAI commissioned research in early 2017 (see Figure 2).

The listing of residential provision detailing information (see Table 6) collated so far about historic establishments operating in the Aberdeen region was presented to the Strategic Stakeholder Group in April 2016. From April 2016 until June 2016, separate meetings were held with individuals from the Strategic Group, to try to find further details about residential child care establishments already named or ones missing. This included sessions with

colleagues in the Archives Service who provided access to the Archives catalogue system. In June some intensive work began with colleagues in the Archives service as well as Library Services, but this work was not to come together into any consolidated detail until the third iteration. No formal action notes were collated during this period, instead there was an exchange of emails between those parties in Information Management and Archives sharing information. It was revealed during this period that information about establishments identified from the Archives Catalogue did not match some of that already sourced. It was at this point that contact was made with colleagues in the Libraries Service who had been identified as offering other potential sources to scrutinise and validate the accuracy of establishment detail.

4.2.3. Evaluation

4.2.3.1. *Improvement*

The impetus for me to revisit the identification of historic provision about residential establishments and more broadly, any records pertaining to that provision came about following the establishment of SCAI and the instruction to the organisation received from them. The organisation responded to this legal instruction timeously, taking account of the previous research, I had conducted in relation to establishment provision, but also accepting of the broader record source and types I had identified. This acceptance from Stakeholders enabled the organisation to implement the instructions received from SCAI, ensuring the destruction hold on relevant records was put in place, but also gave strategic impetus for established programmes of work around identification of records in existence and known, and those unknown, along with furthering the identification of residential establishments detail operating within the historic time period (Aberdeen City Council 2016f,n).

Whilst the establishments list did not increase during this iteration in terms of number, the awareness and understanding of those identified Stakeholders within the organisation's Strategic Group regarding the scale and range of what that provision might entail, had. This developing of knowledge and understanding amongst the Strategic Stakeholders was pivotal for progressing the future record researches that would be required to address the SCAI instruction and support the organisation to monitor its implementation plan accordingly.

4.2.4.   Re-diagnosis

Using the re-diagnosis stage as a moment to pause and detach from my Practitioner manager mode to Practitioner researcher mode, gave me the time to reflect in the moment but also across the duration of iterations to date from commencing the Stakeholder Group and progress made. By the summer of 2016, the levels of understanding and knowledge now held across the Council's Strategic Group Stakeholders following on from the developing approach, predominantly supported through the records research activities, had created a confidence that enabled them to start looking beyond the organisation and actively initiate this, "[Stakeholder X] will contact Voluntary Organisations (ACVO), other voluntary sector colleagues and Police Scotland to gauge their approach" (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). The geographical boundaries in place historically for the Aberdeen region had changed over time, and would require a collaboration that linked the roles and responsibilities of the organisation from historic to current.

In relation to the record researches underway, it now seemed likely that the Strategic Group Stakeholders would be more receptive to introducing a more formalised approach. Whilst a lot of energised discussions would take place at the Strategic Group meetings, the progress was slow, covering the same

ground for each of the Strategic Group meetings during this iteration (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). From my point of view, we needed to move Stakeholders on to another level of understanding that could only be revealed through the importance associated with finding the records and the meanings that could and would only be determined from interpreting the content of those records. The records identified so far, ranging from the current (Case Files) to historic (establishment provision) had served the Group well in helping to shape the strategic approach to date. In terms of developing the record researches, what was required now was to move from the informal sharing and awareness raising sessions to a more formalised and rigorous research methodology that could provide the Strategic Group Stakeholders with new record sources identified, their significance and use.

4.3.   Iteration 3 – 19 July 2016 – 6 December 2016

4.3.1.   Introduction and diagnosis

Iteration 3 charts the period from July 2016, to December 2016 describing the broader regional approach taken by the organisational Strategic Group that evolved following on from Iteration 2. It follows the changes made to the organisational approach including the addition of new Stakeholders and developing activities following on from the second iteration. This iteration also includes how the re-diagnosis from iteration 2 evaluation around the need to establish organisational knowledge of historic residential child care provisions was renewed and repurposed into the diagnosis of Iteration 3 in a way that supported the much broader SCAI requirements the organisation was facing and required to address.

The Strategic Group now wanted to develop their remit and membership to include regional partner Stakeholders (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015), to ensure a consistency of approach and coherence in understanding, coordinate systems for monitoring issues, and to identify further requirements beyond that of records. This would support the Council to incorporate the more holistic elements of SCAI implications, as previously adopted in iteration 2 and the potential impacts on the people and place of the Aberdeen region, whilst mitigating risk to organisational reputation.

4.3.2. Planning and Intervention

During the period 19 July 2016 to 6 December 2016, 5 strategic meetings took place within a six-weekly cycle and during this iteration a different strategic approach and structure emerged and was adopted by the organisation. The Stakeholder membership changed over that period to include officers of greater seniority from existing business areas e.g. Head of IT & Transformation/Senior Information Risk Officer (SIRO) and Head of Communication and promotion. External partners, including 3rd Sector, Police Scotland and NHS Grampian accepted an invitation to attend too. Whilst not all parties attended every meeting, they, when possible, sent a representative in their place but nonetheless remained on the distribution list. This additional participation from external Stakeholders indicated the heightened awareness and importance associated with SCAI issues and changed the dynamic of the Strategic Group from looking at themselves internally to looking externally at how organisations were being affected and what could be shared in terms of practice and support (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015).

The first meeting of this third iteration was an opportunity for all Stakeholders to share their practice, understanding and knowledge of where their organisations' positions were with regard to SCAI requirements. For some, this was new or unfamiliar territory, as for example for those bodies representing Third Sector organisations in the region, in this case, Aberdeen Council for Voluntary Organisations (ACVO), while for others the requirement was more familiar, but still uncertain, for example NHS Grampian and Police Scotland (Aberdeen City Council 2016e).

The multi-disciplinary Stakeholder representatives from the Council in attendance had the advantage of having a more holistic and advanced understanding, knowledge and confidence in discussing the implications of SCAI from the previous works and actions undertaken by them during November 2015 to June 2016, detailed at Iteration 2 (Aberdeen City Council 2016f,g,h; Aberdeen City Council 2015). This enabled the Council to play a lead role at this meeting, not just as host, but through demonstrating the interpretation of SCAI requirements and approach developed so far; this being something of a dynamic model that encompassed particular organisational actions known and required and others that were anticipated and therefore emergent.

This dynamic is evident from the action note (Aberdeen City Council 2016e), where the agenda format has been further developed to reflect the key areas of organisational focus and monitoring of activities: "Strategic update, Information, Support Services, Public information" (Aberdeen City Council 2016e). The Strategic update section includes items around: the scope of SCAI, where "Inquiry packs were distributed" (Aberdeen City Council 2016e p. 1); background activities undertaken by the Council in the form of group representation; SCAI briefing update 15 July 2016 and request for consistent, formalised recording of all Council activities around the strategic programme of work; "to ensure appropriate and proportionate governance is in place" around meetings and communications (Aberdeen City Council 2016e p. 1). My Strategic update to this meeting consolidated of this meeting consolidated

pertinent aspects that provided the context across the landscape of SCAI and the local organisational interpretation and approach taken by the Council for all those new Stakeholders to the Group (Anderson, C., personal communication by conversation. 19 July 2016). This set the scene for drilling into each of the particular agenda areas in focus and for attention thereafter.

It was at this first meeting of the third iteration that I used the agenda item "Gathering historical records and establishment information" (Strategic Stakeholder Group Agenda 2016k), to provide an "overview of organisational records in scope, ranging across record source and type, covering establishment provisions to Case Files for children and staff" (Aberdeen City Council 2016e p. 1). My hope was that this would invoke broader participation and input on the subject and explore possible links to these records within external partner Stakeholders' organisations, who may also have records relating to those affected individuals. Interestingly, this link did not have to be raised explicitly by me, as the Stakeholders arrived at it themselves (Aberdeen City Council 2016e).

The act of presenting those high-level records (present at hand) to the new Stakeholders in the Group, internal and external, acted as an engagement tool like that experienced in the second iteration, enabling a quick connection to and familiarity with our organisational thinking. As a consequence, this also enabled us to fast track the embedding of these additional Stakeholder roles and their contribution to the Group in the future; something that was important to us if we were to serve the legal and moral aspects of our interpretation of SCAI requirements and our organisational role in that to the communities of Aberdeen.

Much of the discussions with the additional external Stakeholders during this initial meeting revolved around clarifying and confirming our organisational understanding of SCAI's terms of reference and the required areas for focus and attention immediate and emergent, of which records were key. My

observations and reflections following that meeting state that half of the time was spent talking about records, leaving limited space to cover the other agenda items (Anderson, C., personal communication by conversation. 19 July 2016). This aspect turned out to be a common occurrence for all subsequent meetings with this particular Stakeholder representative.

What was clear from these discussions was a consensus across Stakeholders and partner organisations about commonalities in approach and thinking, with each member responsible for the delivery of some form of public service to the communities of Aberdeen, ranging from health to public protection. The resolution reached at the end of this first meeting was one of building strong relationships with the multi-disciplinary partners across the broader regional landscape to ensure a consistent approach going forward for those communities. It was acknowledged at this meeting that we had still to engage with those representatives from Faith-based and 3rd Sector organisations in the region, and it was agreed that this should be pursued, something that was partially met for the following meeting in August (Aberdeen City Council 2016e).

The agenda structure following this initial Strategic Group meeting was revised again for the duration of those meetings that took place throughout the third iteration:

- "Strategic update
- Information
- Communication
- Training
- Support"

(Aberdeen City Council 2016e).

This revised agenda format demonstrates that the areas in focus for the Stakeholders as part of their varying roles and contributions had been captured.

4.3.2.1. *Introduction of sub-groups*

This revised structure, visible from the Strategic Group Agenda (Aberdeen City Council 2016e) marked the initiation of formalised sub-groups with agreed Stakeholder leads assigned to progress required actions. The Information Management Stakeholder component under my management had been running informally during the second iteration, but it was useful for us to have this formalised as it allowed us to negotiate specific resource input – people and hours - from existing and new business areas across the organisation. I was the lead for the Information Sub-Group, with two individuals from my team also playing a significant role; one coordinating the research of establishment information and another who coordinated the Strategic programme of work (Aberdeen City Council 2016e).

The Information Sub-group met four times between August and November, continuing to feed back with updates on progress made at the Strategic Group meetings in between. The focus of the Information Sub-Group during this period was sourcing the information about residential establishments operating in the Aberdeen area since 1945. The Membership of the Information Sub-Group aligned very much with the business areas represented on the Strategic Group, although there were differences with additional specialist roles joining from existing areas internal to the Council – Social Work Residential Care Manager, as well as new business functions such as Library Services (Aberdeen City Council 2016i,j.k,l).

4.3.2.2. *Linking of record sources and types from establishment to broader categories*

Having exhausted the search of the Council Archives Service Catalogue to identify holdings within our collection specifically pertaining to residential children's homes and still having gaps in operational dates, provision type, location and ownership, alternatives had to be sourced. Archives suggested

Post Office Directories and Valuation Rolls and a combination of both were searched by my team and colleagues in Library Services, with the caveat that "The main point that was rightly flagged-up was the amount of time it takes to look through valuation rolls if those doing the searching don't have a range of dates to act as a starting point. However, we will liaise with [colleagues in] Library Services and others to narrow these searches as much as we can" (Archives Service., personal communication by email. 12 September 2016).

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Figure 18 Post Office Directory 1965-1966
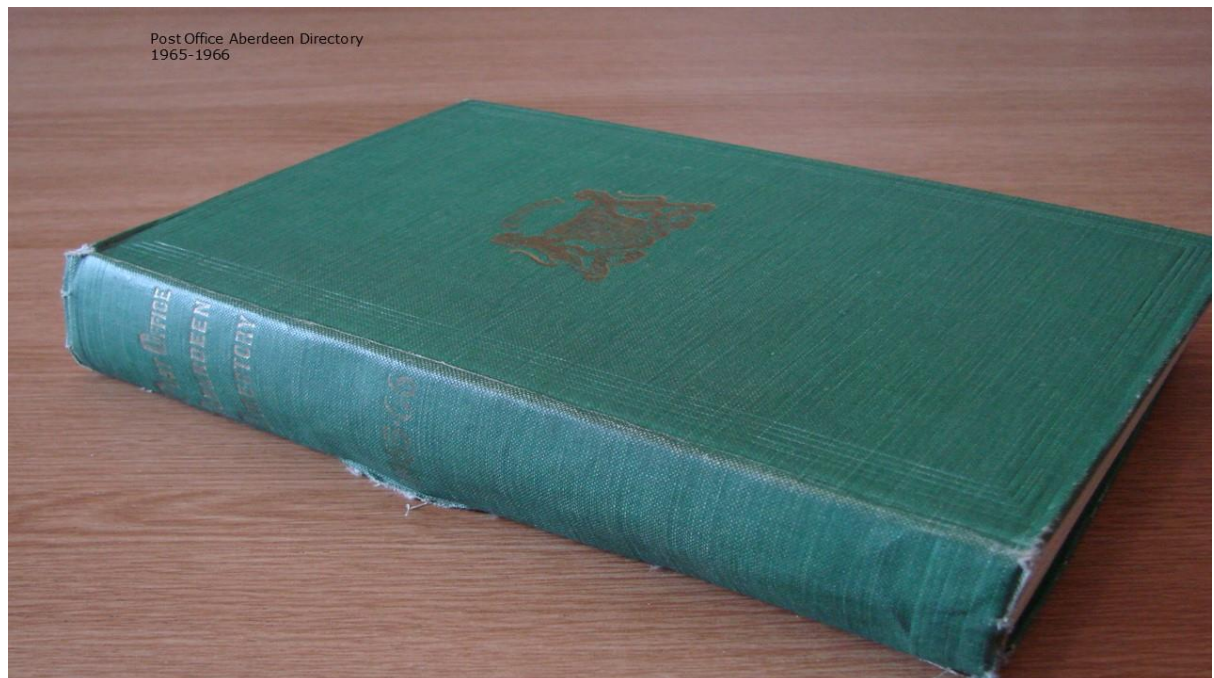
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 19 Post Office Directory 1965-1966
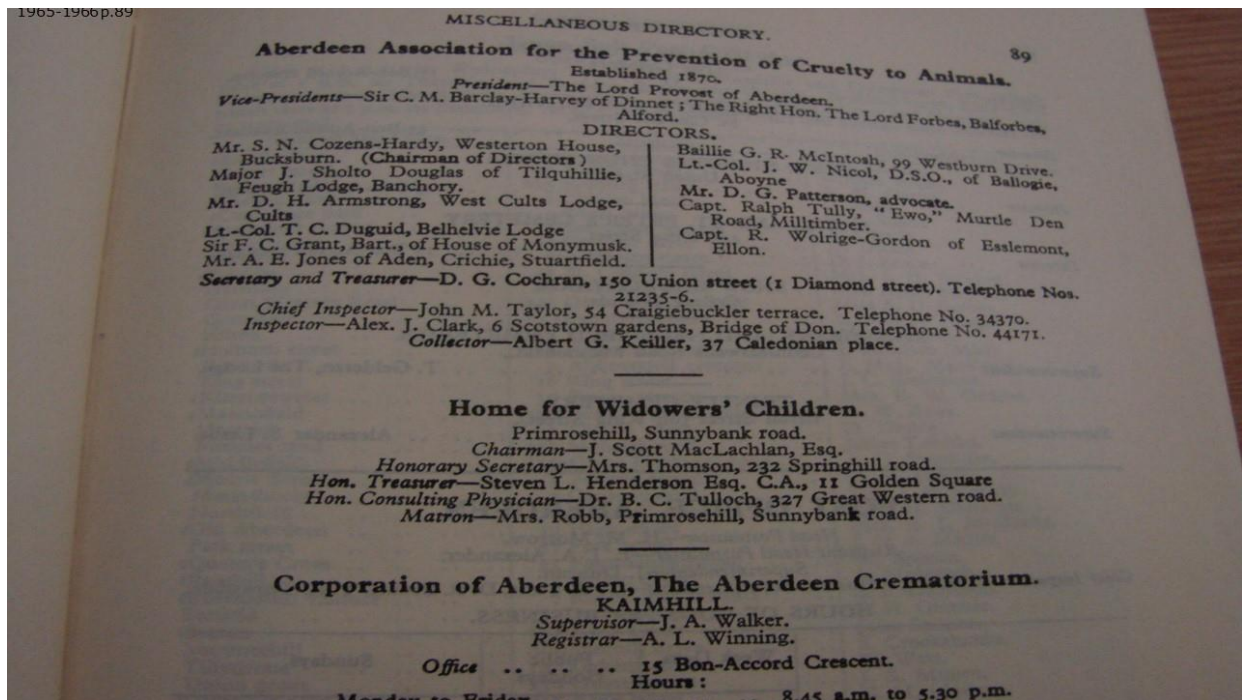
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 20 Valuation Roll 1954-1955
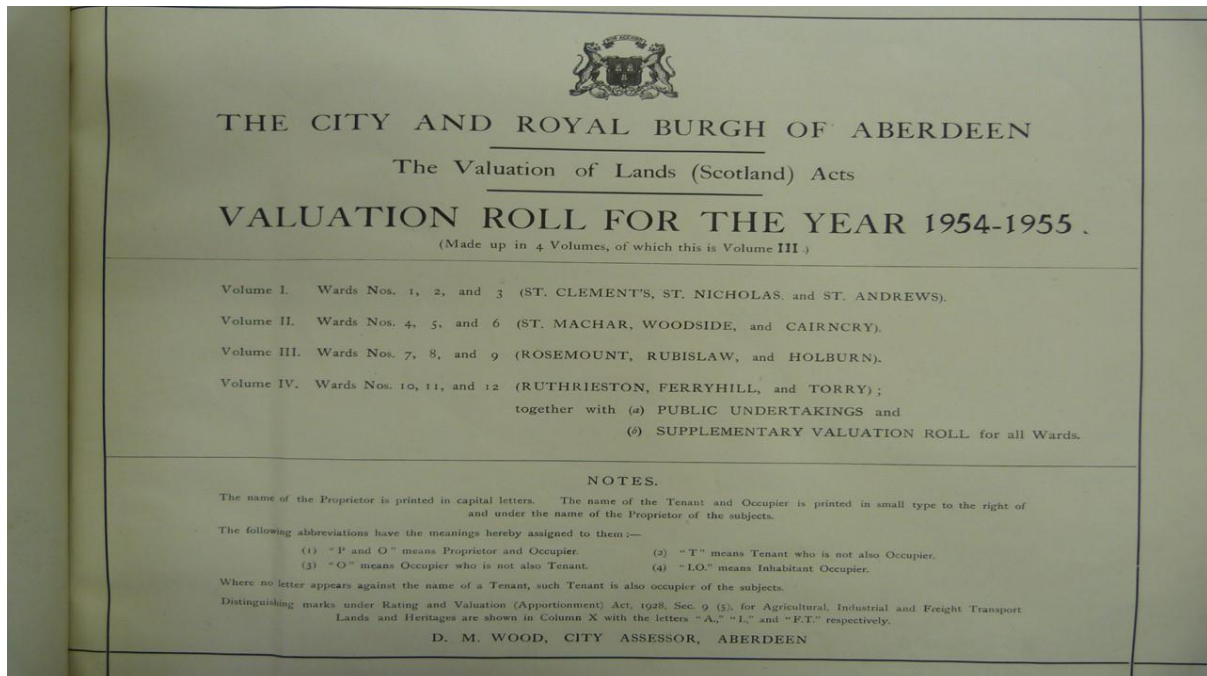
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 21 Valuation Roll 1954-1955 - Entry for Craigielea Children's Home

(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 22 Valuation Roll 1954-1955: Entry for Nazareth House Children's Home

(Aberdeen and Aberdeenshire Archives Service 2018).

In addition to this, the team searched the British Library's Newspaper Archive as a further source of information that might help our investigation around gaps in specific establishment provision detail or reveal details of ones previously unknown "Substantial work has been undertaken by Archives and Library Services to fill gaps in [residential establishment] information….[the latter] will search newspaper/secondary sources for the services already identified" (Information Sub-Group Action Note 2016j p3). By the next meeting of this Group in November, a further update to this activity was provided "Checks of newspapers have been completed to establish opening and closing dates for the establishments already identified as operated by ACC. A further list of non-ACC establishments to be passed to [Library Services] for research" (2016j p. 3). This new revised information sub-group team, with the addition of Library Services set about completing additional searches to be completed by Christmas of 2016.

Some of the challenges experienced during this phase were identified during iteration 2, when different sources revealed conflicting details about establishment provision; changes in ownership, differences in operating dates, when it opened, when it closed, and the type of residential provision it was or was changed to. Information taken from the Archive Catalogue was found to be inaccurate in places and only through comparisons made with the post office directories and valuation rolls was this validated and corrected. Somewhere along the process of receiving the acquired records into the Archives Service, an error had been made, whether this was from the person providing the acquisition, or whether this was the person who input the acquisition to the archive catalogue was unclear (Information Governance., personal communication by conversation. 23 November 2016). Either way, the errors were corrected, and the establishments list started to grow in number and substance.

I was privy to a national listing of residential establishments (see Table 6), something that had been initiated from the Reclaiming Lost Childhoods events. However, comparisons made between what I had and what they had only served to muddy the water with even more conflicting entries (Anderson, C., personal communication by conversation). There was very little additional information the national list could provide us locally.

4.3.2.3.   *Emerging issues*

After exhausting all the record sources, the establishment list available (present-at-hand) was as comprehensive as was possible at that time; detailing the name, address, operating period and type of provision. However, identifying sources of information about particular establishments created difficulties in and of itself: what the establishment was called, where it was located, when it operated, what type of provision it was and who ran it, was only the start. The ensuing difficulties grew as the strands of information for each were collated and analysed, with new difficulties and questions emerging.

Clarifying the sector that each residential establishment would fall under, whether Local Authority, Private or Third Sector etc, of some particular provisions was a difficult area to ascertain and remained unknown because no sources or records had been identified through our research and investigations (Aberdeen City Council 2016i,j,k,l ;). For other residential establishment provisions, the sector could be assumed from the title that it was religious in nature and therefore we classified as Faith-Based. One of the unresolved aspects that caused difficulties was around particular provisions that had changed location but retained the name and those that retained the location but changed their name. These types of provision detail signified some sort of management change, or provision type change.

Comparing these changes to the historic legislative and regulatory framework in Figure 14, looking specifically at the time period and former type of provision, it could be assumed that some form of revision had taken place to that provision in line with national and local changes in policy and practice. More evidence available for us to arrive at these conclusions came from establishments where records had been found, indicating a pattern of the time period that seemed logical and plausible. Examples of this could be seen where industrial schools and reformatory schools, two different types of provision operating in the 1930s period changed to became known as approved schools (Norrie 2018), and an orphanage changing to become a children's home and an approved school, for example Nazareth House. To that end, even when there were gaps in our ability to clarify and map the provision type to the establishment name, we kept the detail on the list, to ensure that nothing was missed (see Tables 7 and 6). Should any further information about these establishments become available in the future, it could easily be incorporated.

4.3.2.4. *Extended research of records beyond residential establishment provision*

With the establishment list now populated to an extent that gave assurance that we had a good grasp of the landscape of provision operating across the time period, our research could now be extended to other sources and types of records. It was logical to now move on to identify whether any particular records pertaining to the operation of these establishments were held within our Archives Service collection, anticipating that if these types of records existed, they would correspond with those identified by Norrie and Shaw (2017; 2007) i.e. Admission Registers.

The methods employed for sourcing information about the establishments and their operations were restricted to the electronic catalogue held by the Archive Service. Stakeholder involvement from the Archives Service had been supporting the Strategic research for establishment detail using this central

source of intelligence for the archive collection since Iteration 2 (Aberdeen City Council 2016a-h). Disappointingly, despite there having been at least 30 establishments in operation over the time period, the exercise to reveal additional records pertaining to the operations of those establishments produced very little historic record holdings beyond the basic establishment details, except for two Admission Registers: Brimmond and Kaimhill Remand Home (Figures 24 and 25). We were at a dead end again (Anderson, C., personal communication by conversation. 6 December 2016; Aberdeen City Council 2016k,p; Aberdeen City Council 2016i,j.k,l).

Figure 23 Brimmond Admissions Register
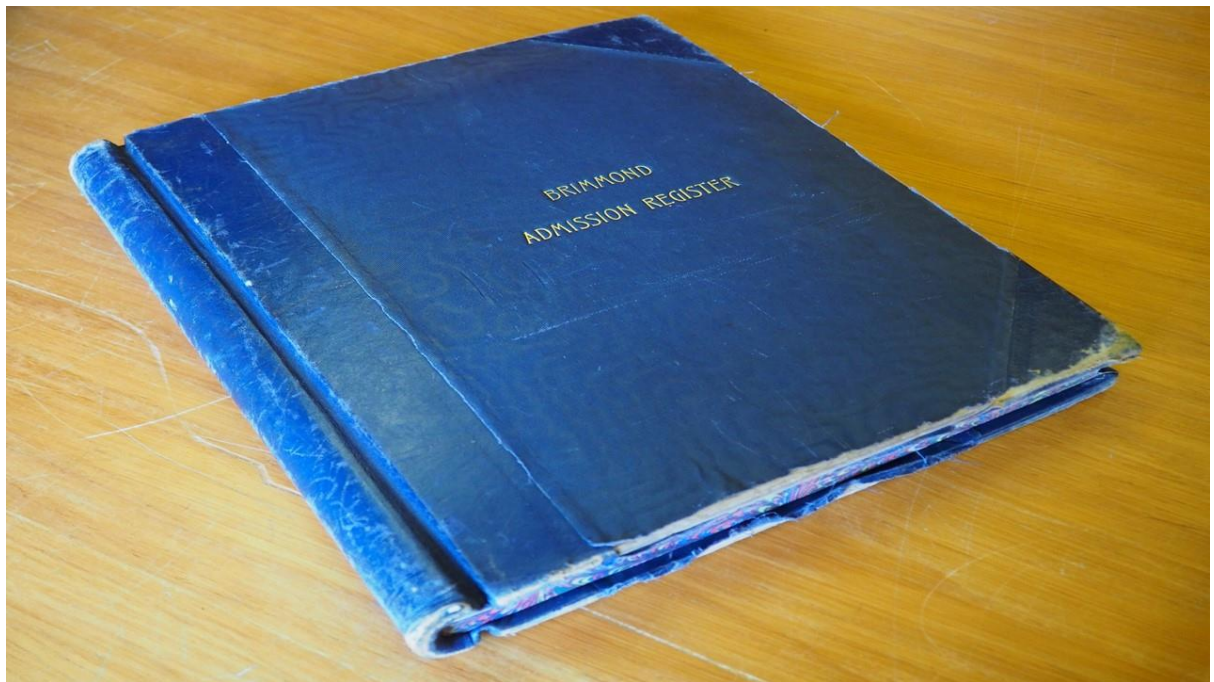
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 24 Kaimhill Admissions Register

(Aberdeen and Aberdeenshire Archives Service 2018).

It was unclear at this time (although perhaps unsurprising) why there appeared to be so little in the way of additional records pertaining to establishment provision, for the Council alone. Comparing the Admission Registers that were found, each of which represented admissions and discharge of children from the date the establishment opened and closed, corresponded with the establishment detail already validated earlier in our research. If there was at least one Admission Register for each establishment, this would have been a revealing find that could have charted every child who had ever been placed in any one establishment at any time. One possible reason for this lack of additional records could be reflective of similar issues raised at national level by Care Leavers and the lack of importance associated with these types of records; hence them not making it into the Archive Service collection. We did not know for sure and did not want to jump to any conclusions. All we knew was that we had found two Admission Registers that did chart the children who had come and gone throughout the establishment's operational period (Anderson, C., personal communication by conversation. 6 December 2016).

The historical context of the Council and its different formations across the time period in scope (Figure 1) would have some bearing on what the Archive Service held, based on when it was established, and the archiving policies and practice in place over that time period. Despite there being an Archive policy in place now, this might not have been the case historically.

However, despite the disappointment that only two Admission Registers had been found, their importance was highlighted later on when the Council were served with their first Section 21 Notice in January 2017, naming one of these particular establishments in the first batch of SCAI investigations (Scottish Child Abuse Inquiry 2017p). The use of the Admission Register (ready-at-hand), as it turned out was to become pivotal in the early days of forming the development of the strategic programme team that would enable the Council to respond to the January 2017 Section 21 Notice and those that came thereafter.

During the third iteration and following on from discussions at Strategic and Sub-Group level, our research, extended to include other forms of records research activities around identification of record source and types. During September to October 2016, this included identification of records, previously unknown, but existent within Council sites including schools and residential care homes. Although an email communication had been sent to homes as early as November 2015, with follow-ups in December 2015, April 2016 and June 2016, notifying staff of the need to place a hold on the destruction of records:

"…….**We have been asked to remind staff that until further notice, no records should be destroyed pertaining to "Children in Care", including all staffing records held for those who have worked with children or vulnerable adults.** Consideration will also need to be given to the retention of particular administrative records if managers think that they may be useful to the Inquiry, i.e. timesheets……..

Managers are asked to raise this with their teams and bring to the attention of all staff as appropriate.

We are also being asked to collate information on those records held by Services and would ask you to identify and provide details of:

- any records which might be of interest to the Inquiry;
- where these records are stored;
- the identification of any gaps in the relevant records held.

HR have been undertaking a review of all personal information held centrally, whether for current or previous employees, in order that we can be ready to deal with any access to records requests we may receive in relation to this Inquiry. However, we do not have a clear picture of the records held in individual establishments and therefore ask you to consider the information and records you hold. Where these may be relevant to the Inquiry, I would ask that you use the attached spreadsheet to document these records and return to me (a couple of examples have been provided by Records Management colleagues). Thank you to those Managers who have already returned this information.

(Aberdeen City Council., personal communication by email. 31 August 2016).

it was only now that this new record source had revealed itself, "I have been made aware that there are documents at [a school] which relate to previous residential provision within the city. Having spoken to [a Manager, they] advised I should contact you for advice / to arrange for these to be uplifted and stored in a central archive" (Anderson, C., personal communication by email. 21 September 2016). This again, suggests the unpredictable nature of sourcing and identifying records, in line with Shaw's findings (2007). Whilst this new source had produced some unique records relating to the management of a residential school and Child and Staff Case files, others were found to be duplicates. The significance of these records being identified was that they had been at that location for many years without anybody knowing it.

4.3.2.5.   Records and external partners

Possible additional sources of records were identified by the extended Strategic Stakeholder Group, from partner organisations who had been responsible at some time in the past for providing residential provision across the Aberdeen region, for example third sector, and neighbouring authorities, "…links required to Stakeholders in attendance and those still to come", linked to the Information Sub-Group Strand (Aberdeen City Council 2016i,j,k,l). Identification of whether records relating to partner organisation provisions, or where the Council may have placed children as an alternative to Council provision was as relevant and necessary, from a liabilities perspective. Should allegations of abuse be made, it would be crucial that the responsible organisation was known, as much as developing that broader, shared and expanded understanding of that shared historic landscape. From an information governance perspective, the records created and owned by partner organisations such as Police Scotland and NHS, would remain in their ownership with stringent requirements on sharing activities. However, when it came to Third Sector and neighbouring authorities (Aberdeenshire, Moray and Angus), this was quite different.

If the Council had placed children in any Third Sector provision, the management and responsibility for that placement would be governed by the contractual arrangements in place at that time. In other words, recordkeeping practice, whether from the placing authority or those providing the care would have been conducted on a sharing basis laid out in the terms of that contract, lasting for the duration of that individual – child receiving that care - within that placement.

Third Sector partners were represented on the Council's Strategic Group by ACVO, who were holistically representing the views of the Third Sector membership for the Aberdeen region. Whilst an ACVO representative attended some of the Strategic Group meetings, their input was share and communicate the Council's approach to SCAI requirements with their members.

Separate to the ACVO representation, my team had found out that SCAI had already begun asking some of the larger Third Sector organisations such as Aberlour Childcare Trust for information relating to the residential provisions they had run over the historic time period. I did in fact utilise contacts at Aberlour Child Care Trust through email correspondence (Information Governance personal communication by email. 23 January 2017) to ascertain exactly what information had been requested by SCAI; the detail provided gave me assurances that what we were pursuing in terms of records research was proportionate and something likely to be required by SCAI at a later date.

Neighbouring authorities' records

Historically, the geographic boundaries and service delivery responsibilities of local government had changed over time (see Figure 1). These changes were identified as an issue that would have to be explored because of the joint jurisdiction of Aberdeen City pre-1996 when it was part of Grampian Regional Council, along with what is now part of Aberdeenshire Council. Questions were emerging at a strategic level around how these changes might impact on demarcating who the responsible authorities now in place for historic abuse allegations being made would be. This was particularly pertinent for the period where the authorities merged (Stakeholders did not know the dates for this at this time) and then de-merged, with a focus only on the latter time period of 1996. It is unclear what agreements were made about records, how they were split between the authorities and responsibilities demarcated.

The issue of responsible authority was one which was not fully appreciated until the topic of financial liabilities for service provision operating at the time was presented. If residential care services provided to children were shared then, who would be responsible now? Stakeholders from the Council's insurance services joined the Strategic Group at this time to provide updates on any clarity emerging; a matter of significance given the potential risks of unknown financial claims to be settled should any allegations of abuse be made against Aberdeen City Council now and in the future. Records would have to be identified both internal to the Council and held by Aberdeenshire Council to clarify these matters, something that our new Stakeholders from the Insurance service agreed to pursue (Aberdeen City Council 2016a,b,c,m).

Whilst SCAI are interested in identifying the ownership of and accountabilities toward the delivery of residential provisions, they have no jurisdiction in any of the future redress options that might be provided. This is matter that Scottish Government will address separately.

SCAI alteration of the time period

At the fourth Strategic meeting in October 2016, it was reported from informal sources that SCAI were considering a further extension of the time period in scope from 1945 back to 1930 (Aberdeen City Council 2016b). This was due to the unanticipated number of individuals aged in their 80s and 90s coming forward to SCAI since March 2016 to report allegations of abuse whilst in residential care in Scotland. Whilst this was not formally communicated by SCAI until January 31 2017, it was useful to have prior and early warning of this change to alert Stakeholders on the Strategic Group. From a records perspective, the research conducted to date around establishments had already collated part of this by default due to the nature of details found from sources, so this did not pose any immediate concerns for the establishments detail collated at this time (see Table 6). However, it did result in another wave of incredulity from the Stakeholders, who were just coming to terms with SCAI's 1945 to 2014 timeframe, something I noted as causing a stir during the meeting and subsequent conversations outwith, afterwards. Despite the knowledge and understanding that had developed within the Stakeholder Group, who had been meeting frequently throughout the year, they were still not fully aware of the significance of records and the part they could play in supporting them to responds to SCAI on behalf of the organisation.

4.3.2.8. *National practice and sharing*

Nationally, there was some activity around sharing of information and practice across all local authority areas in Scotland. Organisational approaches being taken in response to SCAI requirements were discussed at quarterly events hosted by Social Work Scotland (SWS) and attended by Chief Social Work Officers (CSWO) from Local Authorities across Scotland. These events were used to inform local authorities by SWS of any updates from SCAI and possible issues these might raise. Discussions at these events covered topics such as a sharing of particular organisational activities underway, any concerns identified, for example insurance for claims and

liabilities and general understandings, interpretations and approaches being taken in anticipation of the SCAI process.

The detailed feedback to the Council from our CSWO participation at these national events, either verbally or by a written brief did not provide our Strategic Stakeholders with new information about SCAI necessarily. What these events did provide was a benchmark for the Council to compare their approach and activities against what other local authorities were doing. It also encouraged us to quickly fold in any of the issues and concerns being raised to ensure we had not missed anything from the activities already identified. For example, a concern raised at national level and subsequently taken on board at local level was problems with finding records relating to policy and practice of residential schools (Aberdeen City Council 2016m,j). The Council were, at that time, still pursuing the identification of establishment provision detail and had not started to look more broadly at other records types, bar those identified as part of the destruction hold earlier in the year. Records pertaining to the operational policy and practice of any residential establishment, not just schools, would seem to be one of the many logical areas of future records research for the Council to be considering. However, this external influence did more than just raise a new record type for the Stakeholders to consider as it acted as a validation of the importance of records research and triggered a new additional piece of research to be conducted within and by the Social Work business function.

Feedback from our CSWO who attended these events (Aberdeen City Council 2016m) had indicated that the approach the Council were taking appeared to be quite detailed and holistic, with a range of organisational Stakeholders taking on a range of activities that cut across business function areas, but that were also addressing the needs of citizens, Care Leavers, staff and the organisation, as well as scoping the SCAI works. In comparison, whilst other local authorities had secured funding to employ archivist or records management roles to support a cataloguing of records held, this did not appear to be part of a coordinated, strategic approach, that was being fed

into these events, but standalone, in isolation from the rest of the organisation. This comparison fed back by the Council's CSWO was met with surprise from the Strategic Group Stakeholders. The initial surprise very quickly moved to a sense of confidence and assurance that the model adopted locally at the Council, whilst different, was the right one to take in anticipation of the impact and requirements of SCAI (Aberdeen City Council 2016b).

By the end of the third iteration of running the Strategic and Sub-Group Stakeholder meetings, the Council had fully established a representation that covered all sectors across the region of Aberdeen. Key areas encompassing information, support, communication and training had been established and were now fully operational, with each business function collaborating within and across the sub-Groups. Steady progress was being made against all those agreed actions to date. The comprehensiveness of the organisation's strategic approach is perhaps best summed up in the Committee paper that I wrote and presented to the Council's Elected Administration in September 2016:

"That Committee note the Council's approach to establishing readiness for the requirements of the Scottish Child Abuse Inquiry, as follows:

- A strategic group has been established comprising of internal council services and external stakeholders
- Information sources are being collated spanning the historical timeframe 1945-2014
- Communication and training requirements are being scoped to ensure all our staff and customers are aware of the Inquiry and have access to additional information and/or supports if required.
- Sourcing of support services are being collated to ensure a comprehensive package of support can be proactively promoted and accessed by staff and customers at any point in the future
- A local helpline and email address will be set-up to ensure maximum privacy, care and sensitivity are provided for people to make enquiries or seek support."

(Aberdeen City Council 2016o).

4.3.3. Evaluation
4.3.3.1. *Improvement*

The Strategic Group approach that evolved over the latter half of 2016 produced a number of organisational products under the key areas of information, communication and support, all deemed a necessary pre-requisite of SCAI proceedings (Aberdeen City Council 2016k. These products were shaped and delivered under the scrutiny of the Strategic Group but delegated to the associated Sub-Group model adopted, to action. These Sub-Groups comprised mainly of the same Stakeholders, who during this period became quasi-experts in the field of SCAI requirements and organisational response activities. The additional products that were created and delivered as part of this extended programme of work were aimed at the softer, less tangible, moral aspects, held to be of equal importance to the legal requirements the Council had identified as part of the impacts of SCAI on the organisation and citizens of Aberdeen.

The products created by the Communication and Engagement and Support Sub-Groups, individually and then together included various forms of briefings to staff, citizens, elected administration and corporate management. A freephone dedicated helpline was set-up for citizens to call and staff briefings were delivered through an email to all 8,000 staff as well as face to face workshops for those in Social Work, Education and Customer Contact Service. Web pages were created for internal use by staff and external use by citizens. Soundbite films for the internal staff web pages were created following feedback that Managers in Social Work were asking for extra guidance to help them support staff affected by SCAI, long before the Public Hearings commenced, in December 2016. Every communication channel used in the Communication and Engagement plan promoted the contact details of SCAI, with full signposting to other local and national support agencies available (Aberdeen City Council 2018a).

Records research activities undertaken through the formation of the Information Sub-Group had produced an establishment list for the Aberdeen and surrounding regional area. By December 2016, the establishment list detailing residential provision for children in care had increased significantly to a total of 89. The number of establishments run by the Council was substantially different to what we had in November 2015, increasing from 9 to 32. Across other areas and sectors, the increase was from 4 to 8 for neighbouring authorities (Aberdeenshire), 8 Faith Based, 10 Private and 31 Third Sector. Many caveats came with this increased listing of residential provision and to some extent reflected and affirmed the difficulties experienced in all previous research attempts, local and national, to collate this type of information, despite having the people and impetus to do so.

Internal to the Council and in addition to the establishment list details, more information had been identified from the extended research to source any records pertaining to those establishments specifically run by the Council. The two Admission registers were the only historic records found within the Archives Service catalogue at that time. The record research activities resulting from the national SWS event earlier in the year and followed up on by Stakeholders in Social Work had not been able to locate any policy and procedure records for any of the historic establishment operational activities. Whether this was because these records did not exist or had been destroyed had yet to be determined. We would have to address this issue because we were reliant on knowing more about the policy and practice across the historic period. Was it that those charged with the search activity were looking in the right place, asking the right people within the service and would they know what the records might look like, even if they came across them? Similar to the earliest attempts during 2013 and 2014, to source records within the Council about historic residential establishments required further investigation to find out if we held them. If we could not find them, we would have to source other means to inform our understanding and be able to evidence the organisation's policy and practice.

From an external perspective, none of the Stakeholders representing our partner organisations had been able to provide any records or information about residential establishments or otherwise during this iteration (Aberdeen City Council 2016a-e; Aberdeen City Council 2016i,j.k,l). Again, whether this was because they did not exist, could not be found, or had been destroyed had yet to be determined.

This iteration describes how the Council embraced the broader instruction and emergent nature of work required to address the requirements of SCAI received in October 2015 to "consider setting up your own process for identifying and organising the documents which you think the Inquiry may need" (Scottish Child Abuse Inquiry 2015b).

4.3.4.   Re-Diagnosis

Pausing to reflect in Practitioner researcher mode on the progress that had made by the Strategic Stakeholder Group up until December 2016, the perceptions across the Group were that all actionable areas across Information, Communication and Support had been completed. Until such times as SCAI were ready to ask the Council for more information, it seemed there was little left to do at this point, from the organisational and Stakeholder perspective, except wait.

Reflecting back over the iteration and how we had managed to deliver on all the actions, hid a multitude of logistical challenges over that iterative period. This is evident from the flurry of emails, going back and forth with Stakeholders juggling their core job role with the additional requirements for this additional work to be completed. An example of this was demonstrated through the back and forth email correspondence for the staff awareness briefing, "I do not think the language and tone is right - it needs to be softer…….We need to reflect the significance of this Inquiry and the impact on those concerned……In relation to support - we have not received guidance from the National Inquiry Team, and our role at the moment is to signpost

possible victims and survivors to established (National and Local) sources of support" (Chief Social Work Officer. Personal communication by email. 25 October 2016). The logistics involved, and the time spent to reach consensus around the content and tone took several attempts over a period of days. This underlying activity between the Stakeholders, leading up to Christmas of 2016 was an intense period demonstrated to some extent in the Action notes from the Sub and Strategic Stakeholder meetings, "As per the strategic group meeting which was held yesterday we want to ensure all of this work is pulled together by the middle of December" (Anderson, C., personal communication by email. 26 October 2016; Aberdeen City Council 2016a,b, l,k).

The records research activities that had been conducted for establishment information had been time consuming and resource intense. The endeavours to source additional records pertaining to establishments' operations, had produced very little tangible evidence, although many inferred references were made to possible avenues, as yet unexplored. For example, additional information captured from the Archives catalogue stated there may be more records about a residential provision out-with the now Aberdeen City zone that held operational records. Time and resource constraints meant that it had not been possible to follow this up more fully at the time, although contacts had been made with neighbouring authorities, Faith-based institutions and independent schools. Discussions held at the Information Sub-Group during this iteration demonstrate this contact being made, but that little additional information had been gathered beyond what we already held ourselves, or that we were "still awaiting responses" (Aberdeen City Council 2016l,k,j,i).

The additional records research conducted by Stakeholders within and from the Social Work function had not produced any new sources of records that could document the operational policy and practice of residential establishments over the historic period, only those current. Both of these

research avenues would have to be revisited in the New Year with a new plan of action to address any deficiencies in previously deployed methods.

4.4.   Iteration 4 - 31 January to 26 April 2017

4.4.1.   Introduction and diagnosis

Iteration 4 charts the period from 31 January 2017 to April 2017 describing the revised approach taken by the organisational Strategic Group following receipt of a Section 21 Notice from SCAI. It follows the evolving changes made to the organisational approach including a further revision of Stakeholders and further additional record researches, building on previous searches. This fourth iteration also includes how the re-diagnosis from iteration 3 evaluation around the need to establish organisational knowledge of historic residential child care provisions was renewed and repurposed into the diagnosis of Iteration 4 in a way that supported the much broader Section 21 Notice SCAI requirements the organisation was now legally and morally compelled to address (Aberdeen City Council 2017a,b,c).

Up until January 2017 when the Council were served with their first Section 21 Notice (Scottish Child Abuse 2018p), there was no understanding within the organisation of how they would be required to participate in SCAI and what records would be asked for. There had been no information provided from SCAI describing what the Section 21 Notice would look like and what it would contain. The volume of information requested through the Section 21 was vast, detailed in 30 double side A4 pages of questions, previously detailed in a high level in Table 1, Chapter 2 (Scottish Child Abuse 2018p). The magnitude of the request from SCAI provoked a feeling of initial disbelief (again) from the Strategic Group in which the ability to respond was inconceivable. It was evident from the initial discussions with senior management representatives from the Strategic Group that there was no clear idea of where to begin in order to satisfy the requirements of the

response requested and the extensive time period it covered in which the Council's structural formation had changed (see Figure 1).

4.4.2. Planning and Intervention

The fourth iteration of organisational activities took on a completely different form from the structure previously in place. The external partner strategic group meetings were stopped as all concentration was now focussed on how the Council would manage the legal requirements of the Section 21 Notice. The collation of works required that would enable the Council to respond to the Section 21 Notice were of an overwhelming nature, with various legal implications to be considered. It was decided that the Strategic Group representation now be shrunk to a core internal subset of key Stakeholders who could inform and support the SCAI Section 21 Notice response. The Stakeholders identified for this revised Strategic Group included Information Management (me and my team), Social Work and Legal representatives; all of whom had been involved, representing particular business areas since the second and third iterations in one form or another from November 2015 to December 2016. There were a number of reasons for this reduction. Section A and B of the Section 21 Notice was predominantly asking questions around the governance, responsibilities, whilst Parts C & D sought detail about known abuse that had taken place within any of the residential establishment provisions ran by the Council. It was no longer deemed appropriate therefore to include any of our external partners in these meetings. It would only be those internal Stakeholders who could fulfil an organisational role within the scope of the Section 21 Notice requirements who would be involved. In March 2017, external, independent advice was sought from a QC in relation to the Council's proposed Section 21 response, to ensure that the detail contained about any known abuse was proportionate.

Initial discussions took place during February 2017 with senior management including the Director of Education and Children's Services, Chief Social Work Officer, Service Manager and myself (Anderson, C., personal communication by conversation. 7 January 2017). It was the records known, present-at-hand that began to provide a framework in which to start building a revised strategic approach. Positing this as a what-do-we-know-so-far type of question, enabled a regrouping of facts (from identified records), through the establishments provision list and related records pertaining to their management and day-to-day operations to be revisited.

The use of records for this initial re-formulation of strategic approach mirrored a somewhat similar position to that experienced at the very first meeting with Stakeholders in November 2015 in response to the instruction to place a hold on records destruction (Scottish Child Abuse Inquiry 2015b). Back in 2015, I had presented a reduced version, containing fairly limited information about historic provision of residential establishments in operation and it was from here that the Strategic Group began. Now in 2017, armed with the comprehensive list of provision, which had quadrupled in numbers operating over the time period, presented a stark reality for the Group as to how they could provide an account of their management.

The comprehensive list of establishments run by Aberdeen City Council and additional records held pertaining to the management and operational activities, sparse as they were, were highlighted. Of particular interest and relevance was the Admission Register held for the named establishment in the January 2017 Section 21 Notice. Up until this point, the Stakeholders, with the exception of my team, had no knowledge of its existence. When I made the existence of the Admission Register known to the other Stakeholders, it was not perceived by them to contribute any meaningful use in relation to the Section 21 Notice.

By January 2017 and following receipt of the Section 21 Notice, I further developed the list of residential establishments, aligning it to the provision types highlighted by Norrie and Shaw (2017; 2007). This is demonstrated from an email I sent on 3 April 2017 as part of collating an invite the Strategic Stakeholder Group, "Just thought it might be worth flagging up that there have been some additions to the above [SCAI Commissioned research] - which we used/referred to in our draft responses so far.....but for those about to start, one of which is Norrie's part 2, the other is about prevalence of abuse in Scotland (maybe one for our legal colleagues) Can you add a line in the email invite being sent out today" (Anderson, C., personal communication by email. 3 April 2017; Aberdeen City Council 2017a,b,c). I did this in order to ensure Stakeholders were aligning their responses to be consistent with the historic framework of the time, making sure that what we were referring to in terms of establishment types would be consistent. This also served to further build and develop knowledge and understanding of the terminologies in play for those who were involved in organisational researches for records and might have to provide witness testimony to SCAI at a later date.

Up until December 2016, ongoing organisational activities and research of records for information relating to the identification of establishments that had existed over the timeframe had been extended to any records held pertaining to the establishments' day-to-day operational delivery and management. The named establishment being investigated by SCAI in this initial Section 21 Notice matched one of the two admission registers found; a record which up until that point was unknown and the significance of which was not realised by members of the Strategic Group Team or beyond.

The information research, collation and analysis undertaken during the third iteration around establishments and subsequent records pertaining to those establishments had uncovered two Admission Registers for two different establishments (see Figures 23 and 24). This had been useful for me and my team as they provided physical evidence of provision the Council had and

were responsible for historically, enabling us to further expand our understanding of the theoretical framework of the time and its practical application.

The fact that the information collation around establishments and subsequent records pertaining to those establishments had uncovered these two Admission Registers was disappointing in that there were only two. Nonetheless, the insights these Registers could provide were very revealing. The Admission Registers provided physical evidence of the historic operations of a children's home, something that we could use to further expand our understanding of the theoretical framework of the time and practical application. This find enabled me to start shifting the conversation around record researches with colleagues in the Archives and Social Work Service to offer new possibilities of records we had yet uncovered, but to do so would require rallying the right resources. I instigated informal attempts to grasp some sort of understanding around the broadest scope of provision type, including Child Migration "As part of our efforts to provide evidence for the Child Abuse Inquiry [is] there any evidence that the council was ever involved in facilitating child migration, particularly pertaining to 'orphans'. I think the extent of this involvement will be quite difficult to find evidence for, if any exists at all…… but what we're looking for is post 1930 council involvement for the city. Don't spend ages on this, but I'd be very grateful if you would have a scan of the [Town Council] minutes for a sample period and see whether you can locate anything related to this subject" (Information Governance., personal communication by email. 9 January 2017). The growing awareness of what these types of records could provide, through the content that they held, and the subsequent use they offered as puzzle parts, not yet fully understood.

My team conducted some initial analysis of these two Admission Registers to ascertain the content contained within them and what knowledge this might provide. Respecting the governance aspects entailed with such access and being mindful of the privacy requirements of those listed in the Admission Register, we kept our research of the content narrow. We wanted to know if these two Admission Registers were the only ones that existed, or could there be more? We also wanted to know the extent of the detail recorded about each individual child admitted to the establishment and whether this was consistent or changed over time.

From the narrow research scope and analysis conducted, we found that the Admission Register had what appeared to be a full chronology of child admission entries recorded that aligned to the operating periods we had already collated and validated. These entries appeared to cover admissions of children and young people throughout this time-period with no apparent breaks in service and a wind down of admissions towards the period leading up to the closure of the establishment. Each entry included: the name, date of birth, date of admission, reason for admission, date of discharge/transfer and location of where that was to. Additional follow-up research and analysis by me identified patterns in each of the recorded entries that included multiple instances of admission for the same person, for the same periods, for similar reasons, and discharge or transfer to similar, and alternative residential establishments within the Aberdeen area or further afield across the UK.

The wealth of intelligence this one Admission Register appeared to contain was revealing for me from various angles. These ranged from obvious changes in handwriting and author, to different use of language and the changes to both across time. From this very brief research and analysis of the Admission Register, I got a real sense of different types of needs being provided for by the establishment, for children; some who were admitted

because they had run away, to some who may need respite care, away from their usual carers. This snapshot analysis exposed a narrative of practice from a provision responding to the needs of children and young people at particular points in their lives at a particular point in the organisational history.

Why they had run away or needed respite was unknown, but this human insight brought to life a glimmer of that social history about the people and the place, through the comings and goings at the establishment from 1975 to 1990. I was surprised to see children being placed in this establishment from places outwith Aberdeen, frequently from as far as the south of England; I had not expected this, both from a managed option i.e., the authorities choosing this, to placing runaways who had made it to Aberdeen and presumably needed a place of safety until they could be returned back to their place of origin. I could not see any evidence of information that related to governance responsibilities, such as inspections, but the mere fact of there being an entry for each child and a reason for the child being admitted gave some indication of the policy and practice of the time.

I presented the findings from the establishment Admission Register to the revised Strategic Group, namely the Stakeholders in Social Work (Anderson, C., personal communication by conversation. March 2016). Their response to my claims about the information contained was sceptical. It seemed wholly impossible to them that one Admission Register could contain the detail I was suggesting. The Stakeholders decided they would have to see the Admission Register for themselves before believing it, something that we arranged to happen very quickly. On seeing the content of the Admission Register the Stakeholders within Social Work acknowledged the claims I had made previously, now realising for themselves the importance of the detail it contained (Anderson, C., personal communication by email. 5 April 2017). From their professional lens they could see what I had seen but a little deeper in that the policy and practice of the time was inferred from the changes in admission reasons, etc.

Social Work Stakeholders used this new knowledge to devise an approach that would sample some of the child names from the Admission Register and see how this corresponded to child case files that might be held within the organisation. The initial sample taken from the Admission Register included the random selection of 3 names, "we would like to test our hypothesis by reviewing 3 random files from each of the 3 decades, 70's, 80's and 90's of children and young people who were cared for at Brimmond to check the content of the files" (Anderson, C., personal communication by email. 5 April 2017). Again, given the nature of this research and the restrictions required for those to have access to records of this type of sensitivity, only those Stakeholders in Social Work were involved with this exercise.

This new research activity conducted by Social Work Stakeholders using these newly identified sources revealed what felt like instant results. The new insights revealed from the child case files sampled provided substantive detail about the management of children in care across the historic period. This detail included the background details captured about those children, the placements into residential provision that were made and changed over time and the types of activities the child undertook, such as outings, schooling and contact with family.

The detail provided from this information recorded in child case files provided a range of events, a diarised account of the child's life at particular points in their childhood, whilst in the care of the local authority. Through the lens of Social Work Stakeholders and their knowledge, the meaning and use contained within these child case files were revealing the policy and practice of the time, the types of decision-making that were made in response to a particular child's needs were made explicit and also could be inferred.

The knowledge that the child case files were found to reveal in terms of the meanings and subsequent use, prompted a realisation for Stakeholders within the Social Work service and broader Strategic Group that these newfound sources of information in the form of child case files were a potentially vital area for further research (Anderson. C., personal communication by conversation. 7 April 2017). This new research source and approach initiated at this point become the main source of records research thereafter to inform the fuller response required for Section A through to D of the Section 21 Notice response received in January 2017.

Evidence for how the research and analysis of child case files were translated into Part A of the Section 21 Notice response is illustrated through a sample of some of the areas being questioned and the responses formulated. It should be noted that the statements being made place records centrally, as part of the evidence for this written testimony. When sourcing information about how many children were accommodated by the Council, The Town Council Memorandum of Information 1930-1975 stated: approximately 15,000 instances of children being accommodated within a variety of residential settings including Boarding Out (pre-1947), Foster Homes (predominantly 1950-1963), Voluntary Homes and Children's Homes maintained in the City (1964-1974)" (see Figure 26 for example) (Aberdeen City Council 1930-1974q).

Figure 25 Memorandum of Information 1956 (exterior)
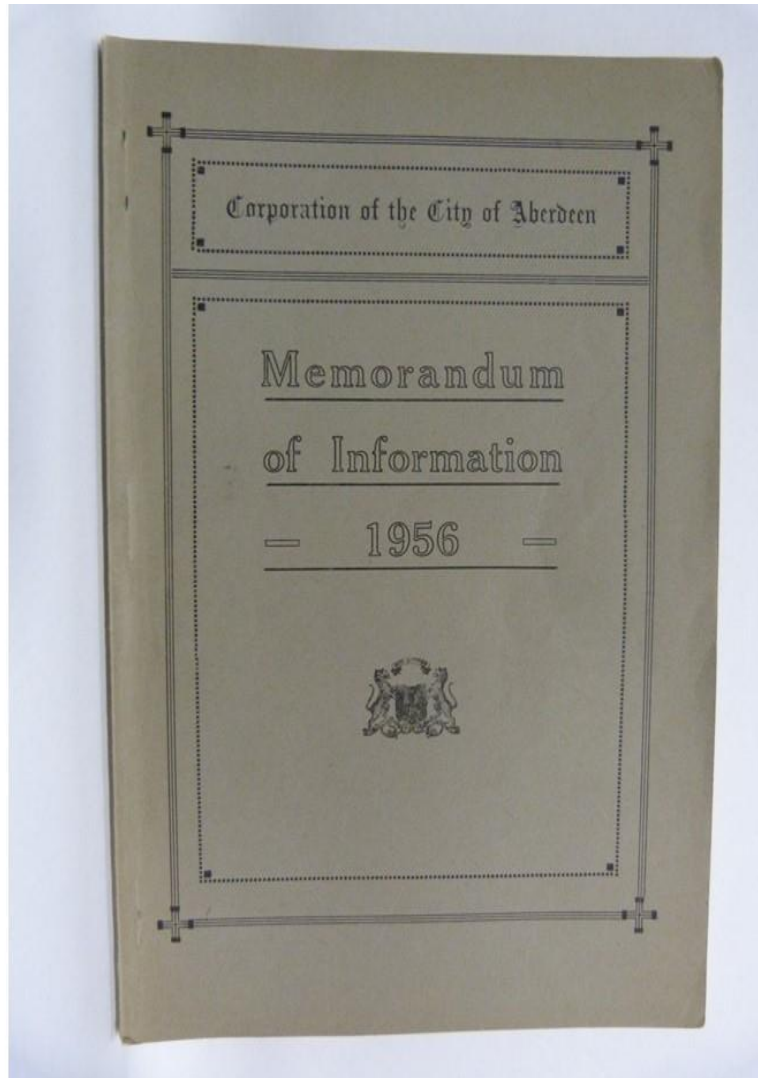
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 26 Memorandum of Information 1956 (interior)
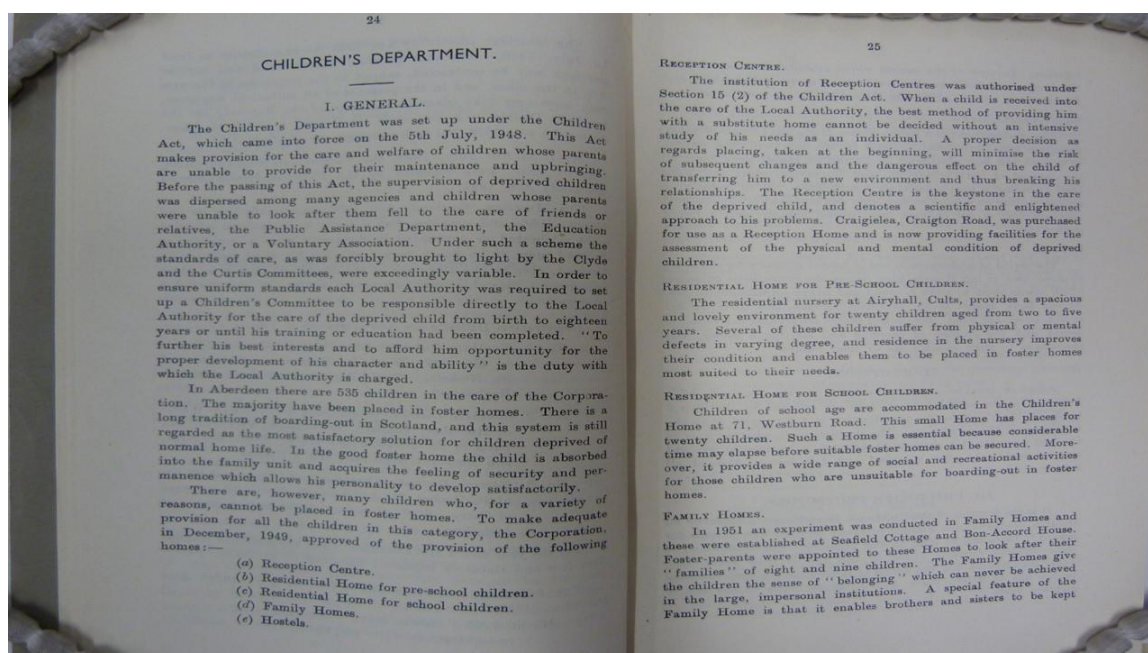
(Aberdeen and Aberdeenshire Archives Service 2018).

When responding to records and evidence around the total numbers of children cared for at the named establishment and the gender mix within that, reference is made directly to the Admission Register as the records' source of evidence. Whilst this one named establishment was pertinent to the Council's focus in relation to collating a response for the Section 21 Notice, details of records held pertaining to all residential provision, its management and operational activities across the timeframe 1930-2014 were also required.

The establishment list at December 2016 detailing a total of 32 establishments run by the Council and a further 57 across other sectors gave compelling evidence of a landscape in which there had been significant

activities around the provisioning by ACC of residential care for children; something they were now compelled to account for. Despite additional research conducted with the Archives Stakeholders to explore possible untapped records within their uncatalogued material, no further records were uncovered. This meant that, for now, the Council could not provide any further detail in the form of records about operational activity for the remaining residential establishments. The only possible records source left to reveal such information, beyond that option, could now only be found through the child case files research underway.

4.4.2.2.   *Archives Stakeholders*

Running parallel to this activity, I had been working on creating Figure 14 as part of my dual role research activities in a bid to develop my knowledge and understanding regarding the framework surrounding our organisational role in and responsibility for children in care as a local authority dating back to 1930. This was something that did not exist within the organisation, nor had I been able to find it externally from partners or national associations.

In a bid to try and progress matters and in conjunction with my team, I revisited what we had identified through the research for establishment information and whether we had picked up any additional knowledge through record sources already identified.

Table 8 snapshot of Memorandum of Information research notes

| Town Council Memoranda of Information, 1930 -1974		
Date	Nos of children in care of local authority	Notes
1930	259	No. of children on register kept under Children Act at 15th May 1930
1931	246	No. of children on register kept under Children Act at 15th May 1931
1932	244	No. of children on register kept under Children Act at 15th May 1931
1933	263	No. of children on register kept under Children Act at 15th May 1933
1934	248	No. of children on register kept under Children Act at 15th May 1934
1935	233	No. of children on register kept under Children Act at 15th May 1935
1936	210	No. of children on register kept under Children Act at 15th May 1936
1937	202	No. of children on register kept under Children Act at 15th May 1937
1938	177	No. of children on register kept under Children Act at 15th May 1938
1939	158	No. of children on register kept under Children Act at 15th May 1939
1940	154	No. of children on register kept under Children Act at 15th May 1940
1941	118	No. of children on register kept under Children Act at 15th May 1941
1945	99	No. of children on register kept under Children Act at 31st July 1945
1946	80-90	No. of children registered under the Acts for Infant Life Protection & Supervision at mid-September 1946
1946	260	No. of children with guardians or awaiting vacancies for boarding-out
1947	60-70	No. of children registered under the Acts for Infant Life Protection & Supervision at mid-September 1947
1947	240	No. of children with guardians or awaiting vacancies for boarding-out
1950	300-400	No. in care of local authority - vast majority in foster homes
1951	383	No. in care of local authority - vast majority in foster homes
1952	430	No. in care of local authority - vast majority in foster homes

(Table by author)

We identified through one of my team that the Memorandum of Information sources provided information not only about establishment details, but also numbers of children cared for by the Council over the period 1930 to 1975; something already discussed earlier in this chapter (Aberdeen City Council 1930-1975q). It appeared then that we had some record sources already identified but with additional information that we had not captured specifically as we had not been looking for it at the time. A member of my team became a font of knowledge during this phase of revisiting these sources as the knowledge my team had extracted, not realising it themselves at the time, was to prove hugely beneficial for this exercise as a whole "I've found another good source for the 1930-1974 period at Local Studies – The Town Council Memorandum of Information. It has nos. of children in the care of the Corporation per year and details on the policy of opening different types of homes in the 1950s. These are small volumes, one per year, I've got some copies to show you tomorrow" (Information Governance., personal communication by email. 8 March 2017).

There were however, obvious gaps and lack of knowledge regarding what we (the Council) knew about the very earliest period of Council activities generally and more specifically around the provision of the organisation's role in and responsibility for children in care. It was clear we had establishments operating during the time period, but we could find no detailed records pertaining to these establishments and such records may not even exist. A different plan was required to tackle this. Records once again were at the heart of the methodology deployed and utilised in this fourth iteration (Aberdeen City Council 2017a,b,c).

By the end of February 2017, I had started to have discussions with colleagues in our Archives service. They were familiar with the ongoing Strategic programme of work to respond to SCAI up until this point, albeit from a narrower perspective, of supporting the research to identify establishment details previously discussed in this chapter. I began these new conversations presenting Figure 28 as the focus.

Figure 27 The who, the what and the how
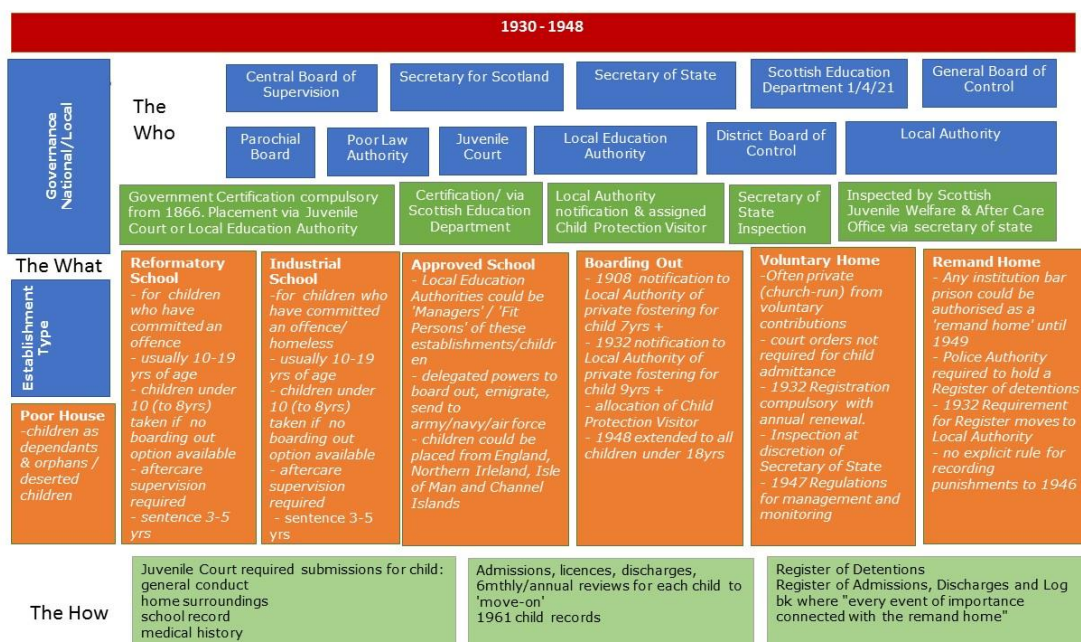
(Figure by author).

Figure 28 acts as a pictorial representation of a landscape broken down into more manageable constituent parts. The layout represented in Figure 28 made this landscape more easily understood by me in the first instance and therefore it could help me to unlock Stakeholders' understanding of how they could contribute in explicating the legislative and regulatory framework of the provision at that time. This was particularly pertinent to further developing the dialogue, shared understanding and subsequent research into unknown and untapped records (present vs ready) with colleagues in the Archives Service, as the organisation remained uncertain as to how they might go about accounting for their role in, and responsibility for, operational provisioning for children in care historically.

The additional resource allocation from the Archive Service came about following on from a corporate management team briefing where I had highlighted the urgency of these requirements following on from receipt of the SCAI Section 21 Notice requesting, "Immediate allocation of resource from lead areas from [revised] Strategic Stakeholder Group: Senior Risk Owner, Senior Information Risk Officer, Chief Social Work Officer, Monitoring Officer, Comms and Engagement and assigned officer leads from Legal (including Archives), HR, Children's (and Adult) Services, Information Management, Business Management (Aberdeen City Council 2017e).

The key to these discussions for me was unlocking possible untapped sources of records in the Archives collection, but I was dependent on their engagement to do so. Figure 28 proved to be a useful tool that gave me a confidence, enabling me to initiate conversations around record sources within the Archive collection and the types of research possible, beginning a new piece of work to scope other potential sources within that collection previously untapped. This approach acted as another foundational aspect to informing and supporting the strategic subset Group now in place. It underpinned the creation and growth of a methodology that supported a coordinated and cohesive approach that would support the management requirements of the Section 21 Notice. For me this once again had to be underpinned by records and as part of that the ability to influence and negotiate the rallying of the right resources – people and time - based on a developing awareness of records as puzzle parts that could provide a picture of the whole (present vs ready). It would only be through following that methodology that a narrative could be developed to satisfy the Section 21 Notice response submission.

It was following on from this that we managed to gain the archive resource required to support the strategic work, "We agreed that our Archivist's specialist skills and knowledge will play a key role in this work and the delicacy this requires. We have arranged to meet up again next week to agree a methodology for assigning the action research we need to build and

develop the historic 'narrative' as part of the [Section 21 Notice] submission. The plan being to consolidate with the establishments detail already under way and the other pertinent areas that require input from Social Work, Legal and HR" (Anderson, C., 2016. Personal communication by email. 21 February 2017).

The detail in Figure 28 when presented by me, was intelligible to the Archives Stakeholders, who were knowledgeable about some of the legislative detail, around the Poor Law and Parochial Boards. Their ability to translate this into a Council practice perspective in relation to residential provision for children was unknown to them, other than pointing to the extensive range of Council Committee minutes held (see Figure 29).

Figure 28 Aberdeen Town Council Minutes 1961-62 (exterior)

Aberdeen Town Council Minutes 1961-1962 78 Part 1
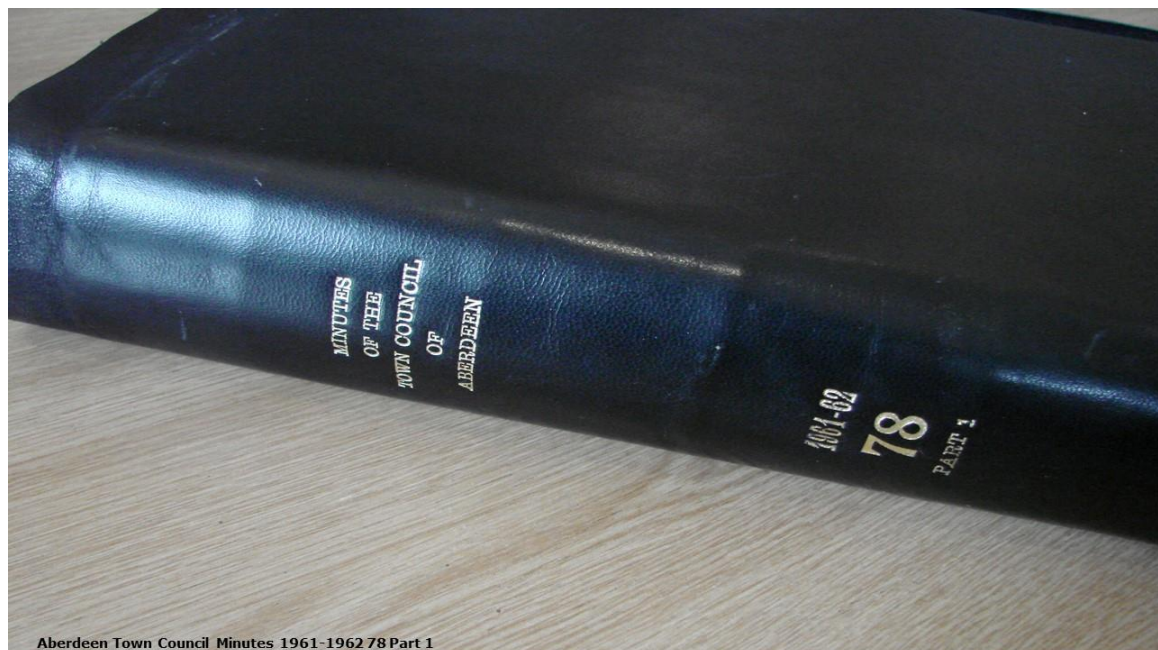
(Aberdeen and Aberdeenshire Archives Service 2018).

Figure 29 Aberdeen Town Council Minutes 1961-62 (interior)
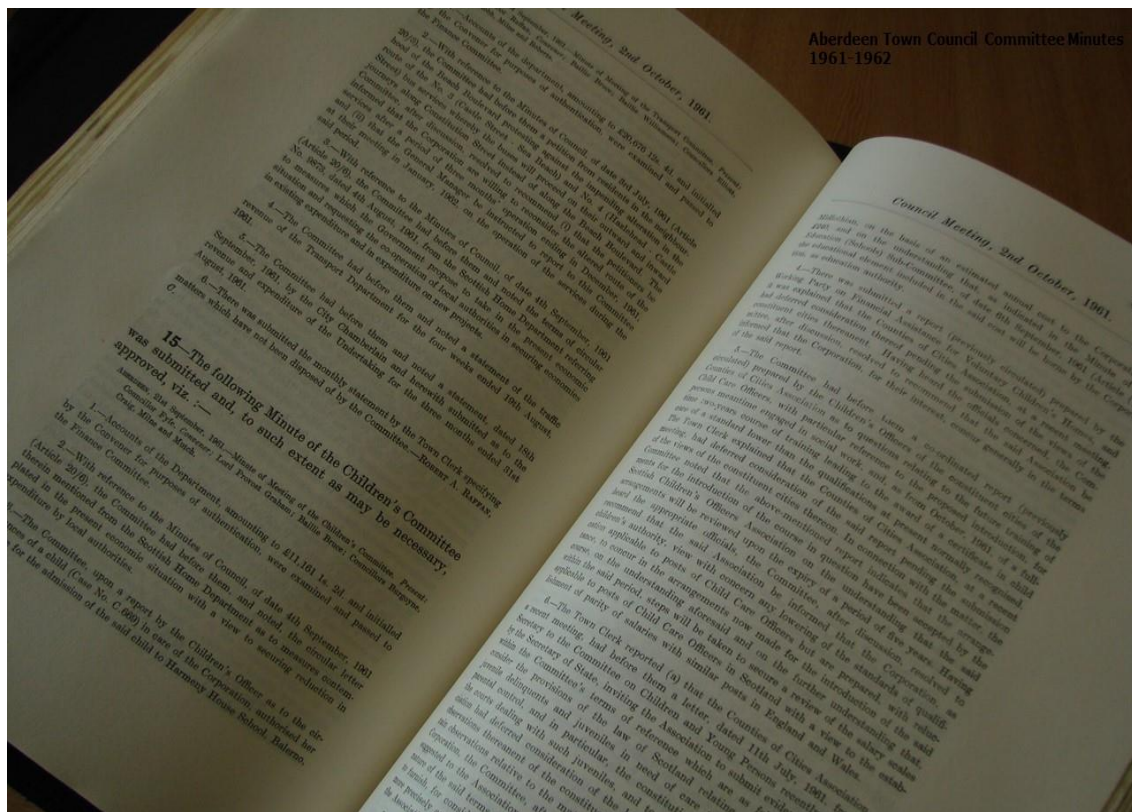
(Aberdeen and Aberdeenshire Archives Service 2018).

Interestingly, the Council has one of the oldest and most comprehensive collections in Scotland, dating back to the 12th century. The comprehensiveness of Council minutes records contained within this collection that could inform the Council's response to SCAI meant that it was possible to conduct research dating back across the entire time period in scope, but this would take significant resource to accomplish. Gaining agreement in part, the Archives service responded with a degree of practicality: "we [Archives Service] decided that we need to focus our research (and the information we intend capturing) on the establishments and how they were run, together with any mention of where children were being sent. Given the scale of the task, this should make the best use of staff time" (Anderson, C., personal communication by email. 3 March 2017).

Whilst appreciating and respecting the unknown-ness of this venture, it was accepted that the Archivists required time to adapt to what this work might entail, before achieving clarity as to what it might reveal. A follow up email was sent by me which stressed the urgency of this work in order to meet the Section 21 Notice response deadline, and that we should meet on a weekly basis, completing on 17 March (Anderson, C., personal communication by email. 3 March 2017). Curiosity, impatience and wanting to lend a hand, building good relationships with these Stakeholders in this uncharted territory led me to gain agreement from them to let me access the Council minutes collection before they were to begin (Anderson. C., personal communication by conversation. 3 March 2017).

That weekend I spent two days scoping what information might be revealed from such an exercise. I covered the period 1929 to 1945 (16 volumes) and on the following Monday morning, had a summarised list of references made in the Council minutes to residential provision for children that I had found:

"I spent some time with the Town Council Minutes over the weekend 1939 – 1944/45 and thought I'd pass on some useful bits for you starting this today:

- Of items within 'Public Assistance Committee', most relate to the Oldmill Hospital and Poorhouse
- The 'Public Assistance Committee' runs through this time-period, but changes to 'Social Welfare' in 1944 - Within this a special Committee is created
- Provision and Organisation of Remand Homes
- Boarded-Out Children
- Secretary of State correspondence
- Committees/listed items within index,
- 'Education' – finance also item for corporal punishment monitoring
- 'Employees' – changes to staffing roles and pay etc., listed under e.g. Public Assistance
- Reformatories and Industrial schools – stops at 1935/36

- 'Donations' – given to many 3rd party residential providers e.g. Linn Moor, Nazareth House, St Martha's. St Clair's Home for Girls, Scotstown Moor
- 'Government grants' – Children and Young People (Scotland) Act 1932
- 'Courts, Juvenile' – reference to providing free office accommodation to run (at Union terrace)
- Probation Service runs from 20 Union Terrace till Oct 1945 when it moves to 13 Golden Square
- 'Probation Committee' links to Juvenile Court
- 'Rossie Reformatory School (1929/30) changes to Rossie Farm School, Montrose (1934/35)'
- Kaimhill Remand Home
- Tertowie Residential School listed from 1944/45"

(Anderson, C., personal communication by email. 6 March 2017).

From the summary listed, there were certainly aspects that demonstrated my knowledge at the time (Norrie 2017 and Shaw 2007 research) and the use of this aligned to establishment details already collated, for those dating back as early as 1930 to provide some indication of practice. This also matched the wide range of residential provision types and practice from the legal and regulatory framework in place at that time demonstrated through Figure 28. This exercise had the potential to reveal pertinent historic activities, which could support the Council to develop the factual narrative and understanding required for responding to the Section 21 Notice. What was unclear and somewhat overwhelming to think of at this time was how the findings from this research could be translated from present-at-hand to ready-at-hand, synthesising their potential value into a concise, relatable and comprehensive narrative. There was much work to be done to translate these from records present to ready at hand.

With this in mind, a tight timescale was set to complete the research of Council Committee minutes, after securing additional buy-in and resource from the Archives Service to undertake this intensive, short term piece of work. Three weeks were allocated, based on sample estimates for each volume to be searched, something I had given an indication of following on from my weekend experience of searching the Volumes covering 1929 to 1945, "……..meant to say this morning, can you get a sense for how long each volume is taking so we can have some sort of rough estimate of how this will pan out in terms of hrs/resource on Tuesday when we catch-up. My estimate was approx. 40mins/volume (give or take)" (Anderson, C., personal communication by email. 6 March 2017). To ensure that realistic expectations were in place for sustainable resource allocations from the archive service, it had dawned on me that I better capture this early, which also served to further develop the research relationships with these Stakeholders. The Archives Service recognised this in the subsequent responding email exchange, "Will do – [we are] taking longer than that…maybe [we're just] slower or there's more detail in the post 1946 records?" (Archives Service, personal communication by email. 6 March 2017).This response made me think a little about what I had experienced over the weekend, as to that point I had only been looking at what I found in relation to residential establishments, as reflected in my response, "I think you're right, definitely got the sense that they [the Council Committees] were gearing up for more robust detail in 1945 entries……" (Anderson, C., personal communication by email 6 March 2017)

The responsive engagement that took place with the Archives Service who had begun conducting searches for proceeding time periods showed that my estimate was perhaps a little ambitious, but it had at least started an ongoing dialogue that supported close communication and support for Volumes that may require more resource allocated.

The collaborative approach I put in place with colleagues in the Archives Service supported us to collectively manage any impacts in meeting the agreed deadline for completion. It appeared that the information recorded in the Council minutes about residential provision for children was increasing in the post 1946 entries, something I had noticed myself in the Council minutes for 1945. I did not realise it at the time, but, on reflection, the relationships that were further developed during this new phase of collaboration helped us maintain those shared goals, and also enabled us to support each other to digest the large quantities of knowledge and understanding we were collating. Once again, the narratives from a social history perspective began to come to life through the records (present vs ready).

From early on in the fourth iteration, I had promoted the use of breaking down and distinguishing the key component parts within and across the time period 1930 – 2014 as follows: pre-1948; 1948-1968; 1968 and 1995 to current. It also aligned to previous research conducted by Shaw and Kendrick (2012; 2007). It matched the initial report structure Norrie published as part of his commissioned work, setting out the legislative and regulatory framework on which provision was based (see Figure 28), and which therefore should have been practised. This breakdown in practice and policy was visible in the establishment list we had created with changes to the type of provision operating at different time periods, for example, a reduction of children's homes, and from the Memorandum of Information, the reduced numbers of children placed in alternative provisions, for example an increase in the use of Foster Care as opposed to children's homes (Aberdeen Town Council 1930-1974q).

To understand and ascertain how the Council could account for their role in and responsibility for children in care, it was essential to understand how the authority had operated over the period 1930 -2014. The organisational structure was vaguely understood by the Archive service, but a book that had been commissioned by the Council, entitled Running the Granite City: Local Government in Aberdeen (Davidson and Fairley 2000), gave far more clarity.

It provided the earliest historical facts in which the narrative of Council service provision was managed and delivered across the city, how it had come about through changes in local government legislation and the configuration of these changes over time in the way that services were delivered to the people and place of Aberdeen (see Figure 1 for historic timeline).

Merging the factual detail from the book and Norrie's research, it was clear that the way in which the Council had been structured over the historic period was complex. I drafted a summary of this detail for sharing with Stakeholders to support the construction of the Section 21 Notice response:

> "Local government rationalisation and the Local Government (Scotland) Act 1929 frame the context in which Aberdeen Town Council existed as an organisation in 1930. Aberdeen Town Council was a 'county of city' local authority; meaning it was one of four all-purpose councils in Scotland (Dundee, Glasgow and Edinburgh were the others) with a remit to provide major services covering police, education, public health, public assistance, housing, lighting and drainage (Davidson and Fairley 2000). The Local Government (Scotland) Act 1973 resulted in the creation of Grampian Regional Council and the City of Aberdeen District Council. Aberdeen City Council was established under the Local Government etc. (Scotland) Act 1994. The organisation was designated with varying forms of legal responsibility for the care, welfare and protection of children under different legislative frameworks at specific periods across the timespan in scope (Norrie 2018; Shaw 2007). The structures and systems in place at any given historic time to provide residential care would have been implemented on the basis of balancing demand with available provision within the context of complying with legal requirements.
>
> Numbers of Looked After Children by care type (1930 - 1974 and 2000 - 2017), which shows care types (including residential care) by volume

and tier. Aberdeen City Council and predecessor bodies, Aberdeen Town Council (for the period 1930 - 1975) and Grampian Regional Council (1975 - 1996) undertook the provision of the residential care of children (including foster care) as part of a wider range of duties and functions related to the people and place of Aberdeen, which are consistent with those of other Scottish local authorities in this period.

1930-1948: Approval was received from the Secretary of State for Council schemes covering Education, Lunacy and Mental Deficiency, Public Assistance and Public Health (Aberdeen Town Council Minutes, 1929 - 1930 p.586). Aberdeen Town Council were responsible for providing Public Assistance (formerly under the Poor Law (Scotland) Act 1845) encompassing the care, welfare and protection of children under the legal framework of the Children and Young Persons (Scotland) Acts 1908, 1932, 1937 and 1948. Juvenile Courts, one of which ran in Aberdeen from 1933 (until the Children's Hearing system was introduced in April 1971), could also designate the local authority as the 'fit person' under court order to place a child in an appropriate residential care establishment (Norrie 2018; Aberdeen Town Council Minutes 1929 - 1948).

1948-1968: Aberdeen Town Council established a Children's Committee in July 1948 under the terms of the Children Act 1948 (Aberdeen Town Council Minutes 1948, p.798). The archive of Council Minutes provides high level instances of how the organisation monitored and managed services to meet the demands of changing trends in the provision of residential care for children, for example, requirement for more/less places, new builds, increase in charges, refurbishments of existing establishments" (Aberdeen Town Council Minutes 1930 - 1968)"

(Anderson, C., personal communication by email. 28 March 2017).

4.4.3.   Evaluation

4.4.3.1.   *Improvement*

The improvement outcomes generated for the Council from this fourth iteration revolved around the Strategic Group's ability to submit a full response to the Section 21 Notice received in January 2017; something that required an initial response for Parts A & B on April 26, 2017. The Section 21 Notice response that was submitted by the Council in April was based solely on records that we had conducted research for and found. What that research had provided us with up until January 2017, was the establishment list for the Aberdeen region and 2 Admission Registers for establishments that had been run by the Council. The additional research for records conducted during this period for policy and procedure documentation were unsuccessful other than establishing what was currently in place for those areas of delivery.

The volume of information requested, and the magnitude of areas covered within the section 21 Notice required a number of new records research activities to be identified and put in place during the period February to April 2017. If these activities had not been put in place, the Council would not have been able to submit a full response. The main sources identified for this new research came from the establishment list already researched and collated that proved the Council's involvement with and responsibility for the delivery of residential provision for children from the 1930s. The new phase of records research identified for this period was from sources that included the Council's Committee Minutes and Admission Registers. It was only from the research of these two new record sources that the option to sample Child Case files as an additional source of research emerged.

Within the strict timeframes between receiving the Section 21 Notice in January 2017 and providing the response in April 2017, a period of twelve weeks, there were limitations to what could be collated from these new sources of information and translated into concise and comprehensive answers. While recognising the importance and value of the emerging information that existed within these new record sources, providing recorded evidence of the Council's role in and responsibility for the provision of residential establishments, challenges remained for their consolidation into a meaningful narrative of the whole landscape between 1930 to 2014 (Aberdeen City Council 2017a,b,c.

On a practical level, the reality was that these new record sources being researched would be continued anyway as part of completing the further submission to parts C & D of the Section 21 Notice in July 2017. It was likely that new links being made between different records and sources during that continued research process would further emerge and evolve to provide more substance to the organisation's corporate memory. On that basis a decision was made by the Strategic Group that we use the information we had at the time of the April 2017 submission deadline, with a view that an update could be provided as part of the further submission for Parts C and D in July 2017.

The establishment list compiled for inclusion with the Council's submission response to the Section 21 Notice contained the reduced number of 39 establishments. The list was reduced in number as the requested detail in the Section 21 Notice concerned only those establishments run by the Council over the time period 1930-2014 (see Table 9 for sample and Appendix 2 for full listing). The master list of establishments we had been collating prior to this iteration, up to December 2016 had been looking more broadly across all establishments operational across the Aberdeen region.

Of those 39 establishments submitted to SCAI as part of the Section 21 Notice, the detail contained for each included: their name, location, the opening and closing dates of when they were in operation, or if they were still in operation and the sources used to provide this information with citations and links provided where possible.

Table 9 Residential Establishments list sample 2017

Service name	Establishment type	Address	Start	Closed	Current
Charlotte Street Nursery	Children's Home (Nursery)	Charlotte Street, Aberdeen	by 1939		No
Service History	In 1939 the service operated as a day nursery with accommodation for 45 children. It is not clear exactly when the service was residential but it had ceased to be a residential service by 1945.				
Sources	Town Council Memoranda of Information, 1939-1945, Aberdeen Central Library				

Service name	Establishment type	Address	Start	Closed	Current
Bon-Accord House	Children's Home	148-150 Bon Accord Street, Aberdeen	c.1950	01/11/2002	No
Service History	Bon-Accord House was set up by Aberdeen Town Council as a small residential home, known as a family home. The home was later run by Aberdeenshire Council.				
Sources	Aberdeen Press & Journal, 20/09/1950 p.6				
	Town Council Memoranda of Information, 1950-1974, Aberdeen Central Library				
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives				

Service name	Establishment type	Address	Start	Closed	Current
Pitfodels House	Children's Home (Nursery)	North Deeside Road, Aberdeen	30/05/1950	1969	No
Service History	Pitfodels Nursery opened in May 1950 with places for approximately 50 children. By 1957 it was the Council's only residential nursery and had been extended to provide accomodation for 82 children. It closed in 1969.				
Sources	Aberdeen Press & Journal, 31/05/1950 p.6				
	Town Council Memoranda of Information, 1950-1969, Aberdeen Central Library				

(Figure by author).

Table 7 provides the layout of the establishment detail, giving a flavour of how that looked specifically across the landscape of provision that the Council were responsible for during the time period in focus 1930 to 2014. It is from this illustrative sample in Table 7 that the use of this information being linked from across the records sources that were identified, collated, analysed, validated and consolidated from iterations 1-4 can be seen.

When the Strategic Stakeholders met for the first time to go through the Section 21 Notice questions, line-by-line, there were three related questions about establishments provision that we could quickly identify as achievable because of this previous research already conducted. Questions in Part A of the SCAI Section 21 Notice received in January 2017 asked:

"- How many establishments did the organisation run, where were they located, over what period were they in operation, and what were their names?

- When, how and why was each of these establishments founded?

 -In the case of any establishment which is no longer in operation, when and why did it cease operating?"

(Scottish Child Abuse Inquiry 2018p).

The Council was able to respond to these three questions from the Section 21 Notice easily, simply by filtering those establishments from the master list by sector and generating a report that would list them alphabetically.

The information collated from researches of Council minutes and more broad-based archive related record sources were used to provide the historic evidence of what the organisational governance around residential provision was, what it looked like and how it had evolved over the historic period in response to meeting legislative and local needs. The information having been revealed from the sample testing of child case files selected randomly from the Admission Register, it was possible to then extend this method of research to provide broader evidence of how care for children had been practised.

4.4.4. Summing-up of results for Organisational research activities

This chapter has described the organisational activities that have taken place during the period June 2013 to April 2017, using the data sources of Strategic and Sub-Group Action Notes, email, conversations, observations and reflections, corporate management team and staff briefings etc (detailed at Table 3) to evaluate the organisational activities which are the central focus for the research questions in this study to be applied. The chronology of this journey, using the analysis of these data sources has been charted through the four iterations that demarcate transitional points in time, prior to, proceeding from and running parallel with the establishment of SCAI and the organisational approach taken to respond to the Section 21 Notice, Parts A and B in April 2017.

The use of the Action Research Cycle and the stages involved, from diagnosis to planning and intervention and evaluation, provided a structure that could chart this organisational journey within each iteration, and across all four. Although every iteration changed in form and structure, each had records at their centre and as demonstrated the significance of records grew in terms of the sources and types and their existence and use becoming more meaningful across all four iterations.

The organisational activities within and across the iterative cycles demonstrate the challenges around how those records, if and when identified and found, individually and collectively, explicitly or inferred, could serve the Stakeholders' understanding, ability and adequacy to respond to SCAI.

At the outset of this research, there was little knowledge or understanding of how the organisation would or could have the ability to respond to the requirements of SCAI. By the end of the fourth iteration, learning and capabilities had developed significantly to the point where the continued records research activities, now more established, would be undertaken by the Strategic Stakeholders in Archives and Social Work. I was now able to step back.

The ability for me to withdraw from the records research activities is what some of the key theorists in Action Research view as the ultimate success of its application to enable the organisation to be 'self-supporting' (Gill and Johnson 2010 p. 102.) "[W]ithout collaboration, practitioners [Practitioner Managers] engaged in uninformed action; researchers developed theory without application; neither group produced consistently good results" Gill and Johnson 2010 p. 103). "in this vein….action research integrates theory and practice through 'systematic self-reflective scientific inquiry by practitioners to improve practice' (McKernan, 1996 P. 5 Cited in Gill and Johnson 2010 p. 103), "where tacit criteria of organizational 'health' have to be deployed in order to define and evaluate improvement (Schein 1987, 1997) (cited in Gill and Johnson 2010 p. 103); with the result that 'the pure applied distinction that has traditionally characterized management research' is dissolved" (Coghlan and Brannick, cited in Gill and Johnson 2010 p. 103).

Having now set out the results and analysis from the SCAI and organisational activities, the next chapter will discuss the themes that have emerged.

5. Discussion and themes

In this chapter, I will discuss the themes that have emerged from the two preceding chapters that detailed the results and analysis of what happened following the parallel process of SCAI Public Hearings and the Council organisational activities. It consolidates the detail captured within and integral to the action research iterative and emergent process itself.

The methodological application of Action Research (Gill and Johnson 2010) used in this study is built upon the premise of improvement cycles. It is from these specific cycles that the knowledge and understanding about the diagnosed problem emerged and the learning culminated. It is only from the data gathered across the multiple sources (detailed at Tables 2 and 3) within this study and analysis of the parallel activities from across those sources, namely those deemed as practice and research, that a greater understanding of the research parts and across that whole landscape could be established, and the themes could emerge.

The themes that have emerged from this study whilst centred on records and their accessibility, meaning and use, draw on the people, the attitudes and the time required of those involved with any of those records processes. Changes that took place in Stakeholder knowledge and understanding, engagement and ownership through records, set the scene for the findings about records that follow; records accessibility (present at hand) and records use (ready at hand):

- Present at hand – who has records, what type of records they are, where they are located and how they can be accessed (SCAI/State/Organisation/Care Leaver)
- Ready at hand – what meaning do these records provide, and what use do they have for those parties with an interest in understanding that provision? (SCAI/State/Organisation/Care Leaver)

5.1. Records present-at-hand

5.1.1. Records

From the transcript testimonies analysed in this study, coupled with the organisational journey charted, it is clear that the exercise to source and access records in existence was and continues to be an issue of significant proportions. The fundamental issues that underlie this relate to the difficulties in not only identifying records sources, but the efforts required to understand the meanings and therefore use they can provide. This has been evident from the local (organisation) perspective, where the organisation is continuing to collate and respond to further Section 21 notices received after January 2017. At a national level (SCAI), all parties providing testimony in Phase 1, part one, of the Public Hearings, including Scottish Government (State) were asked to provide assurances to SCAI Counsel of their commitment to conduct further research of their records for future testimony giving.

The importance of records from within the national context, represented by SCAI Terms of Reference (2017b), can be in no doubt. SCAI's insistence, using their legal powers if necessary, is made explicit in the letter they issued to organisations in October 2015 and the Section 21 Notices in January 2017. The level of scrutiny SCAI intend to apply to each witness testifying is also relayed time and again throughout the testimony transcripts. The key messages conveyed emphatically through the questioning applied by SCAI Counsel are about methodologies deployed for records found, not found, and requiring further research. With the exception of those witness testimonies that were expert, academic representations, all those remaining witnesses were asked to provide assurances that the records researches underway, were completed timeously.

SCAI made it plain that they were dependent on this detail as part of their investigations and evidence gathering of the Public Hearings process. Their dependency on further research of records to be completed and submitted to them by these witnesses in time for the second phase of Public Hearings in October 2017 was vital and expected. Whilst SCAI have made no reference to Public Records legislation, they have maintained the importance and value they place on records as part of their investigative and evidence gathering process, something that has only increased in emphasis throughout the period of Public Hearings as they drill deep into what the records contain.

The same dependency on the need to conduct research for records existent and accessible became obvious and necessary from the organisational perspective during the first iteration, too. This became apparent to me during the period of informal research captured during this period. The list of establishments I had been able to compile during that period was previously non-existent and whilst classed as an improvement in knowledge of sorts, was based predominantly on the memory of my contacts. There was little, if any physical evidence of records, present at hand, that I had been able to source. Making the decision to cease any further research activities, because of my perceived reliance on Stakeholder input, I could not research any further at that time. A concern I had following on from this period was, if that impetus to this exercise was triggered nationally, how the attitudinal aspects of the Stakeholders within the organisation would and could be utilised to assist the process.

During Iteration 2, covering the period October 2015 to June 2016, I made use of introducing the concept of records by source and type, providing Stakeholders with the factual tools, through records that were current in their working practice and therefore present-at-hand to them. These types of records related to their current recordkeeping and management activities that were familiar to them in their current practice, in a sense, ready-at-hand, that enabled them to transact the service delivery that they were charged with. This introduction to the records landscape, those present and ready became a hook for the Stakeholders to start hanging their understanding and knowledge on.

Providing detail about establishments gave the Stakeholders the initial historic perspective and landscape that subsequent policies and procedure would have been practised over time around children in need of and receiving residential care.

The realisation of the importance of identifying and sourcing records was further demonstrated by the Stakeholders when they agreed for additional meetings to be held. These additional meetings, in addition to the Strategic Group already in place, would comprise these same Stakeholders, who would self-select whether to attend or not. The purpose of the meetings initially was to give the Stakeholders a space in which to further scope and progress the information capture around historic residential provisions for the Aberdeen region. These meetings in practice were more like information sharing sessions. Apart from those meetings held with the Archives Service, what they became was more of a chance to discuss the growing list of named provision across the region, by the type of provision it was. At times, it felt to me that these sessions were achieving little of their intended purpose. However, with Stakeholders keen to attend and stay for the duration, often running out of time and perhaps continuing out with the meeting room, the mere act of sharing the detail of the growing landscape of named residential provision highlighted to me that something more was going on.

The interpretation arrived at by the Council following the instruction received from SCAI in October 2015, and the subsequent approach taken up to December 2016 was predominantly based on and revolved around information coming from records research activities; those present-at-hand. From the onset of the Council's Strategic Group being formed, the research for records began in earnest from an internal perspective during Iteration 2. The research continued over the next six months, where my team found themselves being contacted and subsequently responding to emerging events and issues, previously unanticipated. Examples ranged from records uncovered at previously unidentified Council sites, inconsistencies in establishment records sources, and current practice regarding the implementation of corporate standards.

This emerging, unanticipated activity around records was a possible sign that the awareness raising across the organisation, undertaken by the Council's Strategic Group, about SCAI, specifically in relation to records was beginning to become more known. The increased awareness, coupled with my having more Stakeholders involved in records researches, was creating activity and discussion that were producing new records and new sources to investigate, as well as highlighting new issues with current recordkeeping practice. It was interesting to note that a retrospective demand for records, made on the organisation could initiate these kind of changes in perspective, policy and practice.

The model adopted by the Council demonstrates how the process of learning opportunities taken and captured from within the Strategic and Sub-Group representations and activities was always in keeping with the holistic interpretation taken at the start; something that ensured the strategic, regional approach had cohesion and was consistent. This holistic interpretation demonstrates the equal importance the Council placed on the legal and moral aspects of SCAI, and the organisational response necessary to respond appropriately. The Council embraced their role in, and responsibility for, historic residential services for children, not just through their account of what provision ran when and how, but more broadly, how SCAI might affect the wider citizens served by the Council across the place and communities of Aberdeen, past, present and future, including their staff and partners.

5.1.2. Stakeholder engagement

It became apparent to me during the first organisational iteration that my contacts' attitude toward why such a question about historic provision could and would even be asked was based, not in complacency, but more from an incomprehension that records just could not and would not exist. From an organisational perspective, the understanding of and attitude toward whether any historical records were held (present-at-hand) dating back to the earliest time period in scope (1930) about provisioned residential care for children was an unknown. Until 2015, when SCAI became established, it seemed that nobody in the organisation, even those from the Social Work service had ever had the need to consider it.

During my interactions with those contacts, I observed a tension between their perceived acceptance of records' importance for Care Leaver needs, and an inability to grasp the transactional practice of historic and current recordkeeping practices beyond serving the organisational needs. The hypothetical nature of issues I was raising was something that was removed from the living memory of my contacts and perhaps the reason why there was a disconnected alignment to it.

The evaluation process of the first iteration allowed me to reveal a number of underlying issues about records, akin to that already highlighted from previous research by Shaw et al. (2007). Finding the right people with the right knowledge, who knew where to look and had the inclination to do so would be problematic for me (and the organisation) too. Utilising my knowledge to make contacts within and external to the organisation had begun the process of uncovering and compiling a list of residential establishments; that had been the task at hand. Underlying this task and the approach adopted with those contacts that had evolved, I had begun the formation of a reference group where a dialogue about historic recordkeeping for the provision of residential care for children across the Aberdeen region could take place. The discussions with

contacts about historic provision from a stance that did not involve them directly in any role they had had historically, invoked a willingness to engage. However, this was to change in October 2015, when the organisation was notified of the more recent 2014 timeline in scope.

From the very early informal research I had conducted (detailed at Iteration 1), it was clear to me that there were a number of historic residential establishments providing care for children in operation under the management of the Council and otherwise. The lack of corporate memory within the Council would now have to be addressed following the formal communication received from SCAI stating it was asking about provision operating through the period from historic to current, dated 1945 to 2014.

The sense of incomprehension displayed toward SCAI requirements by Stakeholders at the first meeting of this second iteration was understandable, as I myself was a little taken aback, despite having anticipated something of that nature. The act of seeing this legal instruction in a formal correspondence was overwhelming and required several readings to fully appreciate what was being asked and the extent to which this could and would impact on the organisation.

This legal instruction, centred on records, was an opportunity for me to exercise my influence, something that would be necessary from my practitioner role anyway, but from my research role too. The ways that I sought to influence the Stakeholders on the Strategic Group over the duration of Iteration 2, whilst targeting the importance of activities for identifying records, included in equal measure, emphasising the importance of putting in place communication and supports for staff who may be affected, directly or indirectly.

My understanding of the national context and Care Leaver needs, enabled me to embrace the legal and moral aspects integral to me in my practitioner and research role, but over time influence the Strategic Group to broaden their awareness to this spectrum too. The measure of how this was achieved is demonstrated through the communications and supports that were put in place for staff and citizens. The Stakeholders could relate to this type of consideration and therefore actively engaged in the identified activities put in place for staff and citizens who may be affected by SCAI.

The relationships that I had with Stakeholders prior to SCAI, and then developed subsequently through the Strategic Group approach was, from an insider perspective, where I could gain knowledge about their particular views and could factor that in from the representations being made by them, from one meeting to the next. It was my understanding of records and alignment of these to the SCAI instruction, covering the spectrum from current to historic, that made the landscape of what was being asked of the organisation seem more achievable to the Stakeholders. There was a growth in acceptance of the value and importance of records as a result of this activity. I effectively supported the Stakeholders through these relationships to be able to accept what was being asked of by SCAI.

The lead role I had in this group from an organising and Co-Chair perspective, coupled with my knowledge of previous research undertaken and the difficulties experienced in this area, meant that my ability to interpret the organisational implications at that time was perhaps more advanced than that of the other individuals on the group. With that in mind, a balance was required to proceed at a pace which was respectful of where the individual Stakeholders were in their thinking and understanding. Getting this balance right was an ongoing factor in a bid to support the alignment of the Group's purpose, with individuals developing those roles from their individual business specific perspectives, and more broadly pulling those parts together to form the strategic perspective that could represent the whole organisation more appropriately.

The importance of the 2014 timeline was not something I had fully realised at the time, beyond opening up the scope of records to be found. On reflection, this signified a pivotal moment for those Stakeholders, some of whom were my contacts in iteration 1, now on the Strategic Group. The realisation for the Stakeholders that SCAI would be including current provision in the public hearing process, would therefore encompass and implicate them and the staff currently employed with a related role and responsibility for that provision. The impetus for involvement of a different level had arrived. The eighty-year time period in scope was perhaps easier to digest for the more recent time period; something experienced from my contacts in iteration 1 and their knowledge and recollections, but for the historic side a different matter altogether. Nobody knew.

From the outset of this research, people have been a central component as it is on them that we depend on for the knowledge, the understanding and the inclination to make their important contribution. Evidence of this type of component can be seen throughout this study, from an organisational perspective, and from the witness testimony transcripts.

Had I not had a personal interest and understanding of the records issues and the needs of Care Leavers, the research I embarked on in 2013 to identify residential establishment provision run by the Council might not have had the underpinning needed in 2015. From the knowledge and understanding about the dependence on people (my contacts) I had formed during 2013 to 2015, through engaging with Stakeholders, I knew that to make any progress with identifying residential establishments would take a collective effort. It was only through my ability to facilitate the development of that engagement across the changing Stakeholder membership and participation within the Strategic and Sub-Groups that this became possible.

Looking at what types of discussion were taking place, specific interest amongst Stakeholders arose around the names and types of provision at particular times, i.e. directly from the establishments list I had created. The list of establishments I had created, present-at-hand, had now become a tool, picked up by the Stakeholders, that they could now use, ready-at-hand, to begin articulating the various meanings derived from each of the Stakeholders point of view. Specific areas that triggered the discussions were around areas such as the names given to establishments. For some of the earlier types of provision in place, the words orphanage and asylum were contained within the actual name of the provision. This was not something commonly known, or if it was, was not recalled from Stakeholder memories until this moment. The establishment list, ready-at-hand, was triggering the initiation of a new engagement and relationship between me in my dual role and the Stakeholders themselves. The new insights and knowledge emerging from the Stakeholder discussions were sparking a new level of interest and curiosity that resulted in them leading on particular elements of those discussions, explaining some of the social and historical aspects of residential care more generally, for example, asylums being used for what we would now term children with disabilities or learning difficulties. The importance of and ability to engage Stakeholders emotionally and intellectually, through the records was hugely beneficial for the proceeding activities and something that should be valued and promoted.

The discussions that took place at the information sharing sessions were more of a sharing of knowledge and practice, with some of the Stakeholders starting to recollect personal memories, tying this together with their existing professional knowledge. The use of records, present-at-hand, had become an active tool, ready-at-hand, supporting the Stakeholders to begin to develop their understanding and knowledge about the SCAI requirements. Providing this tool enabled me to support Stakeholder perceptions and participation beyond the uncomprehending and overwhelmed stance displayed by them earlier, to a more informed and productive set of discussions around the reality of actual provisions operational over the time period in scope. The discussions that took place over the duration of Iteration 2 were to fulfil a valuable role in setting the foundations in knowledge and understanding of the range and volume of historic provision

for the Strategic Group and representative Stakeholders to grasp going forward; as part of the organisations' corporate memory journey and ability to meet the requirements of SCAI.

Iteration 3 followed a similar path to that which took place in iteration 2. The establishment list of residential provision that had been compiled by December 2016 constituted a significant landscape in which the care of children had taken place across the Aberdeen region. Interestingly, the Stakeholders had adopted this list and were starting to use it as the tool it had become in discussions about related SCAI matters emerging nationally and locally. The Aberdeen contingent of the Strategic Stakeholder Group had taken ownership of the list, reflecting the importance and value it now had.

The establishment list became a form of intervention tool, that provided the Strategic Group Stakeholders with a central bank of intelligence that was ready-at-hand, that they now referred to easily and often, as if it had always been there. This intervention tool was now part of the core infrastructure that their understanding and knowledge of the world in which residential provision locally and nationally was based. The establishment list started in June 2013, acting itself as a record newly created had gone from present-at-hand to ready-at-hand.

5.1.3.   Time

The unofficial research I had conducted to find out what residential establishments operated across the Aberdeen region (full breakdown at Chapter 1) during 2013-2015 was developed through my own interest in Care Leaver needs. At that time, I chose to pursue personal sources, building up contacts with Social Work colleagues, known and introduced to me, including those now retired, as well as other colleagues, known to me from the Archive Service. Any knowledge or information sources gained from these contacts were based on goodwill and additional to normal work-related duties. It took a long time to build information gathered on this informal basis and therefore development of a comprehensive and verifiable list of residential establishments for the Aberdeen region was slow to progress.

The chronological activities charted in this study provide a selective snapshot of organisational and Inquiry developments that have taken place, all of which are geared to the purpose of meeting the needs of Care Leavers. Time features strongly throughout, as the records in focus within this study are from a historic point in time, that are being accounted for in real-time through the proceedings of a live and current public inquiry process.

What is clear is that to identify and access historic records, *present-at-hand,* takes time. Knowing where to look and having the time to do this in a way that is thorough and methodical has been a matter that all Stakeholders cited in this study have experienced, through the Inquiry testimonies and organisational iterations.

5.2. Records ready-at-hand

5.2.1. Records

Beyond the identification of a record existing and present-at-hand, what meaning could be derived from it, as a tool ready-at-hand, for use and purpose became equally important. The aspect of records ready-at-hand, as tools that could provide meaning(s) and subsequent use became a significant factor in the research exercises conducted. What became increasingly important was that, whoever was doing the research had to have the knowledge and understanding to do this in a way that they could interpret the meanings more broadly. The meaning taken from within the record itself could not just be viewed in isolation, it had to be applied within the contextual narrative of the organisation's role in and responsibility for the provision of children in care historically. It was from recognising the growth in knowledge and understanding that came from the records found that the importance of further researches was supported and embraced by the organisational business functions.

The records research activity around establishment provision that had been conducted up until December 2016 was a foundational piece in the organisational ability to respond to the January 2017 Section 21 Notice fulfilling their role in and account for how they managed that responsibility for SCAI in April 2017. It was only from gaining agreement from the Strategic Group in November 2015 (iteration 2) through the presentation of the establishments list that could demonstrate the historic and social context of the Council's role in delivering that provision, that we were able to expand those researches to other forms of record sources and types in the third and fourth iterations up to April 2017. The establishments list was to become a foundational tool that supported the building-up and development of our organisational knowledge and understanding. The establishments list essentially became the platform on which to realise that landscape, and the organisation's corporate memory, something that was vital for us and our ability to satisfy the Section 21 response, and also, the corporate social memory for the people and place of Aberdeen from the

unknown consequences that may result from the SCAI process itself. The Admission Registers found also proved to be hugely valuable, and if this had not taken place, it is difficult to know if and when the source of child case files might have been initiated, if at all.

The trust that grew between the reduced sub-set of Stakeholders, during Iteration 4, was based solely on records research activities. The volumes and the time constraints involved with sourcing the records, interpreting the records, linking the records and combining the meanings and use that could be made for inclusion in the Section 21 Notice response was a period of such intensity, that the interdependency amongst the Stakeholders to support each other through that journey was strong.

The ability to debate and discuss progress with Stakeholders about proposed responses to individual aspects of the Section 21 Notice questions became tense because of the difficulties around reaching consensus. The main issue around Stakeholder consensus was revealed when responses proposed later in the Section 21 Notice began to conflict with the responses provided at the beginning. When this happened, earlier responses then had to be revisited and reworked to ensure clarity and consistency of factual detail, based on actual, physically recorded evidence, present at hand and ready at hand.

5.2.2.   Stakeholder engagement

Iteration 4 - It seemed to me that this was a turning point for the Stakeholders who were now seeing the value -legal and moral - of the research activities for identifying records. The realisation of this importance had taken time to develop and had been promoted consistently by me, for the duration of the Strategic and Sub-Groups, in all their membership and format guises. It was only from this unrelenting pursuit of identifying and accessing the records in the first place that we had managed to create the comprehensive list of establishments.

By the end of iteration 4, the organisation had identified the need for a specific Social Work trained resource that could continue the required specialist research activities to analyse child case files. The significance of this identified requirement was that, in order for this research to go beyond the mere record source identification and access, it was vital that whoever was doing the analysis, was equipped with the required skills and knowledge to understand how to interpret the meaning contained within these types of records, aligning it to the historic framework in which that provision was operating.

Up until January 2017 when the Council were served with their first Section 21 Notice, there was no understanding within the organisation of how they would be required to participate in SCAI and what records would be asked for; no prior guidance had been provided. The magnitude of the Section 21 Notice request from SCAI provoked a feeling of initial disbelief from the Strategic Group in which the ability to respond was inconceivable. It was evident from the initial discussions with senior management representatives from the Strategic Group that there was no clear idea of where to begin in order to satisfy the requirements of the response requested.

Having already established a central role in the organisational approach to SCAI, my ability to influence and negotiate that role further, on receipt of the SCAI Section 21 Notice came as an invite from senior stakeholders, rather than me initiating or looking for opportunistic openings. Senior Stakeholders within the organisation sought my input from the very start, recognising my knowledge of the subject area, demonstrated through my participation in all aspects of the strategic approach taken to date; even those beyond records. My ability to advise and support all Stakeholders to develop their awareness and understanding of the organisational implications was key to shaping the organisational approach taken when responding to the Section 21 Notice received in January 2017.

As the requirement demands from SCAI on the organisation about their records increased, so too did the realisation evolve amongst the Stakeholders on the Strategic Group that records needed to be identified and found. As part of the growing awareness and subsequent increase in research activities to identify records, present-at-hand, the issue of what meaning those records served ready-at-hand to support the organisation to the demands being made from SCAI arose.

5.2.3.   Time

It was from the journey that I undertook, participating in the local, organisational response, whilst following the outcomes of the SCAI proceedings that I was able to see further ahead than my peers, but at the same time bring them with me in pursuit of the new knowledge and understanding that we all required. If the organisation was going to be able to respond to SCAI, the importance of the Stakeholders' holistic view would be the only way to demonstrate their accountability in the legal and moral sense. The approach adopted was dependent on that collective Stakeholder collaboration within a strict timeframe.

The relationships I had developed with all organisational Stakeholders, from November 2015 to January 2017 had been based on the dual role that had evolved through the consensus-based areas of work; something that went beyond records. The relationships with Stakeholders were not something that was necessarily planned but could only emerge through my ability to balance my own interests as practitioner and researcher, and what I thought was important to prioritise at any given point in time, with those held across the Strategic Group. This balance required me to exercise an ability to compromise and have humility toward my colleagues (yet still subtly to lead). The knowledge and understanding I had brought to the Strategic Group in October 2015, was one that had developed from my own interests. Faced with what the implications the

organisation would have to address, in October 2015 and again in January 2017, I could never have anticipated this level of knowledge and understanding becoming a legal requirement.

Reflecting back, on the time taken to identify, reach consensus and progress activities that took place from the end of iteration 4 in April 2017 to iteration 1 in November 2015, there are a number of aspects that stand out. If consensus had not been reached with and from Council Stakeholders around the importance of researching the identification of residential establishments, the organisation might have found it more difficult to respond to the Section 21 Notice from SCAI. The early research activities that were undertaken to inform the establishment list in and of itself supported the Strategic Group Stakeholders to develop their knowledge and understanding of that landscape; something of an unknown quantity at that time, but also something they deemed unachievable. The time invested in records *present-at-hand* would never have become *ready-at-hand,* had that not been supported. The time it is now taking for the records present, to become ready, continues to grow, as the Council responds to more Section 21 Notices. The understanding and knowledge that is in place across the Stakeholders, now know that this is the reality and of equal importance to having the right people with the right skillsets to be conducting that work.

5.2.4.   Management of records

It was through my dual role, as practitioner and researcher, that I was able to highlight the centrality that records would and should play in any of the Strategic discussions taking place within the organisation about SCAI requirements. The approach I took to sustain the centrality of those records and their importance throughout the duration of activities from iteration 1 to 4 was a difficult balance to maintain. It required me to have an ability to compromise. At times it was difficult for me to maintain this balance and retain sight of my own work priorities as I would find myself equally involved in and being looked upon as an

expert resource for those Stakeholders in the support and communication aspects of work. The areas I took a lead part in were extended to corporate, holistic actions such as writing and presenting of the committee paper, staff briefings, and the soundbite film for Managers.

It was perhaps from this broader input where I found myself providing the holistic knowledge and understanding to those broader aspects and application, that my status and position as subject matter expert become realised. It was from this change in my position that had evolved through the work activities of the Strategic and Sub-Groups and accepted willingly by the Stakeholders that the trust in what I was saying about records was accepted.

I was able to demonstrate the importance and value of records through highlighting different record sources and types, both historic and current that Stakeholders could relate to at different times throughout the process and activities from Iteration 1 – 4. Convincing Stakeholders of the centrality of records research was a matter that required an approach for sustaining and developing. I did not know where those researches would take us in terms of the records that could be identified. It was only through my initiation of the initial research to identify establishment provision that other record sources and types were realised over time. The example of the Admission Registers for the named establishment in the Section 21 was one area that created further triggers for others, such as the Social Work Stakeholders, who identified new sources of records to research in the form a child case files; a new research activity for which only their specialist knowledge and understanding would suffice.

The conviction that developed within each of the Stakeholders and across the group as a whole around the centrality of records was demonstrated when they initiated the need for additional research to the child case files; a task that only they could perform and did so with expedience. After they had conducted the sample of child case files, there was a demonstrable change in Stakeholder attitude that went beyond ownership. The Stakeholders were now discussing the

meanings derived from their research of the child case files and the use this was providing for collating responses to the Section 21 Notice. Particular aspects of meaning and use they had found and highlighted revolved around the practice and policy of social work delivery of the time the child was in care within parts of the historic time period. More interesting for me was the way in which the Stakeholders represented this back to the Strategic Group. The Stakeholders were energised, they were becoming immersed in the application of historical provision across the different types of establishments in use and they were able to start piecing more parts of the puzzle together.

Records had now become central to Stakeholder work priorities, almost as if they had always been so. The Stakeholders embraced this new research activity as if they had always known it was necessary. The Stakeholders had moved on from the initial starting point of incredulity in November 2015 and January 2017, a time when they were overwhelmed and had no idea about what the landscape of residential provision had been in place historically.

Whilst the establishment list submitted to SCAI in April 2017 may on the surface look like very basic, low level detail, it actually provides a multitude of uses and meanings from an internal and external perspective; for the organisation, SCAI and Care Leavers. The importance and value of the establishment list goes beyond meeting the legal requirements of SCAI. The establishment list forms a broader and equally vital part of the Council's moral obligations to have that corporate memory of the historic service provision provided for children in care across the place of Aberdeen, past, present and future.

The Council model adopted and developed since April 2017 has enabled the organisation to continue to develop their capabilities to respond to further notices served by SCAI over the course of 2017-2018, in a more efficient, effective and confident manner. Of equal importance, the cataloguing of information coming from the research endeavours is forming the potential for developing the growing corporate memory of organisational provision, into a

corporate social responsibility that if linked could capture a substantial narrative for the people and place of Aberdeen, including Care Leavers.

For those individuals working in the profession of records or information management, this study has demonstrated a proactive application of that specialist knowledge, immersed within the organisation. Managing information and records is a complex and messy job, but there are ways and means of working within that context, from a legal and moral perspective, that can make a significant contribution in response to serious corporate matters.

5.3. Summing up of the learning and improvement themes

The legislative and regulatory framework that Norrie provided SCAI during the Public Hearings in June 2017, in his capacity as expert witness, had demonstrated the lottery of provision and regulation of only some of that provision, from the period 1930 to 1968. Although Norrie had referred to records created, such as Admission Registers and Log Books, for specific types of provision, akin to the research findings from Shaw, it still remains unclear what of these types of records have been preserved. A new piece of factual understanding regarding these specific types of records as sources of knowledge, meaning and use came from Levitt in his capacity as expert witness, at the Public Hearings in October 2017. He stated that from his research findings of records pertaining to the regulatory process in practice, that these types of records may never have been created in the first place. If this is the case, we may be conducting searches for records now, that have never in fact existed. If the historic recordkeeping practice is unknown and untested from a legislative, regulatory and organisational perspective, this is something that will only become known from being played out through SCAI proceedings.

From the perspective of the organisation and SCAI, records have been and will continue to be at the forefront of providing the knowledge and understanding of what provision has been in place and how that provision has operated over the historic time period in scope. The information that has been and continues to be collated by the Council and SCAI is wholly dependent on records to inform that historic landscape. What this will equate to in terms of the historic residential care of children from a local and national corporate memory remain to be seen. SCAI will have the opportunity to factor issues around records into their findings, however, the detail around what they choose to highlight as part of those findings are likely to be from a legalistic perspective and may not address the moral imperatives. It may also be some time before that report is produced given the recent change in their timeline for concluding the public hearing process from 2019 to when "reasonably practicable" (Swinney 2018).

The results from this study demonstrate that there are a greater number of records issues that underlie those already known around their existence, present-at-hand and their accessibility, with new emerging issues. These new emerging issues centre around further questions posed from those records; if records do exist and can be accessed, what meaning can they provide as ready-at-hand tools, and what use can they serve, and to whom. In the results represented within this study, the attempts charted around the collation of an evidence-based account using records about the operational aspects of local (organisation) and national (SCAI) roles in and responsibility for the provision of residential care for children, the existence and accessibility are only part of the exercise necessary to fulfil that need.

The record research activities involved with gathering detail about residential establishments started in 2013 were pivotal to the foundations of engaging with stakeholders across the Council from November 2015 to April 2017. Unknown at the time, these activities were to support the development of a holistic framework that looked inward at the organisation, but also outward to those across the Aberdeen region that could be affected. This framework developed the robust foundations in which the organisational approach was shaped and could grow to respond to identified and emergent issues resulting from SCAI requirements. More broadly, this approach evolved through the Strategic Stakeholders' willingness to embrace the learning available to them from the records ready-at-hand tools provided. Not only did this willingness equip the Stakeholders to develop the organisational capability required to respond to national requirements, it went way wider, supporting the needs of staff and citizens, who might be affected directly or indirectly across the Aberdeen region.

It has been evident from the analysis contained within this study, that the same recurring issues and problems identified by Care Leavers and Researchers (highlighted in the literature review) about records are a true reflection of the reality. However, from the results in this study, the records issues already identified by Care Leavers and Researchers prior to the commencement of SCAI, are only the tip of the iceberg. There are other equally pressing issues about records and their readiness that require immediate attention, from those responsible for Expert groups, Official bodies and Care Giving organisations.

For Care Leavers of the past, the present, and yet to come in the future, their dependency on the Council's corporate memory to provide them with access to their records that chart their personal journey within that care system is key. Not only does this corporate memory inform the broader needs of Care Leavers, it enables the organisation and those responsible for those services past, present and future to understand what that landscape looks like. Any national or local changes to policy and practice can be tracked, evidenced and accounted for, within the context of our current 21st Century perspective.

6. Conclusions and Recommendations

This chapter recaps on the aims and objectives of this study and how the research results contributed to achieving those. The action research approach used in this study using SCAI data, practice data and research data, when combined, have provided a rich source of data with which to create an action research space to apply the two research questions set out in this study; first, that centre around the adequacy of historic record keeping and management arrangements for SCAI, the Organisation and Care Leavers. The second, then draws out whether there are any wider implications from a practice and policy perspective.

The agile iterative approach used in this study enabled value from the research to be delivered early and often, something that is hailed as being fundamental to the success of an Action Research Project with "three main elements: a good story, rigorous reflection on that story and an extrapolation of useable knowledge or theory from the reflection on the story" (Coghlan and Brannick 2010 p. 15).

The conclusions presented I this Chapter are framed within each of the research questions set out at the beginning of the study to summarise the recommendations that have been developed emerging from the completion of this research.

The aims and objectives of this study were to investigate a local authority's historic record keeping and management arrangements for looked after children within the context of the Scottish Child Abuse Inquiry.

Objectives:

- Track and chart the existing processes of identifying relevant records for Aberdeen City Council to understand what they are
- Assess the existing records for relevance to the SCAI requirements and the needs of Care Leavers
- Identify any issues and gaps which exist in the records to meet these needs
- Identify potential improvements for future practice and policy

1. Are the historical record keeping and management arrangements for records adequate for:

i) the requirements of Scottish Child Abuse Inquiry?

Conclusion

The extent to which records are adequate for the requirements of SCAI will be determined by their ability to fulfil their Terms of Reference (detailed at 1.2.2), a matter that will be unclear until they complete the public inquiry proceedings. What can be said from the records evidence requested, presented and scrutinised by the SCAI process within this study, is that there have been significant issues with the collation of records and the use that can be derived from them.

It is evident that the authority SCAI have for resourcing the public inquiry process currently underway and the level of scrutiny they are applying is one never witnessed, nor explored in such detail before. If the approach taken to date is maintained by them, the volume and depth of information collated will

provide the most detailed factual account and historical narrative that underpins the holistic environment in which care for children was governed and practised in Scotland.

SCAI's underpinning focus on records and the rigorous processes they are applying to identify those that do or did exist (present-at-hand), and the (ready-at-hand) meaningfulness this provides them from a tripartite perspective comprised of State, Institution and Care Leaver are robust. It is also notable that even if records are not found, that SCAI will consider their findings based on Care Leaver testimonies alone.

The knowledge base of those witnesses identified by SCAI to provide an account of provision during the Public Hearings and their ability to answer follow-up questions based on their written submissions has proved to be a key area of importance. The experts have responded to this with a confidence that those representing the State or institutional perspectives have struggled with. The crux of these difficulties revolves around their capacity to provide tangible physical evidence in the form of records, and their ability to make the links across these record sources from the meanings contained within them.

The academic research and knowledge provided has set out the full legislative and regulatory landscape (Norrie) placing the practical application of that provision through the inspection regime (Levitt) within Government systems of this early historical period. The new record types identified reveal a new narrative about disjointed legislation and inconsistent regulation across that landscape that was previously unknown. Records that should have been created by institutions discharging that care, as stated in regulations of the time, such as admission registers and punishment books, may in fact never have been created in the first place.

There are important differences in what SG and the experts were asked to do by SCAI. The experts, commissioned to conduct specific research, had the advantage of knowing where to look for records (present-at-hand) and having the knowledge and understanding to do this within a specific subject matter area already familiar to them (ready-at-hand). SG on the other hand were at a disadvantage, trying to conduct a retrospective search through a complex and confusing world of records (present-at-hand) that might provide recorded evidence (ready-at-hand) of the changes in State powers, governance and legislation over an eighty-year period. These types of difficulties were replicated to some extent in the organisational aspects of this research and would suggest that in the event of a Public Inquiry being established that expert knowledge would be of more benefit had it been conducted earlier in SCAI proceedings and made available to inform the subsequent State and institutional responses.

The reality of attempts to look back in time and gain an understanding of what the recordkeeping arrangements were, is not a straightforward, linear process. It involves navigating through a complex maze of connecting individual types of records to the past, and the ability to interpret them in the present, across that landscape as a whole. This research has made some inroads to making those connections for the earlier part in history 1930-1968, and further testimonies heard by SCAI in 2018, will likely extend this body of records evidence and knowledge to more current recordkeeping practices.

It will be interesting to see what records are submitted as part of future Public Hearings, as those institutional representations have had more time to conduct their researches and develop their understanding of the meaning contained within them. Whether records have the capacity to fulfil the needs of SCAI is dependent on the State and institutions ability to provide this; especially when Institutional records and their existence continue to remain largely unknown.

Recommendations

- SCAI should involve expert resource to ensure records submitted as evidence are compliant with Public Records (Scotland) Act 2011
- SCAI should recommend establishment of a Find and Connect resource for Scotland

[Are the historical record keeping and management arrangements for records adequate for:]

ii)   the needs of Care Leaver communities

Conclusion

The extent to which records are adequate for the requirements of Care Leavers and their time in care will be based on them being accessible and meaningful. From a Care Leaver perspective, and particularly for those who experienced care during the period 1930 to 1968, the SCAI proceedings and organisational journey detailed in this study have demonstrated that this earliest time period in scope, is fraught with records difficulties, because there appears to have been very little knowledge or understanding of what records were actually created and exist.

The comprehensive testimonies provided by the expert witnesses, could provide Care Leavers with a different type of access to and meaning from records. It is now clear that for those who experienced care during the period 1930 to 1968, did so within a complex legal and regulatory landscape, that was inconsistent, was reflective of the public policy, societal perceptions and expectations of the time. The analysis conducted in this study points to the importance of this broader societal context for the Care Leaver and their ability to translate their childhood memories within a more informed and knowledgeable position; their expectations around what records may exist, the probable limitations of what they may contain and exposed visible roadmap or route to knowing which institutions have records and therefore what is possible for them to access.

In terms of SCAI's aim to provide a national public record and commentary on the residential care provided to children in Scotland, they have the power and opportunity here to do just that. Care Leavers in some ways are dependent on SCAI, as without them, the investigative activities required to find relevant records and compile the national corporate memory about historic residential provision for children in care across all relevant institutions might never be collated or known. Some Care Leavers could have little chance of ever accessing the records that exist about their time in care and may never be able to find the information relating to who they are; where they came from, or the care they received, let alone details about their family or siblings. These types of records and the detail they contain could provide a rich source of meaning, memory and identity to Care Leavers about their childhood and for those who have sadly passed away, could be a source of great comfort to their families and loved ones.

Recommendations

- All public authorities' recordkeeping arrangements should be compliant with the Public Records (Scotland) Act 2011
- All public authorities should provide full access and support for Care Leavers to access their records
- All public authorities should work with Care Leaver communities national and local to ensure any recordkeeping practice issues, historic, current and future are identified and addressed

iii)   the organisation to be able to adequately tell the story of its operations, account for its decision making, and be critically reflective

Conclusions

The extent to which the organisation has been able to adequately respond to the Section 21 Notice in April 2017 was challenging. The ability to provide a comprehensive account that covers an eighty-year period of complex, statutory changes in local government and care provision for children would be difficult even if we had had the appropriate recordkeeping arrangements in place.

From the in-depth exploration of one organisational perspective in responding to the requirements of SCAI for the time period 1930 to 1968, the emerging issues about recordkeeping, highlighted previously by academics and Care Leavers have been reflected in real-time. The ability for an organisation to respond to such demands can only be met if the appropriate recordkeeping arrangements have been put in place to secure its corporate memory. The difficulties experienced with identifying how the Council could evidence the story of its operations and account for its decision-making, raised many questions in relation to recordkeeping practice, current and historic.

In relation to the organisations' corporate parenting role, it is understandable that there will be gaps in knowledge and understanding of how the care, welfare and protection of children was provisioned across the historic spectrum of eighty years, as we can only view that through what we know today. We are dependent on the records to tell us that detail, something possible only if those records are available. Whilst the SCAI requirements requires us to look back in time, it does not ask that we look ahead in time, something that as an organisation we should be compelled to do, both from a legal and moral perspective. What might our Care Leavers of today require in another eighty-years' time?

What has been evident from this study conducted at Aberdeen City Council is that, with the appropriate knowledge and understanding, strategic leadership, and holistic representation of Stakeholders, that if provided with the factual historic detail and engagement tools, can generate the active, participatory learning and improvement environment to develop organisational capabilities necessary to shape a SCAI response in its fullest sense. Additionally, Stakeholders have become subject matter specialists within the organisation, both corporately and within their professional domains, providing the expertise that underpins the emerging corporate memory required, that was previously unknown.

The opportunity to extend the organisation's moral and ethical duty to the children who have passed through our residential care system past, present and future, is something that does not need to wait until SCAI complete their Inquiry. The records ready-at-hand that are being used to fulfil SCAI requirements now, form the basis of the organisation's corporate memory around the historic provision of residential care for those affected, across the place of Aberdeen. If we are to truly embrace the organisational learning and social history that has been captured from the work ongoing, it would require us to extend this narrative in a way that is meaningful to and accessible by anyone who has the appropriate rights of access. After all, the place of Aberdeen and our duty as corporate parent to our children past, present and future can only be exercised across the place of Aberdeen if we include all the people it comprises.

The ability to apply any critical reflection on the Stakeholder Group activities and Section 21 Notice response in April 2017 have been difficult to factor in due to the subsequent Notices received since, and the time factor required to conduct additional and necessary research of additional records. One clear area that has been reflected and acted upon is the need to ensure the right resources - people, skills, time - are employed to undertake the due diligence around further record researches from those sources identified (present-at-hand) and yet to be

interpreted (ready-at-hand), The recommendations from this research will act as a further component to any future critical reflection where next steps for the organisation are detailed at Chapter 8.

Recommendations

- Aberdeen City Council should make all records relating to its corporate memory and role as corporate parent publicly available
- Aberdeen City Council should make sure it has robust arrangements in place to ensure the long-term preservation of records vital to securing the memory of Aberdeen's people and place, and can evidence this is the case
- Aberdeen City Council should review whether there is a need for a role similar to the Caldicott Guardian that's focus is the moral and ethical considerations around recordkeeping and governance
- Aberdeen City Council should develop a practice network led by the organisation's SCAI Stakeholders
- Aberdeen City Council should ensure that the SCAI requirements are factored into the Information Governance Framework as a distinct programme of assurance

1.   Are there any wider implications for recordkeeping and management of records from a practice (organisation) and policy (national) perspective?

Conclusions

The extent to which any wider implications can be drawn from this research are based on the need to distinguish the difference between records management from the legislative and policy perspective to the actual practice realities of recordkeeping within an organisation and the multiple rights to records that require attention.

Nationally, the records evidence, and SCAI process, when triangulated with the organisational journey charted in this study, should all link together through records management legislation that has been in place since 1930. The fact that this particular detail has never been mentioned in any of the proceedings to date is surprising and concerning, and would beg the question, why not? Locally, within the organisation, and on receipt of the SCAI records requirements in 2015 and again in 2017, none of the Stakeholders, from any of the domains bar Information Management referred to the actual recordkeeping practice or records management legislation, this too would beg the question, why not?

Fast-tracking to the current statutory position for how public authorities in Scotland exercise their recordkeeping and management arrangements now, the Public Records (Scotland) Act 2011 (PRSA) legislation may well be seen within this context as a significant legal landmark which might be envied by our counterparts globally, but it remains to be seen how this translates into practice, when faced with the scenario of a public inquiry. It might be that PRSA permits too much flexibility for interpretation and practice, a matter that was a major criticism of its predecessor, but why then was the Act 2011, never mentioned during the SCAI Hearings? This would strongly suggest that the PRSA requires amending to incorporate a more holistic and prescriptive recordkeeping requirement for our Care Leaver communities; one which has the ability to serve

the historical narrative, showing connections between legislative and practical application ranging from the needs of the individual Care Leaver to those charged with providing that care, that can give a full account of the governance from which that care was provided, the legislative framework it falls within and the practical application of that care from within any given form of residential care.

From an organisational perspective, if we are to learn and make improvements following on from the SCAI process, fully acknowledging the moral and ethical requirements in which State interventions are applied for children to ensure their care, welfare and protection, we must do all we can to provide that holistic narrative in a way that constitutes a family album and identity for those seeking to reclaim their childhood at any time later in their lives; past, present and future.

For the past, a national accessible narrative should be created about residential care for children alongside details of all institutional records in existence, with the appropriate access and supports to enable our Care Leaver communities to choose what they want to reclaim.

For the current and future generations, we must go beyond the view of recordkeeping that only serve the needs of formalised, inward looking systems that serve organisations, with limited regulatory assurance to that which is outward facing to the people these records are about. This approach needs to be based on a co-design basis that includes all parties that can represent Care Leaver, State, Regulatory and institution. This would ensure that the recordkeeping and management arrangements developed is one that is based on the understanding that respects our role as corporate parent for Care Leavers experience using our modern-day knowledge, expectations and technologies that are available to us.

The legal requirements made by SCAI on the State and Institutions to provide records of evidence, has to date, proved to be a challenging exercise, that requires significant resource and time to identify and source relevant records. If the State and Institutions difficulties to account for their role in and responsibility for children in care to this legal body continues, it is understandable then how Care Leavers themselves have struggled to access any records that relate to them and their time in care.

Recommendations

- Public Authorities should audit recordkeeping arrangements for all vulnerable communities they serve
- Public Authorities as Corporate Parent should review national procurement and contractual frameworks to ensure appropriate records management contractual arrangements are in place for partner-based services in use; past, present and future
- SCAI should transfer all residential provision records for inclusion to a national Find and Connect resource
- Recordkeeping profession to promote research opportunities in organisational practice spaces to contribute to the theory of knowledge
- Scottish Government and National Records of Scotland should review the effectiveness of PRSA and consider the broader recordkeeping issues that are being revealed through SCAI proceedings

2. Limitations of the Study and final reflections

2.1.   Limitations of the study

The evolving and dynamic context in which this study has taken place has made any sort of planning difficult to establish. Managing my dual role of practitioner and researcher within this environment has been challenging and the data collection methods may have supported me to keep track of the parallel activities had I kept a diary of events. I would have liked to have explored the detail around how other organisations and institutions have managed their response to SCAI, however, the opportunity to look in detail at the activities of one organisation in such extraordinary depth has been an extraordinary experience.

The acceptance of my thesis by the organisation posed a significant risk throughout the study, and one that was not going to be resolved until it was written. However, the organisation has fully embraced the research and practice findings and authorised its full publication with no need for any embargoes. The 'next steps' section in this chapter has been included on request from Aberdeen City Council's Chief Executive, Angela Scott, in recognition of the broader implications for organisational recordkeeping and the learning, capabilities and improvements that can be developed beyond the scope of the research findings.

In a personal statement provided for inclusion:

"This research reminds us about the vital importance records have for our care experienced communities and the broader aspects we must be mindful of in our duty as corporate parents, acting as a trusted family member. The records we create, maintain and preserve are our integrated family album of how we have exercised our parenting role in the care, welfare and protection of our children. How we share that family album with our family members must be done with a care to the ethical and moral dimensions from an individual and societal view; past, present and future. We are dependent on our records to support us to do this in a meaningful way, and this research has provided us with the foundations in which to explore how we put this into practice.

This study aligns to the Council's cultural ambitions and core purpose to ensure we make things better for the people and place of Aberdeen, so that they can flourish and prosper through our innovations in service delivery: governance, partnership building, technology, communication, social value and ethics. What has been revealed from this research provides us with an insight into the bittersweet issues around records for our Care Experienced communities from a historical and contemporary record keeping perspective. It has provided a comparative perspective that cuts across local, national and global views, providing us with an informed understanding that supports us to act and develop next steps for how we take the learning and improvements forward within the organisation"

(2018).

This personal statement illustrates the strength and openness of the leadership within the organisation, one that not only recognises the importance of learning and improvement, but is willing to do this actively, even within a live and emerging environment that is exploring the contentious subject matter of historic child abuse in Scotland. For me, this exemplifies the foundational purpose of action research as a methodology "as a process … unlike any other as it is about the individual or individuals working collaboratively, it is about their understanding and about improving their practice as a means to wider wellbeing and social good…it is about people reflecting on what they are doing and taking action on behalf of others ……developing ways of contributing to enhanced experience of life for all" (McNiff 2013 p.120).

2.2. Final reflections

I embarked on this course of study after seeking some form of further education to stimulate my professional development within my role as Information Manager in a local authority. The frustrations I had experienced about records, and the tensions created within the organisation between what they were and how we were using them, are now better understood, although not resolved. The defining nature of a record as suitable or appropriate, present or ready at hand will support me in my role to promote a more meaningful and useable application of records and their management. In some ways, this study acts as a pause within that environment, allowing a back-to-basics rethink about the purpose and use of records and the need for the organisation to be mindful of their importance and value, and active in the maintenance of its corporate memory.

At the beginning of this study, I did not know that the Scottish Child Abuse Inquiry (SCAI) would be established, and although I wanted to base my research within the realm of Care Leaver records, I might have struggled to cover the ground that has subsequently been made possible. When SCAI did become established, I had hoped, perhaps naively, that it would have covered its Terms of Reference (2017b) within the 4-year period, announced by them in 2015, and that I would be able to get some insight about other residential care providers across Scotland and the historic records they have, the details and meaning they contain and the use that SCAI could and would make of them. Never would I, or others more versed in this field, have imagined the depth of detail SCAI would demand of records. Whilst I am satisfied that they do this because it is important and necessary, it did have implications for what I could bring into the scope of this thesis. That said, it is perhaps a blessing that this did happen, as framing this study within the restricted time period, of 1930-1968 still feels like I have only skimmed the surface. However, I have a sense that my findings will be echoed throughout the duration of SCAI proceedings and witness testimonies to come.

In the attempts within my own organisation to source records about residential provision and the operational management of that provision in the Aberdeen area, I would have like to have achieved more. There is a lot of information that remains untouched and unrealised, as it was just not possible to resource, with SCAI requirements taking priority. The moral imperative to do something with this information for Care Leavers, their families and the generations to come, remains outstanding and from a corporate social responsibility perspective will be something that I continue to try and influence and progress through the research detailed in this thesis.

This study has been conducted as part of my completion of a Professional Doctorate in Information Science (DinfSci). The DinfSci is a relatively new form and method for gaining a PhD qualification, that only a limited number of higher education institutions in Scotland offer. The DinfSci differs from the traditional PhD that RGU describe as, "a practitioner-focused doctoral degree, equivalent in terms of academic rigour to a PhD but more applied in nature. It has been designed for experienced professionals working in a strategic, information or knowledge management environment. It offers a much more flexible and structured programme of information management and research study than the traditional Doctor of Philosophy (PhD) route" (2018).

My experience of undertaking this qualification over the past 5 years has been varied due to the course structure and requirements. In the first 3 years, I was required to undertake 2 compulsory (Research Methods) and 4 self-selected postgraduate level modules as part of my professional development (see Figure 31).

Figure 30 Professional Doctorate timeline

Professional Doctorate in Information Science timeline
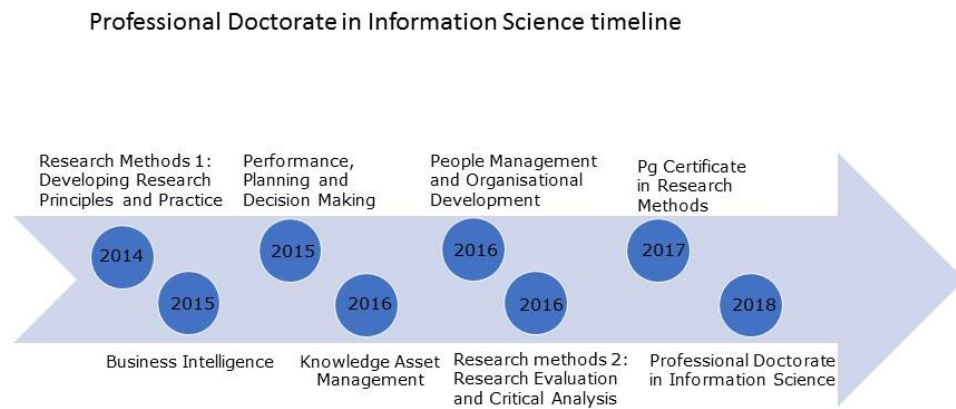
(Figure by author).

The subject matter of the 6 modules, studied between 2014 to 2016, were of great benefit to me in my working practice, which I used to test programmes of work I had already developed and were underway or I knew were coming.

The Insider Action Research approach used in this study has been an extremely useful tool for me to chart and reflect the learning and improvements along the way but also in the final write up stage to further reflect across the whole academic journey. The DinfSci journey has enabled me to develop my knowledge and influence within the organisational setting, with colleagues as part of responding to a significantly valuable, social and historic subject matter of national importance. Working in public service, with people and place at the centre, the role of corporate parenting now freely coined must be better understood for the children we are committed to provide a trusted duty of care, past, present and future.

2.3. Next steps for the organisation

1. Aberdeen City Council will review whether there is a need for a role similar to the Caldicott Guardian (in NHS) whose focus is the moral and ethical considerations for the people the Council serves around the records the Council keeps about people and the way we use and govern them.

2. Aberdeen City Council will explore further opportunities for organisational practice research to develop and implement learning and improvements in Social Work (and beyond) recordkeeping and governance.

3. Aberdeen City Council will submit this Thesis to the Care Inspectorate for an upcoming child protection and corporate parenting inspection we have been advised that we will receive during 2018/2019. This thesis will evidence our self-awareness about the quality of our records and it has informed the scoping of an improvement project to develop our approach to records management.

4. Aberdeen City Council will ensure that recordkeeping practice forms an integral part of all internal audits in accordance with corporate standards.

5. Aberdeen City Council will present the key themes and findings of this Thesis to the Multi-Agency Chief Officers Group, the city council's own Corporate Management Team and with the agreement of the Convenor, will submit to the council's Public Protection Committee to raise awareness of the impact of recordkeeping practice and governance issues and to inform appropriate action.

6. Aberdeen City Council will develop a city Information Governance and practice network led by the organisation's Information Governance Team to promote a holistic and integrated approach to record keeping and information governance across partner organisations.

7. Aberdeen City Council will explore how it can take a sensitive, holistic and supportive approach to providing all care experienced individuals with access to their own records and coordinate any additional independent supports.

8. Aberdeen City Council will make all non-personal records relating to its corporate memory and role as corporate parent publicly available.

9. Aberdeen City Council will make sure it has robust arrangements in place to ensure the long-term preservation of records vital to securing the memory of Aberdeen's people and place and can evidence this is the case.

10. Aberdeen City Council in its role as Corporate Parent for looked after children will review its current contractual arrangements with all the providers it commissions to provide support to children, in terms of the legal and moral requirements we place on these organisations. Where the requirements fall short, we will address these with the provider.

11. Aberdeen City Council will use the findings of this Thesis to inform the review and design of the next iteration of its Records Management Plan, to ensure it encompasses a broader moral approach to record keeping practice as well as records management practice.

3. APPENDICES

3.1. APPENDIX 1 Records Ready Framework

1. The Legal and Regulatory Framework must be known and made easily accessible through some form of visual diagram to ease understanding and use. A breakdown of historic time periods in scope as follows:

   - 1930 – 1948 (example produced at Figure 28)
   - 1948 – 1968
   - 1968 – 1995
   - 1995 – 2014

2. Full details about all residential establishments that provided care for children, including:

   - Name
   - Address
   - Type
   - Operating period
   - Ownership/responsibility
   - Sector
   - Source

3. Early engagement should be made with the Archives Service to secure knowledge and understanding of archive collections available and extent of any uncatalogued material to scope possible sources and resource requirements from the outset.

4. Full details of all identified record sources should be recorded, monitored and reported on, including the methodologies used to provide meaningful analysis within and across the landscape.

Record Sources
- Aberdeen City and Aberdeenshire Archives Catalogue
- British Newspaper Archive
- The Town Council Memorandum of Information
- Post Office Directories
- Valuation Rolls

Record Types and retention period:

- Admission Register   Permanent
- Child Case Files   100 years
- Committee Minutes   Permanent
- Staff Case Files   25 years (contract termination)

5. The need to identify key Stakeholders and agree roles, responsibilities and expectations across all participation needs is vital.

Internal Stakeholders	External Stakeholders
Chief Executive	Third sector
Chief Social Work Officer	Police Scotland
Director of Education and Children's Services	NHS
Senior Information Risk Officer (SIRO)	Faith-based
Information Management	Health and Social Care Partnership
Archives & Libraries	
Children's Social Work	
Adults Social Work	
Education	
Human Resources	
Legal (Litigation & Compliance)	
Risk Management	

These activities should be led by someone who has the breadth of understanding and knowledge to establish the Stakeholder Group and programme of readiness work. starting point for this is identifying someone who is best placed to start these activities.

6. Corporate Standards and compliance activities should specify clearly and plainly how organisational records should be managed and governed. This will provide staff with clear expectations about the importance of how they create, maintain and use records within the organisational context and across the business functions. Current standards in place at Aberdeen City Council include:
   - Information Policy (2017h)
   - Information Governance Framework (2017e)
   - Information Asset Owner Handbook (2018b)
   - Managing Information Handbook (2017e)
   - Records Retention and Disposal Schedule (2018c) (see Figures 32 – 36)

Figure 31 Aberdeen City Council's Retention and Disposal Schedule Wiki

Managing records across aggregated levels from:

- *Business function*

- *Activity*

- *Sub-Activity*

- *Record class and Transaction*

(2018c).

Figure 32 Aberdeen City Council's Retention and Disposal Schedule Child Case files

(2018c).

Figure 33 Aberdeen City Council's Retention and Disposal Schedule Child Case Files

(2018c).

Figure 34 Aberdeen City Council's Retention and Disposal Schedule Looked After Children

(2018c).

Figure 35 Aberdeen City Council's Retention and Disposal Schedule Staff Case file

(2018c).

3.2. APPENDIX 2 Residential Establishments for Children in Aberdeen

Establishment Report

Service name	Establishment type	Address	Start	Closed	Current
Aberdeen City Music School	Residential School	Dyce Academy, Aberdeen	2001	n/a	Yes

Service History

Sources — Aberdeen City Music School

Service name	Establishment type	Address	Start	Closed	Current
Aberdeen Mother and Baby Home	Children's Home	25 Westfield Terrace, Aberdeen	11/07/1942	c.1950	No

Service History — Around September 1950 the home changed use to become a hostel for boys.

Sources — Aberdeen Press & Journal, 13/07/1942 p.3

Aberdeen Press & Journal, 20/09/1950 p.6

Service name	Establishment type	Address	Start	Closed	Current
Airyhall Children's Home	Children's Home	Craigton Road Cults, Aberdeen	1950		No

Service History — Airyhall Children's Home opened in 1950 as the city's first home for children aged between 2 and 5 years. In 1959 Airyhall was home to 20 children between 2 and 5 years some of whom had disabilities.

Sources — Aberdeen Press & Journal, 27/10/1950 p.6

Town Council Memoranda of Information, 1950-1974, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
Airyhall Vulnerable Young People Throughcare and Aftercare Service	Home for Young People	Airyhall House, The Lane, Northcote Crescent, Airyhall, Aberdeen	c.1984	c.2004	No

Service History — The Social Work Committee approved the opening of self-care accomodation for older children at Airyhall in March 1984.

Sources — Staff meeting minutes, 13/02/1985, Aberdeen City and Aberdeenshire Archives

Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Association Summer Shelter	Children's Home	The Beach, Aberdeen	1948		No

Service History	In 1948 the Association Summer Shelter at the beach was 'taken over' by the Town Council, having given first aid to 1,653 persons and cared for 1,810 'lost children' since 1927.
Sources	Voluntary Service Aberdeen

Service name	Establishment type	Address	Start	Closed	Current
Balnagask Children's Home	Children's Home	193-195 Girdleness Road, Aberdeen	1968	1984	No

Service History	
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Grampian Regional Council Committee Minutes, 23/02/1984 p.869

Service name	Establishment type	Address	Start	Closed	Current
Balnagask Children's Home	Children's Home	181 North Balnagask Road, Aberdeen	1984	n/a	Yes

Service History	The service was refurbished in 2012.
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Community Services Committee Report, 30/01/2007

Service name	Establishment type	Address	Start	Closed	Current
Bon-Accord House	Children's Home	148-150 Bon Accord Street, Aberdeen	c.1950	01/11/2002	No

Service History	Bon-Accord House was set up by Aberdeen Town Council as a small residential home, known as a family home. The home was later run by Aberdeenshire Council.
Sources	Aberdeen Press & Journal, 20/09/1950 p.6
	Town Council Memoranda of Information, 1950-1974, Aberdeen Central Library
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Brimmond Assessment Centre	Children's Home	Kepplehills Road, Bucksburn, Aberdeen	1973	1994	No

Service History	The establishment operated as a children's home, an assessment centre and a remand home. In 1982 the home had capacity for 25 children. It closed for 10 months between February 1989 and November 1989. See the full reponse for further information.
Sources	Admission Register (DD1754), Aberdeen City and Aberdeenshire Archives
	Grampian Regional Council Committee Minutes, 09/09/1982 p.347
	Town Council Minutes and Aberdeen District Council Minutes, 1970s

Service name	Establishment type	Address	Start	Closed	Current
Broomhill Hostel	Children's Home	332 Broomhill Road, Aberdeen	1953	c.1992	No

Service History	This service was also known as Broomhill Girls' Hostel or Broomhill Home. Until 1972 the hostel was for females. In 1990s the building was no longer suitable for use as a children's home and the service transferred to 26 Netherhills Avenue.
Sources	Town Council Memoranda of Information, 1950-1974, Aberdeen Central Library
	Social Work Service, Central Records, Unit 2, Whitemyres
	Grampian Regional Council Committee Minutes, 11/01/1990 p.1013

Service name	Establishment type	Address	Start	Closed	Current
Burnside Children's Home	Children's Home	41 Westburn Road, Aberdeen	1919	1933	No

Service History	In 1930 Burnside accomodated 10 mothers and 42 babies. It had recently been extended to provide an additional 10 cots.
Sources	Town Council Memoranda of Information, 1930-1974, Aberdeen Central Library
	Children's Homes

Service name	Establishment type	Address	Start	Closed	Current
Charlotte Street Nursery	Children's Home (Nursery)	Charlotte Street, Aberdeen	by 1939		No

Service History	In 1939 the service operated as a day nursery with accomodation for 45 children. It is not clear exactly when the service was residential but it had ceased to be a residential service by 1945.
Sources	Town Council Memoranda of Information, 1939-1945, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
Cloverfield Gardens Home	Home for Young People	67 Cloverfield Gardens, Bucksburn	1965	1989	No

Service History	Seaview Children's Home was the successor to Cloverfield Gardens Home.
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Cordyce School	Residential School	Riverview Drive, Dyce, Aberdeen	1978	n/a	Yes

Service History	The residential component of the school closed in 2000/2001 and the school became an off-site education service for the whole education authority for pupils with social emotional and behavioural difficulties.
Sources	Education Scotland Report, 20/02/2007, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Craigielea Reception Centre	Children's Home	Craigton Road, Aberdeen	07/07/1953	1974	No

Service History	The reception centre was set up to house 12 children at a time, aged between 3 and 17 years. It acted as a specialised service for the assessment of the needs and aptitudes of each child prior to being boarded-out.
Sources	Aberdeen Evening Express, 07/07/1953 p.6

Service name	Establishment type	Address	Start	Closed	Current
Danestone Children's Home	Children's Home	1 Seaview Road, Danestone, Aberdeen	1989	2000-2001	No

Service History	
Sources	Social Work Service, Central Records, Unit 2, Whitemyres
	Residential Childcare Manager, Aberdeen City Council

Service name	Establishment type	Address	Start	Closed	Current
Dyce Boys Home	Home for Young People	9-11 Altonrae Gardens, Dyce	1980	1983	No

Service History	In January 1983 the Social Work Committee advised returning the premises to the housing authority. From 1985 there was a home at this address run by Cornerstone.
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Grampian Regional Council Committee Minutes, 11/01/1990 p.1013

Service name	Establishment type	Address	Start	Closed	Current
Gilbert Road Childrens' Home	Children's Home	2 Gilbert Road, Bucksburn, Aberdeen	c.1994	n/a	Yes

Service History	Gilbert Road was the successor to Brimmond Remand Home. The home was refurbished in 2006 and took the children who left Seaview Children's Home.
Sources	Community Services Committee Report, 30/01/2016, item 2.1

Service name	Establishment type	Address	Start	Closed	Current
Hallfield House	Home for children or young people with disabilities	Lang Stracht, Aberdeen	1950		No

Service History	In 1951, 5 boys and 3 girls were living at the home, aged 7-15 years.
Sources	Aberdeen Evening Express, 08/10/1951 p.10
	Town Council Minutes, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Kaimhill Remand Home	Remand Home	Pitmedden Terrace, Aberdeen	1941	2003	No

Service History	The children and young people attending the remand home were both male and female, aged between 8 and 18. Post-1973 the service no longer operated as a remand home. From the late 1970s the service was run as Kaimhill Probation Hostel.
Sources	Aberdeen Weekly Journal, 27/02/1941 p.5
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Grampian Regional Council Committee Minutes, 1970s-1990s
	Town Council Minutes and Aberdeen District Council Minutes, 1970s

Service name	Establishment type	Address	Start	Closed	Current
Kincorth Childrern's Home	Children's Home	41 Faulds Gate, Kincorth, Aberdeen	1954	n/a	Yes

Service History	This home was temporarily closed in December 2016.
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Kingsfield Childrens' Home	Children's Home	532 King Street, Aberdeen	2004	n/a	Yes

Service History	
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Loch Street	Children's Home	Loch Street, Aberdeen	By 1931	c.1949	No

Service History	Between 1931 and 1934 the home was providing accomodation for 6-8 mothers and 10 infants.
Sources	Town Council Memoranda of Information, 1931-1934, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
Long Walk Road Children's Home	Children's Home	57 Long Walk Road, Aberdeen	1993	n/a	Yes

Service History	The home was used for short term crisis and respite care in 2012.
Sources	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Social Work Service Asset Management Plan July 2012

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Service name	Establishment type	Address	Start	Closed	Current
Marchburn Children's Home	Children's Home	8 Marchburn Road, Aberdeen	1953	c.1985	No

Service History	This is the successor organisation to Northfield Family Home. In January 1983 the Social Work Committee advised that the home be closed.
Sources	Grampian Regional Council Committee Minutes, 13/01/1983 p.747
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Marchburn Children's Home	Children's Home	Marchburn Children's Home 8 Marchburn Road, Aberdeen	2013	n/a	Yes

Service History	
Sources	Social Work Service Asset Management Plan July 2013

Service name	Establishment type	Address	Start	Closed	Current
Marischal Street Vulnerable Young People Throughcare and Aftercare Service	Home for Young People	51 Marischal Street, Aberdeen	c.2004	2009	No

Service History	In 2006-2007 the service was operating as a short-term residential unit providing accomodation and support to up to 5 vulnerable young people over the age of 16, in transition towards more independent living.
Sources	Archival Database, Aberdeen City and Aberdeenshire Archives
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Service Annual Report, 2006-2007, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Netherhills Children's Home	Children's Home	26 Netherhills Avenue , Aberdeen AB21 9DE	1992	early 2008	No

Service History	This was the successor establishment to Broomhill Hostel. The premises were vacated at the beginning of 2008 when the new home at the junction of Hardgate/Willowbank Road, "The Willows", opened.
Sources	Social Work Committee Report, 17/05/2011
	Grampian Regional Council Committee Minutes, 11/01/1990 p.1013

Service name	Establishment type	Address	Start	Closed	Current
Northfield Family Home	Children's Home	8 Marchburn Road, Aberdeen	c.1953	c.1985	No

Service History	Northfield, later known as Marchburn Children's Home, was originally one of the family homes established to accommodate 8 or 9 children at any one time and to enable brothers and sisters to be kept together.
Sources	Children's Homes
	Town Council Memoranda of Information, 1950-1974, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
Pitfodels House	Children's Home (Nursery)	North Deeside Road, Aberdeen	30/05/1950	1969	No

Service History	Pitfodels Nursery opened in May 1950 with places for approximately 50 children. By 1957 it was the Council's only residential nursery and had been extended to provide accomodation for 82 children. It closed in 1969.
Sources	Aberdeen Press & Journal, 31/05/1950 p.6
	Town Council Memoranda of Information, 1950-1969, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
Polmuir Road Hostel	Home for children or young people with disabilities	14 Polmuir Road, Aberdeen	c.1957		No

Service History	In the 1960s and 1970s the premises were being used as a residential hostel for deaf children normally resident outside Aberdeen attending the city for specialist schooling.
Sources	Town Council Memoranda of Information, 1963-1974, Aberdeen Central Library
	File (ED/1154/1/21), Aberdeen City and Aberdeenshire Archives
	Town Council Minutes, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Seafield Cottage	Children's Home	Viewfield Rd, Aberdeen	1949-1950	1997	No

Service History	The premises became an old person's home after closing as a children's home.
Sources	Social Work Service, Central Records, Unit 2, Whitemyres
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Seaview Children's Home	Children's Home	1 Seaview Road, Danestone	2000-2001	2006	No

Service History	Successor to the home known as Danestone Children's Home.
Sources	Community Services Committee Report, 30/01/2007

Service name	Establishment type	Address	Start	Closed	Current
Tertowie Residential School	Residential School	Tertowie House, Kingswells, Aberdeen	1945	June 1978	No

Service History	This was a school attended by groups of children for short periods. In the 1960s special short term courses in forestry, agriculture, local history and geography were introduced.
Sources	Town Council Memoranda of Information, 1930-1974, Aberdeen Central Library

Service name	Establishment type	Address	Start	Closed	Current
The Willows Children's Home	Children's Home	132 Hardgate/Willowbank Road, Aberdeen	early 2008	n/a	Yes

Service History	This was the successor establishment to Netherhills Children's Home.
Sources	Social Work Committee Report, 17/05/2011

Service name	Establishment type	Address	Start	Closed	Current
Thorngrove House	Children's Home	Thorngrove House, Aberdeen	1933	1955	No

Service History	In January 1933 Aberdeen Town Council announced that Thorngrove, Mannofield had been purchased under the Council's Child Welfare Scheme to be used in place of the Burnside Home on Westburn Road.
Sources	Aberdeen Press & Journal, 12/01/1933 p.3

Service name	Establishment type	Address	Start	Closed	Current
Urquhart House	Children's Home	Netherview Road, Dyce	1971	2000	No

Service History	
Sources	Social Work Service, Central Records, Unit 2, Whitemyres
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives

Service name	Establishment type	Address	Start	Closed	Current
Westburn Road Home	Children's Home	71 Westburn Road, Aberdeen	26/01/1946	c.1984	No

Service History	Westburn Road Children's Home opened on 26/01/1946. It was home to around 20 children in the 1950s. The children from this home transferred to Airyhall in 1984. A service run by Archway later operated from this address.
Sources	Aberdeen Press & Journal, 26/01/1946 p.4
	Valuation Rolls, Aberdeen City and Aberdeenshire Archives
	Archway
	Grampian Regional Council Committee Minutes, 10/05/1984 p.25

Service name	Establishment type	Address	Start	Closed	Current
Westfield Boys' Hostel	Home for Young People	25 Westfield Terrace, Aberdeen	20/09/1950	1976-1978	No

Service History	Westfield Boys' Hostel opened in 1950. The first boys were admitted 01/10/1951. At that time it provided accomodation for 14 boys.
Sources	Aberdeen Press & Journal, 20/09/1950 p.6
	Aberdeen Evening Express, 29/01/1952 p.5
	Children's Homes
	Town Council Memoranda of Information, 1930-1974, Aberdeen Central Library

(Aberdeen City Council 2017).

3.3. APPENDIX 3 Aberdeen City Council Strategic Group Meetings

WHEN	ITERATION	WHAT
18 Nov 2015	2	Strategic Group
27 April 2016	2	Strategic Group
01 June 2016	2	Strategic Group
30 June 2016	2	Strategic Group
19 July 2016	3	Strategic Group
17 August 2016	3	Strategic Group
18 August 2016	3	Information Sub-Group
14 September 2016	3	Strategic Group
20 September 2016	3	Information Sub-Group
25 October 2016	3	Strategic Group
2 November 2016	3	Information Sub-Group
23 November 2016	3	Information Sub-Group
6 December 2016	3	Strategic Group

(Additional Sub-Group meetings were held for Communication and Engagement, Support and Training, not in scope).

3.4. APPENDIX 4 Glossary of definitions

Acronym	Full Name
ACVO	Aberdeen Council of Voluntary Organisations
ASLAWG	Archivists of Scottish Local Authorities Working Group
COSLA	Convention of Scottish Local Authorities
CSWO	Chief Social Work Officer
NHS Grampian	National Health Service (Grampian Region)
PRSA	Public Records (Scotland) Act 2011
RMP	Records Management Plan
SCAI	Scottish Child Abuse Inquiry
SIRO	Senior Information Risk Officer
SOLACE	Society of Local Authority Chief Executives

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