

Part C – Prevention and Identification

The response to Part C is made in respect of Gordonstoun School, Aberlour House 1999-2004 and the Gordonstoun International Summer School, all of which follow the same policies and procedures. Where there are any variances in either, this is specifically highlighted.

References are made at points in this document to incidents of abuse and/or alleged abuse reported more fully in Part D. Please see Part D spreadsheet responses 5.8, 5.9 & 5.12.

4. Policy and Practice

4.1 National

Past

- i. Was there national policy/guidance relevant to the provision of residential care for children?*

Yes.

There was national policy/guidance relevant to the provision of residential care for children, as reported in Part A, 1.3 (a) and more extensively here in Part C Appendices, Appendix 1. Gordonstoun strove to comply with all relevant legislation and policy guidance in place at the material time.

Appendix 1 includes mention of a range of local regional policy/guidance and legislation which has helped to inform the formulation and development of Gordonstoun's Child Protection Policy. The School's current policy, which is referred to throughout this response, can be provided to the Inquiry. This policy explicitly covers the Senior School, the Junior School and The Gordonstoun International Summer School¹

- ii. If so, to what extent was the organisation aware of such?*

Gordonstoun maintained a close awareness of national policy/guidance and legislation relevant to the provision of residential care for children as it continued to develop and change.

A list of the policy/guidance relevant to the provision of residential care as previously reported originally in Part A, 1.3 (a) is included at Appendix 1 of this document, with additional policy/guidance, all of which has helped to inform our provision of residential care for children.

This awareness has been further informed by an on-going working relationship with Scottish Council for Independent Schools (SCIS), which has been in place since 1978. Close working relationships between the Scottish Government policy/guidance drafters and SCIS has informed, and continues to inform, Gordonstoun's policy/procedures and practice with respect to the wellbeing and protection of children and young people in its care.

*Gordonstoun – Part C – Full Response***iii. If there was national policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such?**

Please see answers at i and ii above. Gordonstoun was particularly aware of the basis for national policy/guidance in its overt engagement with and ethical commitment to the United Nations endorsement of human and children's rights in the Universal Declaration of Human Right, the United Nation's adoption of the Declaration of the Rights of the Child in 1959 and the United Nations Convention on the Rights of the Child in 1989. Gordonstoun was founded directly upon these principles in 1934 by Kurt Hahn, whose personal opposition to the Nazi regime's human rights' abuses required him to leave Salem, the School he had established in Germany, in the 1930s, and seek refuge in the UK.

- ***Child welfare (physical and emotional)***

Documented evidence of school policies reflecting national policy/guidance is available since the mid-1990s. Many aspects of the national curriculum (in PE and PSHE equivalent) followed at various times have been aimed at promoting the physical and emotional wellbeing of the children and young people in the School's care, with particulars of the distinctive 'Hahnian' education focusing on child wellbeing. The physical and emotional wellbeing of a child in the School's care is also covered by the School's Child Protection Policy which have been in place, informed by national policy and guidelines, since 1995.

Gordonstoun has also been inspected by the HMI and the Care Commission/Care Inspectorate regularly since its foundation. As Government agencies, these bodies have ensured an adherence to national guidance and legislation by the School since consideration of an inspection is first recorded in the School's board papers in 1946. The School's inspection history is available if the Inquiry wishes to see it.

- ***Child protection***

The School was aware of national policy and guidance relevant to child protection as listed above and in Appendix 1. We have evidence of clear reference being made in school policies reflecting national policy/guidance in child protection from 1995, with specific reference to this documentation being made in the HMIE inspection of 2002. The school has not retained a copy of the 1995 policy, but copies of the 2002 policy are available to the Inquiry if wished. Since 2002, policy documents and guidance on child protection have been constantly updated, in line with national guidance that was either directly available to the School and/or brought to the School's attention through membership of the SCIS, as well as through our connections with local and regional authorities. Full written guidance was provided by SCIS (from 1997) and the regional authority (through the North East of Scotland Child Protection Committee).

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- **Complaints handling**
- **Whistleblowing**

When SCIS guidelines were published in 1997 they were followed closely by the School. At that time whistleblowing was not seen as being distinct from reporting of child protection concerns. From this time the School implemented and updated its Child Protection Policy and Procedures accordingly. An example from the 2007 policy states *'when there are suspicions that a child might be being abused in a boarding establishment, and these are not investigated, this could constitute criminal neglect.'* Consequently, the policy goes on to say *'Gordonstoun has guidelines in place, so that all staff are aware of their professional obligations'*ⁱⁱ. This is reiterated in the School's current policy and procedure with the following addition:

*'With regard to other cases the law is not so clear. It may be that a child could take action against a teacher for failing to act upon the child's disclosure or upon justified concerns which had been expressed to the teacher. Similarly, an action could be raised against an individual, or more likely a school, for turning a blind eye to, or failing to protect a child from bullying. Gordonstoun works very closely with the Locality Wellbeing Officer and the Public Protection Unit (which includes child protection experts from the police, social work and health) to seek advice immediately regarding wellbeing and child protection risk assessment, and to communicate any information that may pertain to the protection of children/young people from harm'*ⁱⁱⁱ

- **Management of residential establishments**

Gordonstoun was aware of the national policy/guidance in respect of the management of residential establishments as quantified in the answer at 4.1.i above and in Appendix 1.

As a boarding school, Gordonstoun has been subject to school inspections since 1946. It has been inspected by the HMIe (or, from 2011 Education Scotland) and by the Care Inspectorate (formerly the Care Commission) and is required to satisfy the standards set by both these bodies as a residential establishment.

- **Child migrants**

Not applicable.

- **Record retention**

The School has developed its procedures in relation to record retention to ensure it met its obligations in terms e.g. of the Data Protection Act 1998, the Freedom of Information (Scotland) Act 2002 and Disclosure Scotland's Code of Practice requirements in relation to Enhanced Disclosure Certificates and PVG Scheme membership.

As a registered charity, Gordonstoun must comply with the obligations of the Charities & Trustee Investment (Scotland) Act 2005 and also the Companies Act 2006 which states that a company must

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keep all minutes of both general members' and directors' meetings and copies of all resolutions of the charity for at least ten years.

- ***Recruitment and training of residential care staff***

The national policy and guidance with regard to the recruitment of residential care staff the School followed related to overall employment law. Since 1996, additional training of residential care staff has been undertaken following national guidance and legislation as it has developed in line with Child Protection national guidance and legislation.

With the application of current recruitment practice (including registration with the General Teaching Council for Scotland, membership of the PVG Scheme etc.), the requirements for residential care staff at Gordonstoun are that they produce evidence of their professional experience and any qualifications that sit alongside their qualifications as teachers. They also undergo comprehensive additional pastoral training in child protection generally, and in specific areas of concern to a residential care staff member, including the management of:

- Bereavement
- Eating disorders
- Medication
- Self-harm
- Alcohol & Drugs
- Mental Health issues^{iv}

From 2009 onwards, residential care staff were obliged to be registered with either GTC Scotland or the Scottish Social Services Council. Gordonstoun complied with this legislation.

- ***Requiring employers to divulge details of complaints etc. to prospective employers***

If an employee is dismissed for gross misconduct, Gordonstoun has had a duty to refer and notify the appropriate regulatory body from different times as defined by legislation. They are, as appropriate:

- The NMC (Nursing and Midwifery Order) since 2001
- SSSC since January 2006
- GTC Scotland since July 2006
- PVG Scheme (formerly Enhanced Disclosure Certificates) – duty to refer to Scottish Ministers where disciplinary action had or was going to be taken where a child was harmed or at risk of harm

It is our understanding that there is no specific legislation covering the content of references. It is also our understanding that guidance on the giving of references has come from case law, which provides a general position that there is no obligation on an employer to provide a reference at all, however if the employer chooses to do so, then that reference must be factually accurate.

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However, it should be stated here that, the School believes it gave ‘clean’ references in instances where, with today’s approach to record keeping and investigations, a fuller account would be given. These cases are reported in Part D Appendices 3 & 4, spreadsheet responses to 5.8 & 5.9, specifically 5.9.4, 5 and 8.

- ***Reviewing a child’s continued residence at a residential establishment***

Children boarded at Gordonstoun for the length of their education there, as long as they, their parents and the School, wished them to. The boarding arrangement was based on pupils behaving in accordance with the School’s code of conduct and meeting the expectations of their teachers, parents, and themselves in terms of their education. This would traditionally run to completion of A Levels in order that they might go on to university.

The process of review of this would be conducted through school reports, meetings with teachers and house staff on open days etc., direct communications between those teachers, house staff or the headmaster with parents and/or guardians as necessary.

The progress of each student through the School has always been overseen in this way with the intention of ensuring that they achieve their full potential, whatever that potential may be.

iv. If the organisation was aware of such, did they give effect to that policy/guidance?

Yes.

v. If so, how was effect given to such policy/guidance?

Effect given to such policy/guidance – and its development – is reflected in the creation and constant development and updating of the School’s own internal policies and guidelines, which are based directly upon national policy/guidance (see Appendix 1).

School staff have regularly attended courses provided by national government and SCIS (from trainers who were expert in government policy/practice), to ensure school practice and documentation is informed by relevant experts and reflective of national guidance as it has been updated. Child protection policy/guidance has been refreshed or re-written when national policy/guidance has been re-issued, with interim updates from government reflected in training and internal guidance to staff, as well as communication with children, young people and their parents.

In relation to Complaints Handling/Whistle Blowing - procedures based on national guidance encouraged a reporting route which took into account the possibility that allegations could be made against members of staff and needed robust handling. A Flowchart representing the procedure for handling allegations was included in the earliest version of the policy booklet^v. This included clear reference in several instances to early reporting directly to police and social work. In instances which involved possible allegations against the Head or the Child Protection Coordinator, reporting directly to the Chair of Governors was encouraged (as per the Flowchart).

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The sections of each successive guidance document that dealt with confidentiality also represented a context that was protective of any individual – child or adult – making a disclosure of possible abuse. Appendices focusing separately on Staff Behaviour, Code of Good Practice and Staff Procedure were also written to encourage independent responsibility and confidence when disclosing possible abuse.

A clear indication that thought had been given to the need for independence and confidentiality being guaranteed to children, staff, parents and other parties, is that the Child Protection Coordinator is not, for instance, a member of the School's Senior Management Team and therefore free from any perceived influence. Students and staff were reminded in training sessions and through the regular information sessions held with all students, that child protection disclosures and reports were confidential (in line with national guidance) and independent of school management or discipline, with recourse to external advice and support from social work and police.

vi. *If not, why not?*

With regard to record retention, in the past different areas of the School operated different practices. All student files were retained, although it is understood that, at various times in the School's history these were routinely 'thinned' to retain only what was felt necessary and appropriate. The files of teaching staff in employment by the School have been retained since 1990. Financial records are retained for seven years. Child protection and wellbeing records are retained from 1997 onwards and the School archives retain an extensive but incomplete set of school records, correspondence and paperwork from its foundation to the present day.

Other than this, the School believes it has given effect to all relevant policy/guidance

Present

vii. *With reference to the present position, are the answers to any of the above questions different?*

Yes.

viii. *If so, please give details.*

The policy/guidance to which Gordonstoun operates in relation to child protection, continues to develop and change, with the current position developing under, for instance, the terms of the Children and Young People (Scotland) Act 2014.

Certain provisions of the 2014 Act have come into force, others still have not. Of particular relevance to the School's responsibilities to the children in its residential care are the provisions in relation to Named Persons and Child Plans.

The most recent National Guidance on Child Protection was published after the enactment of the 2014 Act, and this forms the basis for the School's current policy and guidance. In addition, the

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School's practice and internal documentation takes into account Ministerial advice. The School's child protection staff have been closely involved in the consultations and engagement facilitated by the Scottish Government in relation to GIRFEC, both before and since the Supreme Court ruling of July 2016, that affected some provisions around information sharing within this legislation. The School is taking note of every government update in advice, to develop documentation and practice appropriately.

In relation to record retention, the School is working towards operating in compliance with changes in the Data Protection Act which are coming in to force on 25 May 2018, in order that its record retention and data protection is entirely consistent with up to date legislation and guidelines.

A 'Whistle blowing' clause was added to all staff contracts in 2016.

Residential Care staff continue to undergo training regularly in line with any changes in policy/guidance both nationally and locally. Also, the job and person specifications change in line with developments in the nature and responsibilities of the job. For instance, understanding of the challenges posed by mobile phones/social media requires increasing levels of training. This does not change the School's following of national policy/guidance, but it positively enhances recruitment in line with that policy/guidance.

With regard to supplying references, in cases of Gross Misconduct or where there is any child protection concern, the School is committed to fulfilling its duties to refer and notify the appropriate regulatory body as defined by legislation and as stated above.

4.2 Local Authority

Past

i. Was there local authority policy/guidance relevant to provision of residential care for children?

We do not have any formal records which set out the School's historical involvement with local authorities, and therefore we cannot state what awareness of local authority policy/guidance existed in Gordonstoun with respect to the provision of residential care services for children before the more completely developed pastoral and child protection regime of the late 90's.

Since the introduction in 1995 of the role of Child Protection Co-ordinator (CPC) at Gordonstoun, the CPC has made annual reports to the Board of Governors^{vi}. This documentary evidence reveals very close contact with the local authority. This contact was generally through the Children and Families service within the Education and Social Care Department of Moray Council.

The School also relied upon policy/guidance documentation supplied by the North East of Scotland Child Protection Committee and since it disaggregated in line with the shift from a regional Grampian authority to three local authorities (Aberdeen City, Aberdeenshire and Moray) in March 2013, has relied upon the Moray Child Protection Committee and Moray Council for guidance documentation.

Such local authority support/guidance includes:

- North East of Scotland Child Protection Committee (NESCPC) Child Protection Guidelines 2007
- NESCPC Multi-Agency Guidance for Working with Children and Young People Who are Sexually Active (2008)
- NESCPC Multi-Agency Risk Assessment Framework (2008)
- Moray Local Integrated Assessment and Planning Procedures (LIAP) 2009
- Child Protection Guidelines (NESCPC) 2011 and 2012
- The Role of the Named Person in Universal Services (Moray Council) 2012
- A Practitioner's Guide to Information Sharing, Confidentiality And Consent To Support Children And Young People's Wellbeing (GIRFEC Grampian 2014)

This active and ongoing relationship is also recorded in cases in the Wellbeing System (See Part D Appendices, Appendix 1)

ii. If so, to what extent was the organisation aware of such?

We do not have any historical records which indicate awareness of local authority policy/guidance relevant to provision of residential care for children before the more completely developed pastoral and child protection regime of the late 1990's.

From that time onwards, as a school in Moray, Gordonstoun was aware of having regional access to the support and oversight of The North East of Scotland Child Protection Committee (NESCPC) which

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covered the three local authority areas of Aberdeen City, Aberdeenshire and Moray. This organisation has a responsibility to develop and implement inter-agency child protection strategy, and has helped the School with training and the dissemination of information relating to the protection of children. More locally, Gordonstoun works with the Joint Child Protection Unit for Moray (now renamed the Public Protection Unit) – which provides access to the local health authorities, the police and social work as required. This access and help has been available to the School in the same way as it is to all other care and education providers in the area.

iii. If there was local authority policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such?

- ***Child welfare (physical and emotional)***

There is documentary evidence of this awareness from 2006; in addition, the School's first Child Protection Co-ordinators and Directors of Pastoral Care report awareness before this time. The Scottish National Curriculum for Excellence has informed our approach to welfare and wellbeing education through the International and Spiritual Citizenship (ISC) programme (ISC) is part of Gordonstoun's broad educational curriculum, and is reported more fully at 4.4 (a) i. Gordonstoun's sexual health education programme is based upon the NHS and local government's recommended SHARE programme. Local guidance has been followed in our participation in LIAP procedures and Multi-agency meetings. For the past several years there has been regular input from Police Liaison education officers with both staff and students with regard to national policy/guidance regarding sexual offences and substance abuse.

- ***Child protection***

Child protection policy and guidance has been directly informed by the regional and local authority's interpretation of national policy/guidance since early involvement with the NESPC and more recently through the Moray Child Protection Committee. Specific policies and guidance regarding procedures for reporting in this area have also been provided by the local authority, particularly through contact with the Moray Joint Child Protection Unit, which combined police, social work and health child protection specialists. Local guidance has been followed to inform our involvement in risk assessments, child protection planning meetings and joint interview processes.

- ***Complaints handling***
- ***Whistleblowing***

The School is not aware of any specific local authority/guidance provided to the School in these respects. The School's policies and procedures developed in line with national guidance and legislation with regard to both child protection and staffing policies and procedures.

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- **Management of residential establishments**

As a privately funded boarding school, Gordonstoun follows the policy, legislation and guidelines of the HMI and Care Inspectorate in its management as a residential establishment.

- **Child migrants**

Not applicable.

- **Record retention**

Gordonstoun was aware of the Data Protection Act 1998 and the requirement to retain financial records for seven years (see also our answer to 4.1.iii).

- **Recruitment and training of residential care staff**

Per the answer at 4.1.iii above, Gordonstoun follows the School's own policy for recruitment and training of residential care staff, informed by national policy/guidelines, human resources and advice from SCIS. Some of these policies and guidelines are outlined in the School's Child Protection Policy in relation to the roles and responsibilities of staff for child protection^{vii}

- **Requiring employers to divulge details of complaints etc. to prospective employer**

As per the answer to 4.1 iii above, Gordonstoun follows the School's own policy for divulging details of complaints etc. to prospective employer, as informed by national policy and guidelines as stated.

- **Reviewing a child's continued residence at a residential establishment**

As per answer at 4.1 iii above. That said, this continued residence would also be considered in the broadest terms in relation to the child's wellbeing and protection. Advice would be sought from Local Authorities in this regard should it be required.

iv. If the organisation was aware of such, did they give effect to that policy/guidance?

Yes.

v. If so, how was effect given to such policy/guidance?

Since at least the creation of the post of a Child Protection Officer/Co-ordinator in 1995 at Gordonstoun, the effect has been given to local policy/guidance through adoption of local guidelines, particularly in the sharing/reporting of concerns and abuse. It also took effect through school staff attending training offered by the regional/local authorities, and in the acquaintance of the School with local practice in professional interdependence which has established a necessary,

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shared local understanding and implementation of national practice (e.g. with respect to GIRFEC, child's planning and the reporting of abuse).

The local authority's written guidance and interpretation of national policy/guidance has been used to inform our guidance, in combination with the interpretation offered by SCIS, particularly with respect to child protection. Frequent conversations have taken place with local social work professionals involving the interpretation and application of guidance in everyday situations with children, and have informed our practice in the reporting of abuse. This depended on the fluid working relationship of the School with professionals within the local authority who have provided valuable additional support and understanding to the pastoral team at Gordonstoun and protection for the children in its care.

The local authority would decide what to do with the information shared, sometimes advising school staff regarding appropriate action, sometimes coming into school to speak with students informally or initiating an investigation if they felt it was required. Examples of this process are reported at Part D, Appendix 4, Spreadsheet 5.9.8, 19 & 63 following. This close working relationship was particularly dependant for some time upon direct support from the Moray Social Services Lead, who was 'at the end of the phone' providing advice and direction to each of the School's Child Protection Officers.

Close working relationships with our local authority (and others, as necessary) have ensured that any children on the Child Protection register or who are Looked After Children, are supported and protected appropriately.

vi. If not, why not?

Not applicable.

Present

vii. With reference to the present position, are the answers to any of the above questions different?

Yes.

viii. If so, please give details.

The working relationship with the local authority has continued to grow and develop. The School's reliance upon an authoritative and experienced Social Services Lead has developed over time to include close links with the social work Triage Team and the Joint Child Protection Unit (now the Public Protection Unit). This unit includes youth justice, child protection social work, health and police specialists. Reference to this effective inter-agency working is the basis of much of the School's child welfare and child protection. Since the requirement was introduced, we have also ensured that Prevent police officers and subsequently Prevent trained staff have ensured national policy/guidance is satisfied in relation to Prevent legislation.

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Close working relationships with our local authority (and others, as necessary) continue to ensure that any children on the Child Protection register or who are Looked After Children, are supported and protected appropriately.

4.3 Admissions

(a) Policy

Past

- i. **What policies and/or procedures did the organisation/establishment have in place in relation to admission of children to the establishment?**

From the foundation of the School, children were admitted after being interviewed.

It is known from the School's history and review of the files that the founder, Kurt Hahn, wanted to admit children whom he believed would particularly benefit from the unique educational ethos of the School; children who had struggled at other public schools or weren't presenting themselves as being particularly academic; children who had not yet discovered their metier.

The Pre-war Admissions policy was: *"Conditions of Admission: A certificate of character from the last school. A health certificate, preferably from the family doctor. A personal interview of the boy by the Headmaster."*^{viii}

Henry Brereton, the longstanding member of staff and second Headmaster at Gordonstoun says, in a promotional film made about the School in 1960, that they believed evidence from the Common Entrance exams was "too thin", so they always interviewed a boy (at this time the School was a boys' school), and gave him additional aptitude and knowledge tests.

Mr Brereton's successor, Mr Chew mentions the School's policy to accept *'a limited number of boys who, whilst not gifted academically nevertheless have much they can offer to the community'*^{ix} whilst acknowledging that this caused problems with how the School was perceived in terms of exam results.

A year later^x, he goes on to disclose that *'at our last interview held three weeks ago we turned down many boys, firstly because they were not up to the academic standard we are today demanding, secondly because we did not have sufficient places to take more than sixteen out of some fifty applicants.... I think it is true to say that the quality of our intake is improving, but it does mean there are now very few places for the boy who is late in maturing, the type of boy who, so often in the past, has done well at Gordonstoun.'*

In 1967 a school publication states *'the School will always try to make room for every applicant, no matter how late his application or from what educational background he comes, provided the applicant proves acceptable after an interview and tests'*. At this time Common Entrance was not taken for Gordonstoun.^{xi}

In 1971, conditions of admissions state: *'A number of boys are accepted directly on their Common Entrance Papers and their school record; a number for whom CE papers present difficulties are invited to interview'*^{xii}

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Since that time, candidates have been expected to sit an entrance exam (up until 2016 that was Common Entrance), come for interview and supply a reference from their previous school.

The School's ethos was always to educate children from a broad social background, with the provision of bursaries and scholarships where possible. In Hahn's time, there was a procedure whereby some parents paid more in order for other parents to pay less.

Gordonstoun has also always striven to retain an international balance of children in the School – with a third of the students from Scotland, a third from the rest of the UK and a third from the rest of the world. This has a bearing on some of the admissions decisions.

The School's current admissions policy was formulated in 2013/2014.

ii. Was there a particular policy and/or procedural aim/intention?

The policy and/or procedural aim/intention was to accommodate a healthy roll of students who could benefit from and play an active part in the School's educational ethos, and to maintain a community of international students from a broad social background, to complement that ethos.

iii. Where were such policies and/or procedures recorded?

There is a record of the School's policies in the School's prospectuses between 1930's- 1970's. Thereafter the admission process is evident in the sampled student files and files dated after 1999. The majority of these files retain admissions paperwork, and/or registration cards.

The School's current admissions policy was formulated in 2013/2014.

iv. Who compiled the policies and/or procedures?

The Headmaster, in consultation with the Board of Governors, and, since 1999, with the Director of Admissions.

v. When were the policies and/or procedures put in place?

The vast majority of the sampled student files contain Admissions forms which illustrate the fact that, since the School's foundation, there has been a clear Admissions procedure and a requirement for admission to be formally agreed between parents and/or guardians and the School.^{xiii}

These forms have changed and developed over the years – and more recently registration of students and the return of contracts for their formalised admission to the School has been done on line.

Gordonstoun's current admissions policy was written in 2013/2014 and is available to any prospective parent on the School's website. This can be provided to the Inquiry if it is wished.

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Yes

vii. Were such policies and/or practices reviewed?

Yes

viii. If so, what was the reason for review?

The School's admission policies and practices have always sought to reflect the ambitions and ethos of the School and are revised as appropriate, in line with the need to ensure the School could meet the educational and pastoral needs of prospective students, and under the direction of Gordonstoun's Board of Governors.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

Over time, the policies and/or procedures changed with the requirement for a more detailed health history, and for more information regarding any need for Learning or English language support.

Gordonstoun now asks former schools to provide information on prospective pupils by completing a standard form. With the permission of the parents, this is sent to the School directly.

x. Why were changes made?

Changes were made in line with best practice and in order to gain the information required to make an informed decision about the suitability of a candidate for a Gordonstoun education, and to ensure that the School can support their educational and pastoral needs.

xi. Were changes documented?

Sampled student files clearly illustrate the changes in admissions paperwork over the decades.

xii. Was there an audit trail?

An audit trail exists in the form of records retained within student files.

Admissions Policy is also recorded in a 1960's School prospectus^{xiv}

A school prospectus from 1971 includes a leaflet about 'administrative arrangements' for entry which concern conditions of admission.

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The current Admissions Policy was approved by the Board of Governors in February 2014, having been previously approved by the Education and Development Sub committees, and prepared by the Principal in October 2013.

Present

- xiii. With reference to the present position, are the answers to any of the above questions different?**

No.

- xiv. If so, please give details.**

Not applicable.

(b) Practice**Past**

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to the admission of children to the establishment?**

Yes

- ii. How was the adherence demonstrated?**

The vast majority of student files retain records of individual admissions paperwork and references, from 1935 to the present day.

- iii. How can such adherence be demonstrated to the Inquiry?**

The vast majority of student files retain records of individual admissions paperwork and references from 1935 to the present day.

- iv. Were relevant records kept demonstrating adherence?**

The student files from the School's foundation onwards which contain admissions paperwork – the vast majority of them – demonstrate adherence to the school's practice and/or procedures.

- v. Have such records been retained?**

Student files have been retained and the vast majority of these contain admissions materials.

- vi. If policy/procedure was not adhered to in practice, why not?**

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The School's admissions policy/procedure was adhered to in practice.

vii. *If policy/procedure was not adhered to in practice, what was the practice?*

Not applicable

Present

viii. *With reference to the present position, are the answers to any of the above questions different?*

No

ix. *If so, please give details.*

Not applicable.

4.4 Day to Day

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to the day to day running of the establishment?*

See also Part C Appendices, Appendix 3 for further detail of the below.

The Daily Timetable:

The School has always had outlined procedures in place in relation to the day to day running of the establishment, which take the form of a daily timetable for the children. This has changed and developed since the foundation of the School, and is as previously stated in Part A, 1.5.(b).v.

Policies and procedures are in place to support the safe and effective delivery of this school timetable.

The Training Plan (in place from the 1934 to late 1980s):

The School's Training Plan^{xv}, maintained by the students personally, outlined practical policies and procedures expected in their day to day life. These included:

- The need to shower twice a day
- The need to take care of personal hygiene
- To attend meals
- To take physical exercise

School Rules:

School rules have also been in place since the School's foundation – and the earliest copy on file in the Gordonstoun archive is thought to date from the 40's. This document outlines the rules regarding school work, sport, washing, expectations of the different year groups and ranks, and – most importantly – the safety rules which are primarily with regard to safe use of athletic equipment.

A second set of rules, dated 1958, was compiled by Dr Eric Meissner. These seem to be in response to a request from 'Education'^{xvi} and it outlines the expectation of the Training Plan. There are also a series of Health Rules (which include the stipulation that no boy is allowed to do two cross country runs on the same day, and that Medicines and drugs, even when prescribed at home, must be handed in to the sanatorium.) There are a series of safety rules – much of these are again in relation to athletics and activities.

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The General Rules outline the School's policies on school uniform, the School's bounds, the need for every boy to have a bicycle, the need for appropriate preparation for expeditions, and an outline of the School's punishment system – which includes the Walking Punishment destinations – and the rules regarding silence and the need for *'the rhythm of daily life to slow down at regular intervals'*^{xvii}

Record of revision of these rules exists in 1968 – although without significant amendment.

An archived booklet of rules which is thought to be from the 1980's^{xviii} stipulates:

"There is no place at Gordonstoun for any kind of bullying or cruelty".

The Gordonstoun School Discipline Handbook was introduced in the early 1990's under the Headship of Mark Pyper.

This developed into the School Charter which was introduced in Autumn 1999. The School Charter – in place today – states the rights and responsibilities extended to every pupil member of the School community.

The Code of Conduct (formerly the School's Discipline Handbook, renamed in 2008) – which comprises part of the School Charter, and outlines the ways in which the students are expected to fulfil their responsibilities on a day to day basis – *summarises the School's expectations of pupil's behaviour, and is based on the simple premise that every pupil is to behave responsibly at all times.*^{xix} The Code of Conduct is referred to throughout this response. It is also included, for more complete reference, at Part C Appendices, Appendix 2 following.

This document outlines the School's procedures with regard to:

- Safety on and off the School campus
- The School's bounds
- Safety in the Boarding Houses
- Movement of students (signing out & close times)
- Organisation (study periods, meals, dress etc.)

It then outlines the School's policies on:

- Alcohol – and the sanctions applied to its abuse
- Bullying – and the School's action and procedure when incidents occur, including those involving staff and pupils
- Drugs – and the sanctions applied to their abuse.
- Gender & Relationships – and the School's expectations of student behaviour.
- Smoking – and the sanctions applied to its abuse

*Gordonstoun – Part C – Full Response*Health and Safety Procedure

A Healthy and Safety response to the Health and Safety at Work Act 1974 is retained in the archives^{xx} and outlines the Board's safety policy. It delegates the development and implementation of the safety policy to the Headmaster and Controller and requests the cooperation of all staff, and commits to considering all matters in relation to the safety of staff and pupils in the School.

There are no specific policies recording the arrival of girls at Gordonstoun.

Health and Safety Procedures have developed since this first archived record, which dates from after their arrival.

These include:

- Emergency Procedures
- Fire safety
- Transport
- Risk Assessment

These policies and procedures cover the delivery of the School's rescue and community service programme which are also part of day to day life at Gordonstoun.

Security on campus

This is reported at 4.7 below.

IT Policy

The requirement for a policy regarding Information Technology is a comparatively recent one. The School's first policy was written in 1992 and it has developed and changed continuously alongside the exponential growth of the world it attempts to create management of. The delivery of safe, appropriately managed and efficient Information and Communications Technology – for staff, students and parents - is a significant element in the day-to-day running of Gordonstoun. This policy – one for staff, one for students - includes an outline of acceptable use of both the School's and personal ICT equipment and outlines sanctions which will be applied depending on the nature of any offence committed. It contains a section which relates specifically to Child Protection and the handling of what might be deemed to be unsuitable material^{xxd}.

Child Protection

Although this policy is reported more fully elsewhere, since 1995 there has been a Child Protection Policy at Gordonstoun which has outlined responsibilities for Child Protection. Children's wellbeing is also a major element of the day to day polices at a boarding school. House Handbooks have been in place since the early '90's outlining staff responsibility for children's wellbeing within the boarding house. This handbook is revised and updated and is presented in the staff handbook.

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Staffing policies and procedures are reported elsewhere, but also include policies which outline school's procedure in relation to the management and wellbeing of staff (including those on maternity/paternity leave, work related stress, absence through illness etc.) all of which are related to the day to day running of the School.

ii. Was there a particular policy and/or procedural aim/intention?

The policy and/or procedural aim/intention has always been the same, which is to provide the children cared for at Gordonstoun with an education based on the founder, Kurt Hahn's unique ethos which was to educate through challenge, adventure and service as a means to develop individuals with a clear sense of self within the broader context of their social responsibility.

iii. Where were such policies and/or procedures recorded?

Policies and/or procedures in relation to the day to day running of the establishment were recorded in student's individual Training Plans, in the timetables which have developed and changed over the years, and within the School rules which have also developed and changed. They are also recorded within archived documents and correspondence, Headmaster's reports to the Board of Governors, and board minutes. A list of the documents held in the School's archive is set out in Part C Appendices, Appendix 5.

Since 1997 there has been a Gordonstoun School website which, along with specific pages of information pertinent to each year group and their activities and life in the wider Gordonstoun community, also contains the School's current policies and procedures. The website has a 'parent portal' which allows parents secure access to a host of key information. This provides important access for parents that are overseas and in different time zones.

The development of the website ran parallel with the development of policies and procedures at Gordonstoun from 1995 when the School appointed its Director of Student Welfare/Pastoral Care and a Child Protection Officer.

These policies are even more comprehensively recorded in the Staff Handbook which contains all current policies and procedures including those relating to:

- Teaching and Learning
- Child Protection
- Code of Conduct
- Health and Safety Policies
- Risk Assessments
- Transport Policy
- Tours and Visits
- Accidents Procedure
- All staffing policies
- School Development Plan (from 1995/6 annually)

... along with documents providing national guidelines on policies and procedures such as:

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- National Care Standards
- SCIS Wellbeing and Child Protection Guidelines.

The Staff Handbook has been in place since the 1990's. Reference is made in Staff Meeting Minutes of it having been rewritten in 1996^{xvii}. The original version was paper, but the requirement to make constant updates to policy and procedures in line with legislation encouraged the development of the more practical digital version which first went on line in 1999/2000.

The current Staff Handbook is dated 2011, although individual policies therein have been more recently updated.

The School Development Plan was put in place in line with Educational Plans and Targets as conceived by the Scottish Office Education Department in January 1994^{xviii}. The Government had previously issued a consultation paper on the subject which set out school development planning in the context of The Parents' Charter in Scotland which said that all schools would be required to produce a document setting out their educational plans and targets, with a report on progress made. Gordonstoun has consistently produced such a document since that time. Gordonstoun's School Development Plan has developed and changed since its first introduction, but it consistently outlines the School's action plans in each academic year, a review of its previous year's action plans, academic, administrative, activities and pastoral audit along with surveys of pupils, parents and staff and updates on any new implementation of changes and measures across the School. Consequently Gordonstoun's School Development Plans represent an audit of policy, procedure and practice from that time onwards.

iv. What did the policies and/or procedures set out in terms of the following?

- **Activities for children**

Activities for children were laid out in their daily timetables, which were staffed and run appropriately based on staffing practice at the School. The policy of the School was to provide as broad an education as possible, for complete delivery of Kurt Hahn's educational ethos. Therefore, within the School day, activities for children included playing a wide variety of indoor and outdoor sports, playing music, dance and drama, art, design and technology and membership of one of the School's rescue and community services.

Policies and Procedures for the delivery of these activities are outlined in the Gordonstoun Staff Handbook, and their development is outlined in the School Development Plans from 1995/6 to the present day. These include policies for keeping the children safe (the School's Child Protection Policy, the School's Health and Safety Policy, the School's Transport Policy, Teaching and Learning Policy and the School's Code of Conduct)

- **Off-site activities for children including trips, holidays and visits to family**

Off-site activities for children at Gordonstoun included:

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- Expeditions – walking and camping in the nearby highlands.
- Sail Training Voyages – sailing, most often around the West Coast of Scotland, but occasionally further afield.
- Music, drama and sports tours – in the UK and further afield.
- Skiing and ski trips – in Scotland and to Europe.
- International Service projects – worldwide.

The first two – expeditions and sail training – were part of the School's broad educational curriculum and are an integral part of the education provided at Gordonstoun.

The next three – tours, ski trips and service projects - were voluntary and incur either an additional fee or, in the case of the service projects, independent funding. These were undertaken with the consent of parents.

Expeditions:

As outlined in the 1958 School rules^{xxiv} with regards to expeditions:

- *Risks are permissible only after all proper safeguards have been duly considered and applied: this rule must govern all expedition training.*
- *Expeditions must be carefully prepared, the equipment checked, and plans submitted to those to whom the Headmaster has delegated this responsibility.*
- *Junior Expeditions without a competent senior taking part and assuming responsibility are not permitted.'*

A page on Expeditions is included as an appendix to the Minutes of the School's Board Meeting on 7 March 1966, dated February 1966. This stipulates that:

- *'All expeditions in the hills or high mountains come under the control of the Expedition Master, and plans must be submitted to him and his approval received before the expedition may leave.*
- *As from September 1967, any master taking an expedition in the two winter terms must hold the Mountain Leadership Certificate.*
- *A master who lacks experience of winter conditions in the Scottish Mountains must accompany an experienced leader on at least six occasions under such conditions. He must eventually be passed as competent by the master in charge of expeditions before he can lead an expedition.*
- *For Summer expeditions, an experienced master who wishes to take expeditions into the hills would be expected to accompany parties lead by experienced staff on several occasions before leading his own'*

A page of Safety Rules for the Mountains and Wild Country is also included as a further appendix in the Minutes. Their twelve stipulations include:

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- *'They must not go out in groups of less than four*
- *If one is injured or unable to carry on one must stay with him while the other two go for help.*
- *When given a route, boys must never alter it or go over more difficult ground than the proper route.*
- *The greatest danger in the hills is by dislodging a stone or boulder, and the greatest care must be taken at all times.'*

The policies and procedures with regard to expeditions have developed and expanded since that time, and the School's existing policies – Gordonstoun School's Outdoor and Adventure Activities Operating Procedures - are regularly reviewed to ensure that they reflect what are considered nationally accepted good standards of operation. This may follow guidance and advice from governing bodies, inspectors, changes within the industry or as a result of accidents and incidents.

An Expedition Handbook is published on line, outlining the expectations of staff – and students – during these experiences.

For the activities which take place off site, Gordonstoun also maintains operating procedures for:

- Sea Kayaking
- Walking
- Snow holing
- Bivvying and shelter building
- Mountain Biking
- Sea kayaking
- Open canoeing
- Wild Swimming
- Walking
- Single Pitch rock climbing
- Nordic skiing.
- Alpine Skiing
- Snowboarding

Where external instructors are used, the School's policies are followed.

A 'Trips Proforma'^{xxv} is required for any off-site activities – confirming that operating procedures and risk assessment amongst other things have been adhered to.

These forms are required for any and all off-site activities.

Sail Training Voyages:

Gordonstoun's Sail Training Vessel – Ocean Spirit – has a Safety Management System which is regularly reviewed, and is currently under review as the boat is about to set off to the Arctic and this system needs to include policy with regard to close encounters with polar bears. Generally, the boat

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operates under the School's rules, code of conduct and child protection policies whilst also being answerable to maritime rules and regulations.

Music, Drama and Sports Tours:

The process for organising Music, Drama and Sports Tours was similar. The member of staff considering the trip would create an itinerary and an intention and then present this to the Director of Staffing and Planning for approval of the intention and the financial outlay.

Assuming final approval was given, the tour could go ahead with agreement from the parents of any child involved.

Ski-ing and ski trips:

In the Easter term, at the Junior School, and on Sundays in that term at the Senior School, weather and conditions permitting, skiing is offered as an activity to students. These trips are taken at commercially run skiing destinations, and the children are expected to adhere to the policies and procedures in place there.

Although the School used to arrange recreational ski trips overseas in the holidays to Val d'Isere (paid for by parents and arranged with and agreed by parents and in some cases attended by parents), the only ski trips undertaken in the last ten years have been Race Trips to the British Inter School Ski Championships.

International Service Projects:

To ensure that children who will contribute fully and enjoy the experience roundly, the procedure for the selection of students to attend the School's International Service projects is as follows:

- An invitation is made in chapel to all Year 12 students to apply.
- This is supported by an email to all Year 12 students.
- Any interested candidates fill in an application form which is sent to the School's International Co-ordinator.
- The forms are collated and sent to the Project Leader for each of the International Service Projects.
- Each applicant is interviewed for at least their first choice of Service Projects, by the Project leader and team leader (both staff) for that project, and former attendees.
- The candidates are short listed, and offered places. Suitable candidates who do not make it on to their project of choice are offered the chance to interview for another project.
- Candidates are informed of the result of the procedure and successful candidates commence the necessary fund raising.
- At this point each project's leader takes over the paperwork from the School's International Co-ordinator.

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Each leader is responsible for their own Risk Assessment for the project.

The School's longest running International Service Project is the Thailand Water Project which has been running since 1986. The selection process has always been carefully managed.

- ***Schooling/education***

From the School's foundation, Gordonstoun's Memorandum and Articles of Association (incorporated on 14 May 1934) includes, amongst the company's objects clauses, the following: *"To provide at Gordonstoun, Elgin, in the county of Moray and at such other schools in Great Britain and Northern Ireland as may, from time to time, be determined, education in all its branches"*.

As of 1957, Gordonstoun was registered with the Registrar of Independent Schools in Scotland. It was also registered as a charity in 1952 and with the Care Inspectorate in 2011.

Gordonstoun also enters into a contract with the parents or guardians of children (The Parental Contract) to authorise the School to become responsible for the provision of their children's education. In this contract, the School undertakes to *'exercise reasonable skill and care in respect of (a child's) education and welfare.'*

The School's policies and/or procedures for the delivery of schooling and education are laid out in early school prospectuses^{xxvi}, with clarification of the School's curriculum, examination and scholarship process. The intention was to realise the unique educational ethos of its founder, Kurt Hahn, one that used challenge, adventure and service as a means to develop individuals with a clear sense of self within the broader context of their social responsibility. Academic studies were *'the most important of Gordonstoun's activities'*^{xxvii} but the hope was that all of the other activities encompassed within Hahn's ethos were *'regarded as an essential part of the training of the mind.'*^{xxviii}

Challenge and adventure underpinned Hahn's commitment to seamanship and outdoor education as part of Gordonstoun's wide curriculum. Students were impelled to new experiences with the intention of opening their minds to their own potential. They were also obliged to take part in service to the community – both in and beyond the School. Hahn believed the creation of the School's services (of which the Fire Service and the Coastguards were the first, established in 1935) to be *'the most important contribution, so far, that Gordonstoun has made to the training of the young'*^{xxix}. In school, service was a part of a student's daily life, to encourage awareness of their own well-being, the well-being of others and of the School as a whole. They worked alongside gardeners and builders on the upkeep of the estate, and fulfilled individual *'duties of service'*^{xxx} to the community which grew in responsibility as they moved up the School.

Hahn also placed huge importance on good health and physical fitness – and Gordonstoun has remained committed to including physical education as an integral part of classroom learning in the Schooling/education of children in the School's care.

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This ongoing commitment to realising Kurt Hahn’s distinctive vision whilst retaining its position in a competitive market has required changes and developments to the School’s academic curriculum and its delivery (as illustrated by timetable changes). A letter from the Headmaster at the time, to parents, dated March 1980 lays out the School’s developing education policy at that time^{xxxii}. Mr Mavor outlines changes to the curriculum, and states that *‘a great deal of thought and work has been put into this scheme by a large number of the teaching staff’*^{xxxiii}

The first school Teaching and Learning policy in the School archives is dated 1998 and it outlines the academic curriculum plan for each of the School years, along with the School’s academic ethos which was *‘to develop intellectual skills, knowledge and understanding and a pride in achievement.’*^{xxxiii}

This Teaching and Learning Policy also states the ‘Classroom Code’ which clarified the School’s expectations of children’s behaviour in the classroom, and outlined procedures if this was not as it should be. The policy also outlines expected prep condition.

This Teaching and Learning Policy has been in place from this time, and has developed, changed and expanded to explain policy and procedure in relation to topics which include:

- Guidelines for staff/complaints against staff
- Teaching methodology
- Meeting the needs of all students (Differentiation)
- Learning Support
- EAL
- ICT
- Examinations
- Reporting and Assessment
- Inset and CPD^{xxxiv}

The effective delivery of Gordonstoun’s uniquely broad curriculum is one of the School’s education policies, and the inclusion in that curriculum of the core and unique component of International and Spiritual Citizenship (ISC) also helps give students the skills, knowledge, understanding and informed attitudes to live safely and well in society. ISC is non-examinable, and it explores a wide range of social, spiritual and personal thought, encouraging students to form their own opinions about the world around them and their personal beliefs and core values. By considering the global community, the local community and the School community, in political, historical and moral terms, this subject encourages students to understand and contextualise their responses and their responsibilities. It also includes age appropriate discussion of health and sex education. The aim of the compulsory study of ISC at Gordonstoun is that each student will learn to appreciate the wider world whilst also gaining key skills in conflict resolution, team work and communication, to better inform their life during and after school.

Children throughout the School are also encouraged to write a ‘blog’ online as part of the Student Development Scheme (SDS). Started in 1999/2000 the SDS provides the children with an

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opportunity to record their endeavours and achievements and is overseen by their tutors and can be read and commented on by parents. It is a means of communication, but also provides a ‘portfolio of achievements’, and can make a useful, informal record of a career at Gordonstoun when children get to school-leaving age which can be seen by the parents but which also, in the process, creates a firm record of their achievements and their feelings about them, throughout their career at school. It also allowed the School to confirm that they were delivering the education they promised to each individual within the School.

- ***Discipline***

Although School rules exist, on record since the 1940’s, the ‘Trust System’ was another integral part of Kurt Hahn’s unique educational ethos. This was a system where the boys were expected to bear witness to, and take responsibility for, their own behaviour. They were expected to monitor their own progress in their individual Training Plans, recording both successes and failures in the fulfilment of their daily duties. Students were expected to carry out any punishments through walking various assigned distances, in silence and without supervision. This was intended to provide them with an opportunity to quietly reflect on what had happened, and on their behaviour. The fulfilment of the walks was a matter of honour.

Students might be asked to walk to Elgin and back, for a larger infraction of the rules, or more often to the nearby beach and back. Students were also trusted to keep an honest record of their own academic progress. Hahn created a rank system (whilst he believed the playing of sport was important, he considered that ‘Colours’ – given in conventional Public Schools for sporting endeavours – should be awarded for achievement on a broader spectrum) – and Gordonstoun’s ‘Colour Bearers’ were senior pupils who were elected by their peers for being selfless, honest and upstanding. Demotion from rank was a major penalty. Corporal punishment was a last resort, used rarely and only in relation to dishonesty and bullying^{xxxv}.

The Trust System gradually fell out of use, but school rules remained in place. However, their application was not consistent until the early 1990’s. Before that time the running of the boarding houses was left very much to the master or mistress in charge.

Mention is made, in staff meeting minutes^{xxxvi} of the Headmaster chairing a committee on major punishments in the Summer Term of 1992. The Headmaster at that time (Mark Pyper – Headmaster from 1990-2011) centralised sanctions and took primary responsibility for delivering them.

These sanctions were laid out in the School Charter and the School’s Discipline Handbook (renamed the Code of Conduct in 2008). These two documents were further developed in 1998 when the School’s Child Protection Officer undertook a consultation on all rewards and punishments at Gordonstoun to better define staff and student responsibilities.

Since that time a revised Code of Conduct has been in place, and develops and changes in line with national legislation and guidelines. The Code of Conduct is overseen by the Director of Pastoral Care and covers all disciplinary procedures. The Junior School has its own Code of Conduct which also

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comprises part of the Gordonstoun Staff Handbook. The Code of Conduct governs the behaviour of both staff and pupils within the Gordonstoun community.

v. *Who compiled the policies and/or procedures?*

Historically, the Headmaster has compiled policies and procedures in conjunction with the Second Master or any other staff whose opinions he might seek, particularly with regard to disciplinary policies and procedures. Otherwise the Heads of Department developed their own policies and procedures, informed by their own experience and expertise, making reference, where necessary, to the Board of Governors.

The HMI Inspection report of 1997^{xxxvii} states '*the headmaster was responsible for initiating policy across the School. He had introduced good policies governing pastoral care. These had been agreed with house staff and effectively implemented. A well-organised handbook gave staff detailed school policies and procedures*'

As the School has developed, and with a Director of Staffing and Planning in Place since 1999/2000, the drafting of these procedures has been overseen by him or her, with input from Human Resources as appropriate.

Heads of Department also draft their own policies and procedures – informed by their own expertise and understanding (particularly in the case of outdoor education, sail training and sport). All of these procedures are underpinned by national legislation and guidance and a desire to follow best practice.

In the current Staff Handbook (the first copy of which was created in the 1990's), the provider of the policy and procedure is clearly marked – and is, in each case, the head of the relevant department, the Director of Staffing and Planning or the Principal.

The development of all of the School's policies and procedures is recorded in the School's Development Plans since 1996. These policies and procedures were approved first by the senior leadership team and then, as required, by the Board of Governors.

vi. *When were the policies and/or procedures put in place?*

As referenced above, there have been various policies and procedures in place throughout Gordonstoun's history and these have continued to develop and change. They have been in place since the School's infancy but have grown, expanded and become more comprehensive in line with national legislation and guidelines (best illustrated by the requirement for and consequent adherence to a Child Protection Policy in 1995). The majority of policies the School currently operates under have been in place – in something approaching their current form - since 1999/2000.

vii. *Do such policies and/or procedures remain in place*

Yes.

viii. Were such policies and/or practices reviewed?

The policies and procedures have developed and changed. Archived correspondence and board minute meetings attest to ongoing awareness and concern for reviewing policy. Whilst historically there has not been a formal review process, policies and practices have been reviewed in reaction to change or circumstance or legislation. The notable exceptions to this are Healthy and Safety Policy and Fire Safety Policy, which are reviewed annually.

The School's disciplinary procedures were comprehensively reviewed in 1998^{xxxviii}, this with a view to developing the procedure into something that was rewards based for positive behaviour as well as sanctions based for negative behaviour. The School's Head of Boarding visited other schools and compare their rewards systems to research and understand their effectiveness. A system of reward – credit slips and certificates of achievement – was subsequently introduced for a wider spectrum than just the academic, as well as clarity around the punitive elements of the School's discipline policy and procedure.

The annual School Development Plans which have been in place since 1995/6 also document the changes made to policies.

ix. If so, what was the reason for review?

The need for the School to be in line with current legislation and guidelines with regard to the safety and welfare of children in its care has led to policy reviews. This is best illustrated in the School's constantly evolving Child Protection policy.

Review is also undertaken as part of the School's commitment to best practice in the provision of care for and oversight of its students' wellbeing with the School's broad educational ethos; and it is also undertaken in response to or at the suggestion of the HMI inspections or inspectors.

Recent history of the School's policy reviews are recorded in the School's Development Plans from 1996 to the present times.

Policies have also been reviewed in response the HMI investigations. The School's Board also requested a review of the Code of Conduct to add a 'failure to report' to the section on what constitutes 'gross misconduct', which followed advice from child protection experts consulted by the School.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

In addition to reviews of policies and/or procedures, as a result of changes in legislation, as a boarding school, Gordonstoun has been subject to school inspections, with the first mention of an inspection made by the Scottish Education Department made in Governors' Minutes in 1946. The School is inspected by the HMIE (or, from 2011 Education Scotland) and by the Care Inspectorate (formerly the Care Commission) and is required to satisfy the standards set by both of these bodies.

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These inspections can result in recommendations and/or requirements made by either the HMIe or the Care Commission/Care Inspectorate. These have resulted in substantial changes to policies and/or procedures over time. The changes made are laid out fully in Part D, 5.4.

xi. Why were changes made?

Changes were made either in line with changes in legislation and resulting guidelines, in response to recommendations/requirements of school inspections or through the School's commitment to best practice in the provision of care for and oversight of its students' wellbeing with the School's broad educational ethos.

In some instances, changes were made in response to a recommendation from the HMI inspections. The HMIe report of 1997 states *'the School now needs to develop and implement guidelines on learning and teaching'* and the Teaching and Learning Policy came about as a result of that recommendation.

Updates were made to the School's Child Protection Policy as a result of the 2002 HMI Inspection and in consultation with the proposals of the Inspector, who assisted the School with its updated and revised policy.

Changes to the School's disciplinary procedure were the result of a review of the procedure and an introduction of a system which rewarded good behaviour as well as one which sanctioned bad behaviour.

xii. Were changes documented?

Changes are documented in current and previous drafts of policies and/or procedures. When changes were made as a result of recommendations and/or requirements made through School Inspections, they are documented through the corresponding reports and the correspondence and communications that support them. Changes are also documented in the School's Development Plans from 1996-the present time.

xiii. Was there an audit trail?

Before 1996 there is not a full audit trail. The School's retention of specific policies is incomplete pre-1996. Since that time the School's annual Development Plans represents an audit trail.

Although the School archives are not complete, documents exist within the miscellaneous correspondence and various Board Minutes notes retained there and – where relevant – these are recorded in the end notes to both parts A and C of this submission.

Past Child Protection Policies were destroyed as soon as they were replaced, to avoid confusion in adherence.

Present

- xiv. With reference to the present position, are the answers to any of the above questions different?**

Yes.

- xv. If so, please give details.**

The establishment of a formal review cycle of school policies is underway – and came in with the appointment of a new Director of Staffing and Planning in September 2016 and at the request of the Board of Governors. The intention is to create an ongoing process of policy and procedural review.

Day to day policies at the Junior School have developed since the establishment of a new Year 3 and subsequently a new Year 2 (from January 2017). This has only affected the day to day timetabling for the Junior Part of the Junior School – allowing a little more rest time in what is a long school day for children of that age.

Policies which have been reviewed recently, which will be of interest to the Inquiry and are also reported where relevant in this response are listed at Part C Appendices, Appendix 4.

(b) Practice**Past**

- i. Did the organisation/establishment adhere in practice to its policy/procedures relating to the day to day running of the establishment?**

In general, the School can answer yes to this question. On occasion, policy and procedure was not followed and examples are reported hereafter.

- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?**

- **Activities for children**

Yes.

- **Off-site activities for children including trips, holidays and visits to family**

Although in the most part, Gordonstoun adhered to its policy/procedures in terms of off-site activities for children, it is reporting five instances where individual staff did not.

These are reported in Part D spreadsheet responses at 5.8 & 5.9.

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For ease of references, they can be found at Part D, Appendix 4, spreadsheet responses 5.9.1, 6, 8, 9 & 10.

- ***Schooling/Education***

Although in the most part, Gordonstoun adhered to its policy/procedures in terms of schooling/education, it is reporting three individual staff who did not.

These cases are reported in Part D spreadsheet responses at 5.8 & 5.9.

For ease of references, they can be found at Part D, Appendix 4, spreadsheet responses 5.9.4 & 5, 2 & 3 & 9.

- ***Discipline***

Although the School had rules, and also an expectation and ethos that children would manage and monitor their own behaviour through application of the Trust System, the discipline procedure at the School was not formalised or centralised until the 1990's as previously stated. Before that time, the running of the boarding houses was the domain of the master or mistress in charge, and the day to day application of discipline was left in those individual hands.

Mention is made, in staff meeting minutes^{xi} of the Headmaster chairing a committee on major punishments (e.g. rustication, gating, expulsion) in the Summer Term of 1992. The Headmaster at that time (Mark Pyper – Headmaster from 1990-2011) centralised sanctions and took primary responsibility for delivering them.

This does not mean rules were not broken, or that a stipulation from the 1980's rule book "*There is no place at Gordonstoun for any kind of bullying or cruelty*"^{xii} means that bullying did not happen (Part D spreadsheet response to 5.9 sets out examples of this). Recent reporting shows that there were cases which were not reported at the time and which were therefore not dealt with then. However, there is evidence that when information was shared with staff at the time, discipline was applied. This is clear, for example, in the case reported in Part D, Appendix 4, spreadsheet responses 5.9.23, where the pupil's parent complained and the perpetrator was immediately expelled. This is also evident in, for example, cases reported at Part D, Appendix 4, spreadsheet responses 5.9. 24 & 27.

iii. How was adherence demonstrated?

Adherence is demonstrated in the delivery of the activities for children which comprise a part of the School's broad curriculum – their ongoing involvement in sport, activities, projects, music, dance and drama.

iv. How can such adherence be demonstrated to the Inquiry?

Timetables for each year group testify to the delivery of Gordonstoun's broad educational curriculum in all of the above respects.

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The HMI reports attest to the School's adherence to these policies and procedures as do the School's Development Plans from 1996-the present time.

The School's retention of current policies and procedures regarding the delivery of these.

The Gordonstoun Record, published annually since the School's foundation, presents an informal record of the School's activities in each academic year, with photographs and reports on all of the above. The School retains a complete set of these records from 1934.

The Sampled Student files attest to the delivery of schooling and education, as they generally contain not only admissions records but also the student's final report and – in many cases – copies of exam results.

v. *Were relevant records kept demonstrating adherence?*

Yes – please see answer iv above.

vi. *Have such records been retained?*

Records of all current policies and procedures are retained. Records of historic policies and procedures which underline the School's adherence in practice to its policy/procedures relating to the day to day running of the establishment are amongst the papers within the School archives. These are not comprehensive and exist within Governor's Board minutes, reports from the Headmaster to the Board and miscellaneous correspondence.

Student files have been retained.

The School's Development Plans from 1996-the present time are a record of the formation and development of these policies and procedures.

vii. *If policy/procedure was not adhered to in practice, why not?*

In general, policy/procedure was adhered to. There are some examples of where individual staff members did not follow the School's policies and procedures.

- ***Activities for children***

Policy/procedure was adhered to in practice.

- ***Off-site activities for children including trips, holidays and visits to family***

Although policy/procedure was adhered to in practice – appropriate process was and is followed for these activities, regrettably the behaviour of certain individual members of staff meant that they did not adhere to these policies and procedures in relation to child protection and these are reported at

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Part D, Appendix 3, Spreadsheet 5.8, and Appendix 4, spreadsheet responses 5.9: 1, 6, 8, 9 & 10 and below.

- ***Schooling/Education***

Although policy/procedure was adhered to in practice – appropriate process was and is followed for these activities, regrettably the behaviour of certain individual members of staff meant that they did not adhere to these policies and procedures in relation to child protection and these are reported at Part D, Appendix 3, Spreadsheet 5.8, and Appendix 4, spreadsheet responses 5.9. 2 & 3, 4 & 5 & 7.

- ***Discipline***

Before 1995, staff and housemasters/mistresses had not undergone Child Protection Training and were not as informed as they have been since about what signs to look for which might have helped them to recognise victims or bullies in their care.

We now know there were instances where indiscipline or bullying went unpunished and/or was allowed to continue because it was not reported at the time. This historic problem has been the focus of the alumni Facebook page in their reports of bullying in the 1980's.

However, there is evidence that when information was shared with staff at the time, discipline was applied. This is clear, for example, in the case reported Part D, Appendix 4, spreadsheet response 5.9.23 in 1980 where the pupil's parent complained and the perpetrator was immediately expelled.

viii. If policy/procedure was not adhered to in practice, what was the practice?

The intention has always been for policy/procedure to be adhered to in practice.

- ***Activities for children***
- ***Off-site activities for children including trips, holidays and visits to family***
- ***Schooling/Education***

Regrettably, in relation to the above, on occasion, individual members of staff have not fulfilled their responsibilities and have failed to adhere to policies/procedures.

These instances are recorded at Part D, Appendix 3, spreadsheet responses 5.8, and Appendix 4, spreadsheet responses 5.9.1-10.

- ***Discipline***

Although the School rules were in place, it does appear there was a lack of uniformity in sanctions across the School. Our review has shown that until the mid-1990s, discipline was applied inconsistently.

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The Trust System, a major element of the School founder's unique educational ethos was also, in practice, subject to misuse. Students did not adhere to it uniformly with regard to monitoring their own behaviour. It is recognised now that the responsibility it conferred was vulnerable to abuse. It was possible for students to become too autocratic within their boarding houses.

It also appears from reports which have been made much later, e.g. in response to the School reaching out to the alumni, that students did not always report abuse at the time. This has meant that, regrettably, cases of peer to peer abuse were unknown at the time and therefore no disciplinary process was undertaken or sanction applied.

Since the introduction of a clear Child Protection Policy in the mid-1990s, the School's policy and practice has been to apply discipline fairly, thoughtfully and consistently. Significantly, there developed a School-wide commitment to creating a 'telling' culture – one in which students felt sufficiently safe and supported to report any problems as they arose – which made it easier to adhere, in practice, to the School's disciplinary policy and procedures.

Present

- ix. With reference to the present position, are the answers to any of the above questions different?***

Yes.

- x. If so, please give details.***

With clear policies and procedures in place for the delivery of:

- ***Activities for children***
- ***Off-site activities for children including trips, holidays and visits to family***

and staffing/employment policies which support this, significantly an obligation for all staff to undertake Child Protection Training and to sign a specific 'public disclosure' or 'whistleblowing clause'. As a result, it is the School's expectation and practice to ensure that the School as an establishment and the staff as employees of that establishment now adhere completely and uniformly to these policies and procedures.

- ***Schooling/Education***

The development of Gordonstoun's Schooling/education policies and/or procedures is ongoing. A recent addition to the School's Teaching & Learning Policy has been the introduction of 'Study Skills' throughout the Senior School. Students engage with the study skills programme from Year 9 through to Year 13. The programme consists of a varied series of workshops and talks which cover all the necessary support and advice that any student needs in their academic path through the

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School. Some aspects of study skills are also covered in regular ISC lessons. Subjects covered are varied and engaging from practical advice for equipment to mindfulness training. Below is a sample of the provision:

- Year 9 ‘Get organised’ talk
- Year 10 Mindfulness training with external practitioner
- Year 11 Study skills speed learning with Year 12 and 13 ‘learning champions’
- Year 12 Revision booklet including parent guide
- Year 13 One-to-one study skills clinics

Information on ‘Study Skills’ is also shared with parents so that they can support their children in parallel to the support and education provided by the School.

- ***Discipline***

The current Code of Conduct is dated 2015-2016 and clearly outlines the School’s policies on Rewards & Sanctions, the Student Development Scheme, Alcohol, Bullying, Drugs, Relationships, Complaints and IT. It also outlines the School’s Standard Procedures in relation to Safety & Movement on and off campus, Close Times, Meals out for Year 13, Gating, Leaving the Campus at Designated times, Personal Safety Guidelines, Security and Safety, Confidentiality & Organisation. The Code of Conduct also contains the School Charter, the Charter Expectations and the Mission Statement and Aims of Gordonstoun.

Although the Code of Conduct has been in place since the mid 1990’s, comparison of the current version with one from 1999 reveals development in crucial areas including the current Confidentiality Clause which states:

The Policy of Gordonstoun is to work in partnership with parents in order to promote the welfare of the students in our care. We also aim to build relationships of trust with our students. Both students and their parents should feel able to raise with us any concerns they have about safety and welfare in the knowledge that we deal with them sensitively^{xiii}.

This current version of the Code of Conduct replaces one from 2014-15. Further previous versions are available in the Gordonstoun staff resources.^{xiii}

4.5 Children

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to caring for children at the establishment?**

From the School's foundation, Gordonstoun's Memorandum and Articles of Association (incorporated on 14 May 1934) includes, amongst the company's objects clauses, the following: *"To provide at Gordonstoun, Elgin, in the county of Moray and at such other schools in Great Britain and Northern Ireland as may, from time to time, be determined, education in all its branches"*.

As of 1957, Gordonstoun was registered with the Registrar of Independent Schools in Scotland. It was also registered as a charity in 1952 and with the Care Inspectorate in 2011.

This legal status and commitment underpinned the School's obligation to look after the children in its care. The children at Gordonstoun have always been provided with:

- Boarding and Lodging
- Medical and wellbeing services
- Food
- Spiritual support

as reported more fully in Part A, 1.5 (b) i. and as was standard sector practice at that time.

The children have also been provided with a uniquely broad educational curriculum which included the provision of teaching in all standard academic subjects, alongside an active programme of art, drama, dance, design and technology, physical and sports education, outdoor education and seamanship.

The policy was to provide Pastoral staff – quantified previously as Childcare Workers at Part A, 1.8(a) to oversee this care.

It is understood that procedures were in place for the delivery of this, and delivery can be illustrated, for instance, by consideration of the Gordonstoun Record, which was published annually from 1935 and stands as evidence of the delivery of care, in the absence of historical policies and procedures.

As 1972 and co-education approached, there is record of the following in the Headmaster's report to the Board of Governors^{xliv} regarding appropriate changes to be made:

"Hopeman House was designed for girls and few changes are needed. Boys and girls will mix in class, in the Rescue Services, for swimming, tennis and on social and other occasions; but each sex needs a place of its own where the other sex is not present and Houses will provide this refuge. Discussions

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are in progress which involve a review of rules and punishments, the drafting of a code of conduct where both sexes are concerned and a reconsideration of many aspects of life where girls are involved.

There are no records in place of that code of conduct or of changes in policy and procedure in 1972 when Gordonstoun became co-educational. However, there is a report included in the Governor's Board minutes in 1976 by the School's first Housemistress which outlines an understanding of the changes in the needs of the students^{xiv}. This report states that:

- *Academic standards rose when girls came to Gordonstoun*
- *They engaged successfully in all Gordonstoun activities including sailing, camping and climbing*
- *The increased social integration is healthier for the School as a whole, and produces a greater degree of tolerance and mutual understanding.*
- *Boy/girl relationships was the area that originally aroused the greatest doubt and despondency amongst the critics of co-education. The facts now are that the first three years have passed without a pregnancy. One couple have been expelled for having had sexual intercourse....what is emerging is that the Sixth formers are, generally speaking, able to form stable and mature relationships and are able to benefit fully from the mixed situation.*
- *The younger girls are more vulnerable and need more help in coming to understand themselves and in learning to control their emotions. Much is already being done in the way of formal sex education.*

So, whilst formal policies were not in place, concern existed about the best course for the care of children in co-education.

After the 1980s – in line with the developing societal need for an articulation of Child Protection policies and practice, formal policies were put in place at Gordonstoun, in relation to caring for children at the establishment. The School's first Child Protection Policy is dated 1995, and from that time Gordonstoun has sought to ensure that it has complied with any relevant legislation regarding the provision of residential care for children in Scotland in force at the time. The legal basis authorising or enabling organisations to become responsible for providing residential care for children in Scotland has developed considerably since Gordonstoun was founded in 1934 and this response does not include an exhaustive explanation of that legal basis.

A key legal basis, authorising and enabling Gordonstoun to be responsible for the provision of residential care to children is the School's compliance with the requirement to register as an Independent School with the Registrar of Independent Schools in Scotland. These requirements were first introduced under the Education (Scotland) Act 1945 followed by the Education (Scotland) Act 1946 and the Registration of Independent Schools (Scotland) Regulations 1957. This requirement has developed over time and remains part of the Education (Scotland) Act 1980 which was amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004.

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To provide a school care accommodation service (through boarding), Gordonstoun is also registered with the Care Inspectorate in accordance with the Public Services Reform (Scotland) Act 2010.

Since 1990, the particular procedures in place in relation to caring for children at Gordonstoun became more sophisticated as the pastoral care team at Gordonstoun developed and expanded:

- 1990: The role of Assistant Housemasters and Assistant Housemistresses was expanded and developed.
- 1991: A Senior Mistress was appointed to represent female student matters in the School. This role existed for 5 years.
- The positions of Head of 6th form and Head of Lower School were introduced to enrich the lives of children in those age groups and to ensure commonality across the School in disciplinary matters.
- 1993: A full time security officer was appointed to help keep the campus safe from any possible external intrusion and to play a supportive role in organisational and disciplinary matters at school
- 1994: A complete staff appraisal system was launched with more inservice training, to ensure that the staff received the support and guidance needed. This system was further refined in 1998 and is subject to regular revision.
- 1995: The first Child Protection Officer was appointed with a detailed remit for student welfare.
- 1997: Matrons were introduced to the houses.
- 1998: The Child Protection Officer undertook a consultation on all rewards and punishments at Gordonstoun to better define staff and student responsibilities.
- 1998: The role of tutors in the houses was expanded to ensure even better supervision within the boarding houses and of tutees.
- 1998: Changes within the culture of the School combined at this time with changes in best practice nationally and Government advice to establish and consolidate Child Protection Policies and Procedures, so that Child Protection Training became an integral part of staff training on induction and on an annual basis thereafter.
- 1999: the first senior management team was introduced - at which point the posts of Director of Staffing and Planning, Director of Curriculum and Director of Student welfare (which subsequently became Director of Pastoral Care and then Deputy Head, Pastoral Care) were introduced – to whom the Housemasters and Housemistresses reported directly.
- 2011: This Child Protection Training was extended from covering teaching staff only to include every member of staff working on the campus.
- 2013: the Wellbeing system was introduced – a bespoke, sophisticated online system for appropriate, justified and proportional information sharing to inform pastoral care, including the recording, management and consequences of any problems within the student body.
- 2013: A full time Clinical Psychologist was appointed to work with the students and staff at Gordonstoun.

Written policy and procedures developed at regular intervals, matching the development and release of documentation from government, from 1995 when the first school Child Protection Policy

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was introduced. Since 2007, Gordonstoun Child protection policy, procedure and guidance documents have been reviewed, rewritten or refreshed annually, with full or summary/essential points policy and guidance documents being made available to all staff and placed in all offices, across management, teaching and support staff departments.

Previous versions of the guidance have been shredded (to avoid erroneous reference to out of date policies). However, electronic copies of fully revised versions of the Policy/Procedures or Essential Points Guidance are available as published in 2002, 2006, 2007, 2009, 2001, 2012, 2015, 2016 and 2017. The Guidance carries over from year to year, unless a revision is required due to updated legislation or guidance from the government or SCIS.

Since 1995 when overt child protection policies were written and a designated member of staff appointed as Child Protection Officer, all teaching staff have been trained in the processes of observing, reporting and recording concerns.

Since 2008 all staff have received this training at induction and at regular intervals for update training. Teaching staff receive update training annually.

Leaflets with clear, simple descriptions of how to respond to and report child protection concerns appropriately were first developed in 2007 are re-issued to all staff each year, and handed to all staff when they receive their induction child protection training. Particular attention has been paid to include information and guidance about the framework within which child protection sits as this has been developed at government level (e.g. the Children's Charter, GIRFEC, the National Practice Model).

Significant reviews and updates of child protection policy, procedures and guidance documents, forms and information leaflets took place in 2002, 2006, 2007, 2008, 2009, 2011, 2012 and 2013.

There are also a series of systems in place at Gordonstoun, within the working week, which allow the children in the School's care a 'voice'. There are councils for each school year and boarding house which meet regularly to report on the feelings and thoughts within those groups, providing them with an opportunity to comment on and make suggestions for how the School is run. These have developed from an 'all school council' in the 1980's which had an active relationship with the Headmaster and senior staff.

Gordonstoun's adoption of UNCRC, which protects and promotes the rights of the child, has informed the School's developments in pastoral and child protection systems since 1992.

The School rules, which developed into the School's Code of Conduct (reported more fully at 4.4 above) clearly outlines the School's policy and/or procedures in place in relation to caring for children at the establishment – a set of expectations of their behaviour, the outline of what the sanctions are if those expectations are not met; but also a clear statement of the child's rights whilst at Gordonstoun. This is effectively paraphrased in the School charter which states '*We have the right to maintain and develop our individuality whilst retaining a responsibility to act for the good of each other and the community.*'^{xvii}

*Gordonstoun – Part C – Full Response***ii. Was there a particular policy and/or procedural aim/intention?**

The policy and/or procedural aim/intention was to safeguard the children in the School's care, whilst providing them with a broad school experience based on Kurt Hahn's unique educational ethos – which used challenge, adventure and service as a means to develop individuals with a clear sense of self within the broader context of their social responsibility.

iii. Where were such policies and/or procedures recorded?

Gordonstoun has retained copies of the School rules from the 1940's.

The early rules are primarily concerned with the physical safety of the boys in the School's care – with regard to use of sports equipment, bicycles etc.

Many of the more pastoral policies and procedures were also recorded, originally, in the student's own training plans – which outlined expectations of their behaviour and for their wellbeing.

From the 1990's the School retains copies of the School Charter and the Code of Conduct. House Handbooks were also introduced at this time, and remain in place – having developed and changed in the interim.

Gordonstoun's first Child Protection Officer was appointed in 1995. The SCIS Child Protection Guidelines, written by Professor Kathleen Marshall and first published in 1995, were informed by government guidelines and formed the basis for the School's first Child Protection policy document. Specific reference to this documentation was made in the HMIE inspection of 2002. Copies of the 2002 refreshed policy are available. By 2003, a revised Gordonstoun policy/protection document was in use, developed in consultation with Dr Susan Hamilton. Since that time, policy documents and guidance on child protection have been constantly updated and saved electronically, in line with national developments like The Children's Charter (2004) and GIRFEC (2007) and the legal requirements and duties introduced by government. Policy guidance directly available from government has been saved electronically and made available to all staff, in addition to the specific school documentation that reflects this national guidance in every relevant detail. School documentation has also been shaped with reference to guidance available through membership of the Scottish Council of Independent Schools and the School's connections with local and regional authorities. SCIS and the North East of Scotland Child Protection Committee have provided full written guidance based on national guidance and legislation, which was used to inform school guidance and local reporting practice.

iv. What did the policies and/or procedures set out in terms of the following?

- **Safeguarding**

The introduction from the 2003 Policy and Procedures document is representative of the approach that has informed the School's approach to safeguarding, since policy and procedure documents

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have been published and made widely known to school staff and the broader school community, from 1995.

'The Gordonstoun School aims to provide an environment where the children are safe, trusted, respected and valued, where everyone's viewpoint is taken seriously with the opportunity to develop intellectually, emotionally and physically. The children are encouraged to feel positive about themselves and develop a sense of identity and pride in Gordonstoun.'

The policy of the School is to work in partnership with parents in order to promote the welfare of the children. Our aim is to build relationships of trust where children, parents and staff are able to raise concerns about safety and welfare in the knowledge that these will be dealt with appropriately and sensitively.^{xlvii}

The School's responsibilities were set out as being to:

- Respect and promote the rights of children for whom they are responsible.
- Accept the moral and legal responsibility to provide a duty of care for children for whom they are responsible, and implement procedures to safeguard their wellbeing and protect them from all forms of abuse.
- Promote the health and welfare of children by providing a safe environment.
- Recruit, train, support and supervise its staff to adopt best practice to safeguard and protect children for whom they are responsible from abuse and to minimise risk to themselves.
- Require staff to adopt and abide by this Child Protection Policy and supporting procedures.
- Respond to any allegations of abuse in line with these procedures.
- Where appropriate, implement the relevant disciplinary and appeals procedures.
- Take all appropriate steps to govern Internet access
- Review and evaluate this policy and supporting procedures on a regular basis.'

The core principle underpinning this policy and procedures document was that the welfare of children is everyone's responsibility, particularly when it comes to protecting them from abuse. This policy and the supporting procedures were based on the following principles:

- The welfare of children is the primary concern.
- All children whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse.
- It is everyone's responsibility to report any concerns of abuse and the responsibility of the Social Work Department and the Police to conduct, where appropriate, a conjoint interview. The role of the Social Work Department is to carry out a risk assessment and it is for the Police to determine whether a criminal offence has occurred.
- All incidents of alleged poor practice and abuse will be taken seriously and responded to swiftly and appropriately.
- Confidentiality is upheld and personal data is processed in accordance with the requirements of the Data Protection Act 1998.

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These descriptions of the primary responsibilities and principles to do with safeguarding have remained largely unchanged, though the language and approach to prevention has developed considerably through national guidance, particularly linked with GIRFEC.

- **Child Protection**

The School had a Child Protection Policy in place from 1999, and it was revised in 2002 with help and guidance from HMI. This revised version outlined forms of child abuse, what to do in response to a child telling about abuse, it outlines confidentiality procedures and provides guidance for interaction with pupils at the School. The Policy also contains appendices which cover Indicators of Abuse, a copy of the Code of Good practice, a document considering ICT and Child Protection, a page stating the School's Child Protection Policy, an information handout for pupils and a notification form for anyone who has a particular concern about a child.

This policy has since expanded and developed and Gordonstoun's policy with regard to a child's right to care and protection was evidenced, for example, in the June 2007 revision of the School's Child Protection Policy and Procedures document – as being based very firmly upon their rights as upheld in the Children (Scotland) Act 1995, and on principles drawn from the 1989 United Nations Convention on the Rights of the Child, as well as the recommendations of a number of government bodies and inquiries. The European Convention on Human Rights (ECHR) and the Human Rights Act 1998 are also referenced.

An extract from the 2007 Policy/Procedures is representative of the level of engagement that staff were required to have with their individual responsibility for child protection, which is embedded in all of the many editions and revisions of Gordonstoun's Child Protection Policy and Procedure guidelines since 1995:

"All adults who have the charge or care of children have a responsibility to ensure that the children in their care are not harmed. This applies to teachers generally and all support staff, but with added force to schools, such as ours, with a boarding facility. Adopting best practice will help to safeguard pupils from abuse as well as protecting staff by setting standards of behaviour and providing Codes of Conduct on how to minimise risk.

All children have the right to be protected. Child abuse is no respecter of class or wealth. People who abuse children do not necessarily look like "abusers". They may be otherwise quite ordinary and respectable; a fact that makes it very difficult for the children they abuse to be believed or to find help.

These are unpalatable facts. There is an instinctive desire to dismiss them out of hand. Those who have dedicated their lives to caring for and educating children may find it extremely difficult to appreciate that some people neglect or seek to harm children, even their own children, or to use them for their own sexual gratification. There is a temptation to deny that child abuse exists. It may be even more difficult for them to appreciate that some individuals are drawn to professions such as teaching and other school related employment precisely because it affords opportunities for pursuing their own gratification through access to children.

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Where a caring adult is faced with concerns about a particular child, fear as well as denial may come into play. What can or should that adult do to find out whether the suspicions are justified? If he or she makes a report to police or social work, and the suspicions turn out to be unfounded, what would the implications be for the child, the family, the School and the adult who made the report? If the adult does nothing, he or she may on the other hand be left with fears of having let the child down, and the child may continue to suffer in silence. Where a work colleague is suspected, loyalty to that person may make raising the issue especially difficult.

The Children (Scotland) Act 1995 gave a statutory focus to the responsibility that adults have to protect children by placing upon the managers of independent boarding schools a duty to safeguard and promote the welfare of children resident in their schools. The Protection of Children (Scotland) Act 2003, which came into force in 2005, strengthens the duty on schools and on all persons in child care positions to protect children from harm or from being at risk of harm. HM Inspectors of Education and the Scottish Care Commission undertake a programme of inspections to determine whether children's welfare is adequately safeguarded, particularly in schools with residential provision.

In order to fulfil its responsibilities, Gordonstoun School has rigorous child protection procedures in place. A designated senior member of staff is appointed as the Child Protection Co-ordinator to be responsible for co-ordinating the procedures, for ensuring that every member of staff has a personal copy of the written procedures, that they have training in application of the procedures and that parents and pupils are made aware of the procedures.

Pupils are advised that it is legitimate for them to raise with staff concerns about their own safety. Parents are advised that it is legitimate for them to express concerns to the Child Protection Co-ordinator, the Headmaster or the Board of Governors if they feel that a child may be being abused or is at risk of harm. Parents may, if they wish, bring concerns of a child protection nature to the attention of the Social Work Service or the Police.^{xxviii}

Five categories of abuse were identified, though the overlap between types of abuse was emphasised: physical injury, sexual abuse, non-organic failure to thrive, emotional abuse and physical neglect. Bullying and misuse of drugs were identified as both being normally dealt with under the School's anti-bullying/positive discipline policies. However, the guidance pointed out that there may be exceptional circumstances whereby bullying or misuse of drugs results in a child needing care and protection. In these circumstances, the principles and procedures in the Child Protection Guidelines would be followed.

To make the requirement to report abuse absolutely clear, the legal duty to report suspicions of child abuse for independent schools under Section 5 of the Children (Scotland) Act 1995 was quoted in the 2002/3 revision of the School's Guidance.

More recent guidance from the Scottish Government (National Guidance for Child Protection in Scotland 2010) embedded the following definition, which has sat at the heart of school guidance since:

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“Child protection” means protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect. Equally, in instances where a child may have been abused or neglected but the risk of future abuse has not been identified, the child and their family may require support and recovery services but not a Child Protection Plan. In such cases, an investigation may still be necessary to determine whether a criminal investigation is needed and to inform an assessment that a Child Protection Plan is not required’^{xlix}

The responsibility of all staff to recognise the signs of abuse was emphasised in this documentation, with the categories of abuse modified, as advised by national guidance, to include physical abuse, sexual abuse, emotional abuse and neglect. Appendices to guidance documents contained a comprehensive list of the possible signs of abuse within each of these categories, to help staff recognise what their observations might indicate.

In all versions of child protection documentation, there was clear instruction regarding the legal duty to report abuse, how to do so properly and with a careful regard for the welfare of the child, and the necessity to make an accurate, timely record. Straightforward, meticulous guidance regarding how to offer appropriate support and use open questioning techniques, and how to avoid investigating inappropriately, was included.

As mentioned above, a failure to report is now one of the categories of ‘gross misconduct’ in terms of the Code of Conduct for staff.

- **Medical care**

It has always been the School’s policy to have a school doctor.

An early prospectus states: We have a resident Nurse-Matron. Dr A.C Macdonald of Elgin is Medical Attendant. He examines each boy three times a term. His observations are included in the mid-term and end of term reports’

Since then, there has always either been a doctor as a member of staff, or a working relationship with a local medical practice which saw a doctor on site at the medical centre at specified times. There has always been, in parallel with that, a trained nurse on staff and on site. There have always been particular clinic times and out of hours services are available should they be required. The School is in easy reach of a hospital in Elgin, and appointments further afield – in Inverness or Aberdeen – with specialists are accommodated if necessary.

The following has been the case since before 2014 and therefore in ‘the past’:

The Healthcare Centre is staffed around the clock: during the day, from Monday to Saturday by the nursing and GP service provided by the experienced and local Maryhill Group Practice. Overnight and at weekends, the service is provided by the Gordonstoun Healthcare Assistants. Students who require

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medical input at these times will receive it from the out-of-hours service offered in Moray called NHS 24/G-med.

Nurse-led clinics are held Monday-Friday 0800-1300 and 1400-1800. Outside of these times, students are provided with a slip to see Healthcare Centre Staff, and may call in at any time.

Doctors' clinics operate from 1615 on Mondays, Wednesdays and Fridays. If a GP is required outside these times in normal working hours, the GP practice can accommodate any student who needs to see a doctor urgently at the Maryhill Group practice in the nearby town of Elgin. Gordonstoun Healthcare Centre Staff can also arrange appointments and transport for other medical appointments such as opticians and dentists.ⁱⁱ

The equivalent of 'home' medical care is supplied by the matrons in the boarding houses (for instance, they provide help with menstruation for the girls or the administering of regular, prescribed medication to children) The HMI has helped Gordonstoun create an appropriate system for the storing of, and recording of the administration of, that medication in the boarding houses.ⁱⁱⁱ (This was reported as completely resolved in the Care Inspectorate reportⁱⁱⁱ)

The issue of medical confidentiality is outlined in the School's Code of Conduct:

The policy on confidentiality between medical staff and patient must be balanced with the School's 'need to know'.

In accordance with the School doctor's and nurse's professional obligations, medical information about students, regardless of their age, will remain confidential. However, in providing medical and nursing care for a student, it is recognised that on occasions the doctor and nurse may liaise with the Principal and other academic staff, House staff and parents or guardians, and that information, ideally with the student's prior consent will be passed on as necessary. With all medical and nursing matters, the doctor and nurse will respect a student's confidence except on the very rare occasions when, having failed to persuade that student, or his or her authorised representative, to give consent to divulgence, the doctor or nurse considers it necessary for the health or safety of the student or necessary for the protection of the wider school community, to breach confidence and pass information the relevant person or body^{iv}.

The Admissions process for the School also requires that parents share a basic medical history of their children and outline any special medical needs.

- ***Children's physical wellbeing***

The School's policy on children's physical wellbeing has been to encourage exercise and to retain physical education as part of the School's curriculum – which it has consistently done since the policies and procedures for this were recorded on each individual training plan.

Gordonstoun's policy has also been to provide a healthy diet for the students in their care.

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In 1954 a Head Housekeeper in charge of Catering and Housekeeping was employed, and she stayed at school until 1979. Her successor stayed until 2004 and her recollection on arriving at the School was that *‘the School ethos that a healthy mind needed a healthy body was thoroughly understood and pursued with some vigour.’*^v In 2014, Gordonstoun received a Healthy Living Award (a national award for the food service sector in Scotland – www.healthylivingaward.co.uk) having fulfilled exacting criteria to confirm that students are offered a wide range of healthy choices in their daily meals.

- ***Children’s emotional and mental wellbeing***

The global societal acknowledgement of the need to more fully consider children’s emotional and mental wellbeing was in part reflected in the codification of the rights of the child in the UNCRC, the ECHR and subsequent national laws and guidance. A clear understanding of the responsibilities that adults caring for children have for their emotional and mental health is evident in the wellbeing and child protection policy/procedure documents and guidance which has developed at Gordonstoun since 1995. The 2007 Guidance included the 11 pledges to children and young people at risk of abuse or neglect as recommended by the Scottish Government:

“You will:

- *get the help you need when you need it*
- *be seen by a professional such as a teacher, doctor or social worker to make sure you are all right and not put at more risk*
- *be listened to seriously, and professionals will use their power to help you*
- *be able to discuss issues in private when, and if, you want to*
- *be involved with, and helped to understand, decisions made about your life; and*
- *have a named person to help you*

And those helping (including school staff) will:

- *share information and protect you*
- *minimise disruption to other parts of your life*
- *work together effectively on your behalf*
- *be competent, confident, properly trained and supported; and*
- *rigorously monitor services to continually improve how and what is done to help you.”*

It also included the national, multi-agency Framework for Standards for child protection that translated the Charter into practice from March 2004.

The National Framework for Standards was published by the Scottish Executive in 2004 to help staff who work with children and families to deliver the pledges. The following 8 standards set out minimum expectations and provide schools and staff with a means to evaluate their own performance^{vi}.

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- Standard 1 Children get the help they need when they need it*
- Standard 2 All professionals, including school staff, take timely and effective action to protect children*
- Standard 3 All professionals, including school staff, ensure children are listened to and respected*
- Standard 4 All agencies and professionals, including schools and school staff, share information about children when it is necessary to protect them*
- Standard 5 All agencies and professionals, including schools and school staff, work together to assess needs and risks and develop effective plans*
- Standard 6 All professionals, including school staff, are competent and confident*
- Standard 7 All agencies, including schools, work in partnership with members of the community to protect children*
- Standard 8 All agencies, individually and collectively, including schools and their partners, demonstrate leadership and accountability for their work and its effectiveness*

v. Who compiled the policies and/or procedures?

The original child protection/welfare policies were compiled by the Headmaster and the Director of wellbeing/pastoral care. Guidance documentation was provided by SCIS. Subsequently, the Child Protection Coordinator took responsibility for revising and refreshing the policy/procedure documents-in line with national guidance, with support from local authority and SCIS experts.

vi. When were the policies and/or procedures put in place?

Although the wellbeing and welfare of children in the School's care was always paramount, Gordonstoun's first child welfare policy – which encompasses the above - was put in place in 1995 in line with national guidance and legislation.

The School has had a policy for the provision of medical care to its students since its foundation.

vii. Do such policies and/or procedures remain in place?

Yes.

viii. Were such policies and/or practices reviewed?

Yes.

ix. If so, what was the reason for review?

These policies and practices are reviewed to ensure they reflect best practice by the School in the provision of care to the children in its care. They responded to significant developments in government initiatives and guidance, particularly in light of The Children's Charter, the Framework for Standards and GIRFEC, all of which focus attention upon a holistic understanding of the wellbeing

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of children and young people, on the prevention of abuse and on the need to share relevant information appropriately and proportionately between agencies in the best interests of the child.

The medical policies have been reviewed in response to the HMI and Care Inspectorate reports as previously stated.

x. *What substantive changes, if any, were made to the policies and/or procedures over time?*

- ***Safeguarding***
- ***Child Protection***
- ***Children’s emotional and mental wellbeing***

The inclusion of the National Practice Model under GIRFEC at the heart of assessment of risk around wellbeing and child protection marked a substantive change in policy and/or procedure in relation to all of the above. In line with national guidance, focus was placed upon the promotion of wellbeing and the prevention of abuse, rather than primarily on observing and responding to the signs of abuse. The significance of recognising/responding/ reporting/recording abuse was not diminished within the policy/procedures, but it was contextualised appropriately, with early detection/recognition of concerns emphasised.

The principles embedded in policy/procedure documents, in the guidance that staff received in line with this with regard to listening to and respecting children and young people, of taking timely and effective action, of assessing needs and risks and planning effectively, contributed to the development of a context of care and protection around the emotional and mental health needs of the children and young people at Gordonstoun.

The pastoral systems were deliberately developed to provide appropriate ‘parental’ care and support for children living away from home through term-time. The ISC programme (reported more fully 4.4 under ‘Schooling’ above) took aspects of Hahn’s understanding of how to build emotional resilience and positive mental health in young people (e.g. the value of silence, the restorative power of the outdoors and the positive emotional impact of selfless service) and developed wellbeing education as one of its strands. This focus also led in 2013 to the appointment of a consultant clinical psychologist as the School counsellor. The counsellor’s remit is not only to support individual children and young people, but also to work with the School’s pastoral staff to help them to support other students more effectively.

- ***Children’s physical wellbeing***

Whilst children’s physical wellbeing is certainly an element of Child Protection, it is also reported here in relation to food and exercise. As an understanding of a healthy diet has grown and changed, so has the menu available to staff and students and Gordonstoun. The School also accommodates any particular dietary requirements (for health, choice or religious reasons) that individuals have. In 2014 Gordonstoun received a Healthy Living Award (a national award for the food service sector in

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Scotland – www.healthylivingaward.co.uk) having fulfilled exacting criteria to confirm that students are offered a wide range of healthy choices in their daily meals.

- **Medical Care**

The Medical information required on the Admissions form has become more extensive.

The process for retaining and administering medicine in the boarding houses has also changed substantively in line with recommendations made by the HMI/Care Inspectorate.

xi. Why were changes made?

Changes were made to reflect significant national developments in the understanding of how best to support the wellbeing of children and young people (e.g. GIRFEC) and some reflected changes in law and national guidance. A significant review of the 1995/7 document took place in 2002 after a school inspection that noted the School's policy/procedures had not been updated since its initial publication.

Some other changes have been made in response to suggestions from or the recommendations and requirements of the HMI and Care Inspectorate. This includes the need for a clearer policy on the retention and administration of medicine in the boarding houses. This requirement has been met.

xii. Were changes documented?

Changes were documented in previous drafts of the Child Protection policies, and in correspondence regarding the changes between involved parties. However not all past versions of the Policy and Procedures document are available; it was deemed good practice at each stage to archive or destroy old policy/procedure documents and ask offices to remove them, to ensure that all staff at any given time were following the most current, nationally recognised guidance.

The annual School Development Plans which have been in place since 1995/6 also document the changes made to policies.

xiii. Was there an audit trail?

The School has a series of revised editions of the Child Protection (later Wellbeing and Child Protection) Policy and Procedures documents^{lvii}.

Note of the revised and refreshed editions was also taken in Board Reports, records of staff child protection training and in correspondence pertaining to each HMI report as it was finalised.^{lviii}

The annual School Development Plans, which have been in place – and are available from – 1995/6 represent an audit trail.

Present

- xiv. With reference to the present position, are the answers to any of the above questions different?**

Yes.

- xv. If so, please give details.**

As the awareness of the mental health challenges posed to young people grows, and with Gordonstoun's commitment to best practice in the provision of pastoral care to and oversight of its students' wellbeing, the School has employed a fulltime Clinical Psychologist as part of its pastoral team. The School Counselling Service has been established to promote and enhance psychological well-being amongst the children and staff at Gordonstoun. It is designed to provide psychological assessment, support and therapy in the School setting to members of the School community.

All teaching and non-teaching staff undergo regular Child Protection training. All staff at Gordonstoun are trained and required to recognise wellbeing and child protection concerns and risk, to respond promptly and decisively to support a child or young person, to record information carefully and to share and report concerns immediately and appropriately. Children and young people have the right to be cared for, protected from harm and abuse, and to grow and develop in a safe environment in which their rights are respected and their needs met. Our systems and pastoral practice at Gordonstoun are focused upon realising the principles of GIRFEC through timely, proactive intervention to support children and through the provision of a nurturing, protective environment for every child or young person in our care.

Under the Children and Young People (Scotland) Act 2014, ultimate responsibility for the wellbeing of children and young people at Gordonstoun lies with the Named Person. At Gordonstoun this service is absorbed into the pastoral care responsibilities placed upon the Head of the Junior School, Mr Robert McVean, for children in Years 2-8, the Deputy Head Pastoral Care, Mr Richard Devey for young people in Years 9-13 and the Director of the Gordonstoun International Summer School. These senior members of staff manage the pastoral teams to ensure all activities, academic and social programmes, outdoor learning, service opportunities and challenges are coordinated to ensure the best outcomes for each individual child or young person.

All staff have received 'Health and Wellbeing' training, which included their responsibilities in relation to GIRFEC, health and wellbeing within the Curriculum for Excellence and knowledge of various best practice documents.

The Care Service Inspection Report of January 2015 states that effective procedures to ensure the safe administration of medication have been put in place.

(b) Practice**Past****i. Did the organisation/establishment adhere in practice to its policy/procedures relating to the care of children at the establishment?**

In the main, the School adhered in practice to its policies/procedures relating to the care of children at the School. However there are incidents reported at 5.9 where it can be seen there were some individuals who did not adhere. They are reported at Part D Appendices, Appendix 4 spreadsheet responses 5.9: 1-11.

Since 1995, and the creation of the School's first Child Protection Policy, Gordonstoun has worked hard – as attested to in the HMI and Care Inspectorate Reports – to both adhere in practice to its policy/procedures relating to the care of children at the establishment, and to keep them developing and changing in line with best practice. It is this adherence which has led to the comprehensive reporting of instances of distress experienced by children in our care, as also reported at 5.9 following.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?

The School has adhered, in the main, over the years to its policies and procedures as they have developed. However, there are some individuals who have not adhered and this is reported at Part D Appendices, Appendix 4, spreadsheet responses 5.8 & 5.9 (1-10),

- **Safeguarding**
- **Child Protection**
- **Children's emotional and mental wellbeing**

Whilst the School has always committed, since its foundation, to the protection and care of its students, and has consequently striven to adhere in practice to its policies and procedures in the above terms, there have been individual staff members who have not adhered as they should have done. Incidents which took place prior to the creation of and adherence to a school Child Protection Policy are reported at Part D spreadsheet responses at 5.8 and 5.9 (1-5).

Since the creation of and adherence to the School's Child Protection Policy - regrettably three further individual teachers have not fulfilled their responsibilities in this adherence, and these cases are reported at Part D spreadsheet response 5.8 & 5.9.6, 7 & 8.

The School acknowledges and sincerely regrets that there have been instances where children have not been safeguarded or protected as they should (as reported in Part D Appendices 3, 4, & 5, spreadsheet responses 5.8 & 5.9 & 5.12.

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- **Medical Care**

The School also finds it deeply regrettable that one instance (reported in 5.8, 5.9 & 5.12) of alleged abuse by a staff member of a student was perpetrated by the School doctor, who failed to adhere not only to the School's policies and procedures but also to his professional and moral duty of care. This case is reported at Part D spreadsheet response 5.9.1.

- **Children's physical wellbeing**

If adherence to policy/procedure in relation to Children's physical wellbeing at the School also considers how they are fed and laundered, these policies and practices have been adhered to since the School's foundation and in line with social norms at the time.

iii. How was adherence demonstrated?

Adherence was demonstrated by the recording of concerns and incidents to do with the safeguarding of children, child protection and with regard to their physical, emotional and mental wellbeing. Records of planning put into supportive staff action are available, through correspondence saved in paper files and electronically, and in correspondence with parents.

Records of expulsion, rustication and other sanctions for unacceptable behaviour amongst the student body within Child Protection logs and files from 1997-2011 and electronically thereafter, as are letters to parents explaining incidents and actions.

By the constant presence of a functioning medical centre since 1935.

Through the annual School Development Plan from 1995/6 to the present day.

Through copies of the Gordonstoun Record which is available for every school year since the School's foundation and which attests to the overall adherence of the School to the care of children.

While the spreadsheet response at Part D Appendices 3 & 4, 5.8 & 5.9 demonstrates there were cases where policies and procedures were not adhered to, they also demonstrate through the application of investigation and sanction that there was adherence by the School to e.g. staff disciplinary, complaints investigation, wellbeing and anti-bullying policies.

iv. How can such adherence be demonstrated to the Inquiry?

A low level of record keeping and retention from 1935-1990's, when referencing practices were not as rigorous as is rightly demanded by today's standards and regulation, mean it is not possible to demonstrate adherence over the entire history of the School.

However, since the 1990's, paper files and records are available concerning the pastoral care of the children at Gordonstoun from 1997 and pastoral action to do with support for the wellbeing and protection of children and young people has been recorded even more fully for the past decade.

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Day-to-day, informal wellbeing review discussions between HMs, Matrons, AHMs, tutors and teachers, at (for instance) handover meetings or tutor meetings are recorded in house notebooks/logs and house files, though the informal nature of these processes and a desire to protect the information of students who have left the School have meant that house files have been filtered appropriately to reflect current members of a boarding house.

Minutes of meetings of TPC (The Pastoral Committee) and PAS/HM's meetings (Full pastoral team meetings and weekly housemaster/mistress meetings with the Deputy Head Pastoral) create a record of care and attention being paid to the collective and individual wellbeing needs of the children and young people. Awareness has grown regarding the need to record concerns, planning and action, and any review meetings between staff, children and parents/guardians pertaining to the support and protection of children and young people, so systems have developed to record these processes appropriately.

Adherence can also be demonstrated through sight of the records stated in iii above.

Also, as mentioned above, the Part D Appendices 3 & 4, spreadsheet responses at 5.8 & 5.9 demonstrate adherence to policies and procedures through action taken upon the reporting to the School of cases of abuse.

v. *Were relevant records kept demonstrating adherence?*

Staff and pupil files reviewed for this response show action of investigations undertaken following reports of abuse allegations and any sanctions given. Examples are seen in the Part D Appendices 3 & 4, spreadsheet response 5.8 & 5.9.

In terms of separate records, prior to 1995 there were no separately documented policies or procedures in place specifically in relation to:

- ***Safeguarding***
- ***Child Protection***
- ***Children's physical wellbeing***
- ***Children's emotional and mental wellbeing***

The School's responsibility to formalise a Child Protection policy was fulfilled in 1995 and since that time, relevant records have been kept which demonstrate Gordonstoun's adherence to that policy.

From 2013, extremely detailed records are retained within the 'Wellbeing Information Sharing System', established in 2013. A sector-leading step-change in record-keeping about student wellbeing, the 'Wellbeing Information Sharing System' is a bespoke, sophisticated online system for centralised tracking of pastoral care, including the recording, management and consequences of any problems within the student body. Every incident which raises any concern – either reported to any staff member or witnessed by any staff member – and which might affect the health and happiness of a child is recorded. The system thus maintains comprehensive electronic records of those reports

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and their consequences. The 'Wellbeing Information Sharing System' allows varying levels of access for specific members of staff, from widely shared information for all relevant staff to very restricted access, as in the case of child protection issues, to a very small group.

The 'Wellbeing Information Sharing System' is overseen by the School's Wellbeing and Child Protection Co-ordinator. Previous records of wellbeing issues were recorded on paper, and are available comprehensively from 1997. Disciplinary incident forms and records of action, including incidents of bullying, were also kept separately from that time to the present. These are now included in the 'Wellbeing Information Sharing System'.

Records which demonstrate the School's adherence to policy regarding children's physical wellbeing in broader terms (how they are fed and laundered) have not been kept. However the constant presence of a dining room and a laundry facility/linen room speaks to this.

Paper and electronic child protection records were kept from the turn of this century, often including 'paper trails' of relevant school correspondence and communication with police and social work. Disciplinary incident forms and records of action, including incidents of bullying, were also kept separately from that time.

- **Medical**

The medical records for students were and are retained in line with NHS practice and procedures.

Medical information supplied as part of the admissions process is available on the retained admissions forms in student files.

vi. Have such records been retained?

In relation to:

- **Safeguarding**
- **Child Protection**
- **Children's physical wellbeing**
- **Children's emotional and mental wellbeing**

Records since 2011 have been retained electronically. Some records from 1997 have been retained in paper form, with more comprehensive paper records retained from 2001.

Record keeping before this time is inconsistent, but is contained in some student files.

- **Medical**

The medical records for students were and are being retained in line with NHS practice and procedures.

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Medical information supplied as part of the admissions process is available on the retained admissions forms in student files.^{ix}

vii. *If policy/procedure was not adhered to in practice, why not?*

Since Policy/procedure has been in place, it has largely been adhered to in practice. This is attested to by the records presented at Part D, Appendix 4, spreadsheet responses 5.9, 16-22, 31-93 – cases which were recorded in the School's Wellbeing System and paper files from 1997.

Unfortunately, eight members of staff have not adhered to the School's Child Protection Policies in practice and these cases are reported at the spreadsheet response Part D 5.8 & 5.9 1-10.

viii. *If policy/procedure was not adhered to in practice, what was the practice?*

Before a Child Protection Policy in place and policy/procedure was fully articulated, it was defined by the School rules, the School Charter and the Code of Practice. These were adhered to in practice as far as possible but they were also regrettably broken by individual members of staff - as reported at Part D Appendices 3, 4 & 5, spreadsheet responses 5.8, 5.9 & 5.12 following - and by individual students as also reported at Part D spreadsheet response 5.9.

Present

ix. *With reference to the present position, are the answers to any of the above questions different?*

Yes.

x. *If so, please give details.*

The School's Child Protection Policy continues to develop and change in line with national guidance and legislation.

The focus on prevention of abuse has continued to be developed in school practice, with widespread training of all staff in how to use the wellbeing indicators to recognise concerns and report/record them effectively. The responsibility of all staff to recognise the signs of abuse has been emphasised, with the categories of abuse modified, as advised by national guidance, to include physical abuse, sexual abuse, emotional abuse and neglect. Appendices to guidance documents contain a comprehensive list of the possible signs of abuse within each of these categories, to help staff recognise what their observations might indicate. The purpose is to ensure that staff are trained to recognise abuse, even when it is not reported to them, whilst also striving to educate the children in their care to share problems as they arise.

Following a successful legal challenge in the UK Supreme Court, parts of the Children and Young People (Scotland) Act 2014 are still under review, after having had an original compliance date in July 2016. However, Gordonstoun is up to date with all current guidance, based on that act and in

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response to Government documentation, guidelines and suggestions which are under constant revision.

Gordonstoun maintains regular contact with the SCIS and the GIRFEC Team to ensure that this remains the case. The Care Inspectorate reported, after visiting Gordonstoun for an unannounced inspection in January 2015 that the School *'provides extremely good opportunities for students to achieve their potential in a stimulating and caring environment,'^{bx}* and that *'the School have embraced the Getting it Right for Every Child (GIRFEC) Agenda and have implemented comprehensive procedures to ensure that all students get the support they need.'^{bx1}*

The present situation sees the School adhering comprehensively to the national, local and best recommended practices regarding the care of children and young people. In every pastoral initiative, the School focuses upon development and improvement, fostering close and direct links with government agencies responsible for policy/procedural guidance and the most current advice regarding the care of children. Further, the work undertaken by the School in response to reporting of historic abuse allegations saw the School develop links with charities and pressure groups, including Children First, the NSPCC and Mandate Now, leading to changes in the School Code of Conduct.

The School has been commended in a number of care inspections and maintains close links, for advice and guidance, with Care Inspectors between their formal inspection visits. Frequent attendance at training offered by the Scottish government, SCIS, BSA and HMC to do with pastoral care, on-line protection, information sharing, record keeping and best practice in the protection and safeguarding of children is prioritised for all pastoral staff. This training is then broadened to include both necessary and desirable pastoral initiatives from relevant charitable organisations who are experts in the fields of mental and emotional health in young people, internet safety, and health and wellbeing education.

Ongoing internal training is cascaded down to reflect these priorities. Staff from Gordonstoun have taken part as trainers of other professionals from independent schools with regard to the development of information sharing systems that will enhance the care and protection of children.^{bxii} The investment in a clinical psychologist with consultant level qualifications and experience gives the children/young people access to the precise equivalent of a Child and Adolescent Mental Health Service on the School's premises.

4.6 Staffing

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in relation to staffing at the establishment?**

At the time of the founding of the School and during Kurt Hahn's leadership of it, his policy, in the employment of staff, was to appoint people who he felt could contribute either to the ethos or the academic side of the School. Staff members were listed in the early prospectus under titles of either *Character Training Staff* or *Academic staff*, illustrating this point.^{lxiii}

His successor, Henry Brereton – who had previously worked as a teacher at Hahn's first school, Salem, before joining him at Gordonstoun, and becoming Joint Headmaster with FR Chew on Hahn's retirement in 1953 - stated:

"In the selection of staff great diversity is aimed at, particularly do we try to include men who did not become school masters until middle-life. The Schoolmaster must rub shoulders with the man of affairs, the colonel with the artist, the Englishman with the German, the Presbyterian chaplain with a partner from the Church of England, the classical scholar with the explorer. The friction and tension which such a mixed society engenders keeps the community vital and healthy."^{lxiv}

However, since the School's foundation, all teachers had obtained the minimum of a degree level in their specialist subject.

Gordonstoun retains the files of staff who were in the School's employment as teachers from 1990 onwards. Some of those staff were employed in the 70's and 80's, and their files are consistent in containing a CV and references to support their applications for jobs which were advertised nationally. Employment contracts appear consistently in files for staff employed after 1982 and Governor's Board Minutes in 1981 also include a copy of the 'Particulars of Terms of Employment' – given pursuant to the Employment Protection Consolidation Act of 1978, as amended – which was the simple and standardised employment contract used at that time. Alongside contracts, there are also letters from the Headmaster at the time outlining the hope that the new staff member will also show a *'willingness to contribute to several spheres of school life and an all-round commitment to the welfare of the School as a whole.'*^{lxv}

By the early 1990's the concept of 'Safer Recruiting' was being introduced in line with Government Guidelines, and the School kept pace with all these requirements. Gordonstoun carried out a thorough procedure by:

- interviewing all candidates
- asking for references

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- taking up references
- criminal record checks to ensure that there was no known reason not to employ

Retained staff files from 1996 onwards generally contain confirmation of Scottish Criminal Records Online checks and a letter to the staff member stating that the School was duty bound to check their credentials against details held with the Scottish Department of Education.

All contractual work was done by the Bursar's office until 1999, using a contracts template. Formal job descriptions with person specifications and more comprehensive contracts came in when the School's first Director of Staffing and Planning was appointed in 1999/2000.

A Human Resources manager was employed 2002 to work with the Finance Director on all non-teaching staff. From this time onwards, all teachers were expected to have a formal teaching qualification.

The HR Manager became more closely involved in the hiring of teaching staff in 2011, building on previous good practice, with all appointments made after an applicant had completed the School's application form. If this application was of interest, the applicant was invited to interview. Following a successful interview, the job was offered on certain conditions, the most fundamental of which was satisfactory membership of the PVG Scheme.

ii. Was there a particular policy and/or procedural aim/intention?

In the early years of the School, teaching staff were appointed for their contribution to either the ethos or the academic side of the School. Many of the support staff came from the local area as it was Kurt Hahn's intention for the School to make a contribution to the local community. Kurt Hahn regarded it as *essential that men capable of artistic work, craft work and important scientific research were employed at the School, and that they were given the time and peace during framework of the School timetable to further their skills and talents.* (Report to the Council, 1947)

This policy and/or procedural aim underlines the School's ongoing intention for staffing, which was to follow best practice, whilst identifying the best person for the job.

iii. Where were such policies and/or procedures recorded?

Historical documentation in the School Archives record the early policies and/or procedures (for a complete record of the documents retained in the School archives, please see Part C Appendices, Appendix 5).

Staff contracts within former staff members' files record the policies and/or procedures thereafter.

Since 2002, fully established and recorded policies have been in place to facilitate best practice in recruitment of staff at Gordonstoun.

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Gordonstoun's Policies and Procedures and their development are outlined in the School Development Plans from 1995/6 to the present day.

iv. What did the policies and/or procedures set out in terms of the following?

- **Pre-employment checks**

Until 1990, pre-employment checks took the form of references from previous employers.

The review of retained staff files from 1990 onwards for the purposes of this response indicate that pre-employment checks then took place in line with legislation, and that from 1997 proposed staff were checked against through Disclosure Scotland and e.g. Enhanced Disclosure Certificates obtained.

There was also a requirement to have confirmation of the right to live and work in the UK, provision of two satisfactory employment references and an acceptable occupational health check.

- **Recruitment**

Historically, recruitment was undertaken through advertising a job, and then selecting responders for interview before checking their references.

Since 2002 and the appointment of a Human Resources Manager, jobs continued to be advertised appropriately online and in national publications and an applicant provided a detailed job description and person specification. They filled in an application form which was designed to obtain as much information as possible about the candidate, conforming with equality legislation. An applicant invited to interview had to fulfil Identity checks as previously outlined, and provide original, specific documents to confirm their identity, residency, and all educational and professional qualifications.

- **Induction**

The first formal record of an induction policy and/or procedure at Gordonstoun is in 2006, from which point all new teaching staff and sports coaches underwent a 1 day Induction Session which took place at the start of every Autumn term. This was run by the School's Teaching and Learning Co-ordinator, who reports that previous practice was similar.

The Induction Session included a comprehensive review of government guidelines and policy with regard to Child Protection, and the playing out of different scenario exercises. All new staff were then issued with the School paperwork and a small Child Protection guidance booklet. All Assistant Housemasters and Housemistresses had further training with the Deputy Head, Pastoral Care.

Otherwise, the Induction Session also covered:

- induction in IT

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- an introduction to school administration
- information on the background of the School
- an introduction to academic matters
- an introduction to pastoral matters
- staffing issues
- information on organisation and daily routines
- an introduction to the School services and activities at Gordonstoun
- For tutors only, the role of the tutor
- Staff at the Junior School are given further induction by the Head of the Junior School

In addition, there were subsequent sessions in the following:

- Fire Training
- Using iSAMS – the School’s browser based management information system which has been in use since 2008
- Reporting
- Pastoral Matters and Tutoring
- Tracking and Curriculum Matters

New staff were also supported by Mentors – an experienced member of staff they could turn to either formally or informally for advice and guidance. The School Teaching and Learning Co-Ordinator contacted the mentor towards the end of the first term to confirm that all was well. The role of the Mentor was to *‘ease the introduction and assimilation of newly appointed staff and aim to improve the speed and depth of their understanding of the organisation and administration of Gordonstoun in the first year.’*^{lxvi}

This induction system was reviewed annually after new staff completed a feedback questionnaire, having completed their own induction process, and at the end of the autumn term. Thereafter a list of changes or issues raised were circulated to the providers for consideration or response. Staff could also attend ‘drop in’ sessions with the School’s Teaching and Learning co-ordinator in the first few weeks.

All staff also had a lesson observed and a short review with their Line manager in their first term.

- ***Transfer of staff to or from other establishments within or out-with the organisation***

When a member of staff left to go to another post, they were provided with a reference.

Since 2002, Gordonstoun has also had to notify the PVG Scheme, as the School is then no longer an interested party.

In line with the passing of new legislation and guidelines over time and particularly since the early 2000s onwards, if an employee is dismissed for gross misconduct, the School has a duty to refer and

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notify the appropriate regulatory body, either the GTCS, SSSC, NMC and the Scottish Ministers in terms of PGV Scheme Membership and any harm or risk of harm caused to a child.

- **References**

Two references were requested for each application for a job and one was given when a member of staff left a job.

- **Appraisal/supervision**

Formal staff appraisals were first introduced in 1997 and were conducted by the Deputy Headmaster. These were developed with the appointment of the School's first Director of Staffing and Planning in 1999/2000.

New teachers were provided with mentors - see above.

- **Training**

Training records for current staff are available from 2008. All staff – teaching and non-teaching – had to undergo Child Protection training. Records in this area are limited although it is documented that since 1999, staff have been appraised by their line managers or the Headmaster and part of this appraisal process involves Personal/Professional Development (as answered below). This process accommodated training for staff in areas which might be of interest to them or come up as a result of their appraisal^{lxvii}

- **Personal/Professional Development**

Records in this area are limited, although mention is made in the 1995/6 School Development Plan of 'Staff Professional Development' which suggests that policies or procedures had been previously in place – *Following the introduction of several Professional Development schemes in the late 1980's and early 1990s, a committee consisting of members of the Senior Management team and the Staff Consultative Committee, was established in September 1994 to make recommendations for future development in this area.*^{lxviii} A report was produced in March 1995 which the Headmaster approved, funds were allocated and training began in Autumn 1995.

There is no specific record from that time until a formal appraisal and supervision process was introduced which also accommodated Personal and Professional Development^{lxix} This has been part of the School's appraisal process since 1999.

The earliest recorded document explicitly for this Personal/Professional Development – or Continuing Personal Development (CPD) on file *is the fourth revision of a document produced in 1999 which marked the commencement of an appraisal process*^{lxx}

A formal separately documented discipline procedure has been in place since 2002.

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Before that time, discipline of staff was dealt with by the Headmaster. He would place a letter in files to record a problem or write to the Governors if necessary. This policy and procedure is best illustrated by cases reported at Part D Appendices, Appendix 4, spreadsheet responses 5.9.8 & 10.

The School has no records of disciplinary policy or procedure before Mark Pyper's headship.

For more on the policy/procedure with regard to Disciplinary actions, please see Dismissal following.

- ***Dismissal***

The earliest staff employment contracts on file - (as referenced at 4.6 (a) I above) do not state dismissal policy and procedures but they include the following clause:

If you are dissatisfied with any disciplinary procedure taken against you then you are entitled to ask the Headmaster to refer the matter to the Governor appointed by the Board to consider individual staff matters.^{bxxi}

Since 1996, the School's Investigation, Disciplinary and Dismissal Policy and Procedure has been designed to comply with the statutory provisions as defined by relevant employment legislation.

v. *Who compiled the policies and/or procedures?*

Historically, the policies and/or procedures were compiled by the Headmaster, then the Headmaster in conjunction with the Board of Governors and more recently in conjunction with Human Resources, the Deputy Head/s and the Finance Director.

The policies were approved first by the senior leadership team and then, as required, by the Board of Governors.

vi. *When were the policies and/or procedures put in place?*

As previously reported in **Part A, Part 1.8 (a) iii**, when the School was founded, Kurt Hahn had free rein to staff it as he saw fit, as long as he operated within an agreed budget^{bxxii}. On staffing his successor, Brereton said: *"In the selection of staff great diversity is aimed at, particularly do we try to include men who did not become school masters until middle life. The Schoolmaster must rub shoulders with the man of affairs, the colonel with the artist, the Englishman with the German, the Presbyterian chaplain with a partner from the Church of England, the classical scholar with the explorer. The friction and tension which such a mixed society engenders keeps the community vital and healthy"*^{bxxiii}.

Thereafter, all staff were qualified to primary degree level, and the Governor's Board Minutes in 1981 included a copy of the 'Particulars of Terms of Employment' – given pursuant to the Employment Protection Consolidation Act of 1978, as amended – a simple and standardised employment contract. As part of the research for this submission to the Inquiry, the School has not found documented formal staffing policies and procedures for the period before the 1990s. Staff files who were in the School's employment in 1990, many of whom had been employed before that

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time, record changes in policy and procedure (introduction of PVG Scheme Membership, employment checks and changes in contract etc.).

More comprehensive staffing policies and/or procedures have been in place since 2002.

vii. Do such policies and/or procedures remain in place?

Yes.

viii. Were such policies and/or practices reviewed?

Yes. For a list of School policies relevant to this question, please see Part C Appendices, Appendix 4.

ix. If so, what was the reason for review?

As an employer, Gordonstoun is responsible for safe recruitment practice including checking identity, references, background and verifying documentation prior to appointment. To this end, all of the School's staffing policies and/or procedures have been updated on a regular basis since 1999/2000 when the School appointed its first Director of Staffing & Planning, in line with legislation and applied alongside the Disclosure Scotland PVG scheme, ensuring best practice is in place to safeguard and protect children and vulnerable adults.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

In 2002, the School ceased the use of CVs as the only document in the recruitment process. An application form was introduced with CVs only accepted in support of that application. This form has to be signed to confirm that the applicant has answered honestly and to the best of their knowledge.

xi. Why were changes made?

Changes were made in order to meet all national legislation and guidance. A CV can be embellished and create a misrepresentation of a candidate's qualification or suitability for a job.

xii. Were changes documented?

The changes were documented with revised drafts of staffing policy and procedures.

xiii. Was there an audit trail?

There is a partial audit trail, with mention made of policy and procedure with regard to staffing made in various archived correspondence, reports and papers, and with more recent former drafts of policy and procedure available digitally.

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Mention is also made of changes to salary scales, pensions and employment terms in Board Meeting minutes held between 1.12.1948-3.6.1980^{lxiv}.

Gordonstoun's Policies and Procedures and their development are outlined in the School Development Plans from 1995/6 to the present day. For a list of the policies and procedures of particular interest to this Inquiry, with their review dates, please see Appendix 4.

Present

xiv. With reference to the present position, are the answers to any of the above questions different?

Yes.

xv. If so, please give details.

The following definition of Gross Misconduct was added to the School's Investigation, Disciplinary and Dismissal Policy and Procedure in 2016:

- Failure to report to the Child Protection Co-ordinator any concern about a member of staff behaving inappropriately with a child or young person.

The current version of the School's Investigation procedure is an updated version of a second draft of the policy dated August 2009^{lxv}

This policy sets out the Investigation Procedure – which Gordonstoun operates alongside its disciplinary procedure, to *'allow management impartially to investigate any alleged or suspected misconduct on the part of an employee.'*^{lxvi}

This procedure is set out in the following terms:

- When the procedure will be invoked
- Who will carry out the investigation
- The timescales for that investigation
- Procedure with regard to possible suspension from work
- The Investigation procedure itself
- The Investigator interview with the employee
- The right to be accompanied
- Following the investigation
- Witness statements
- Records

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The policy and procedure then outlines the Disciplinary and Dismissal Policy and Procedure, and the circumstances in which it applies. It covers three levels of misconduct – Minor, Serious and Gross and included in the non-exhaustive list of examples of gross misconduct therein are:

- unlawful or inappropriate and/or improper conduct towards or relating to a pupil, child or other vulnerable person.
- physical assault on persons carried out on the School’s premises or whilst engaged on the School’s business
- any act or behaviour constituting any form of unlawful harassment or victimisation, including harassment or victimisation on the grounds of race, sex, gender, marital status, disability, sexual orientation, religion or belief or age.
- serious or persistent bullying

The sanctions for misconduct are then outlined in relation to the different levels of misconduct with gross misconduct resulting in dismissal summarily.

‘All decisions to dismiss or take disciplinary action (excluding following any appeal of that original decision) will be taken by the Principal or other appropriate person in the event of his or her unavailability or unsuitability. This person will be different to the person who investigates the matter.’^{xxxvii}

With regard to disciplinary action, the School has an informal stage and then a formal procedure.

The list of policies currently comprising the School’s staffing policy is attached at Part C Appendices, Appendix 4.

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to staffing at the establishment?***

Yes.

- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?***

Insofar as it is possible to tell from limited records in earlier years, the School believe the staffing policies, even where not formally separately documented, were adhered to. In more recent decades and documented from the 1990s onwards, the research conducted for the purposes of responding to this Inquiry indicate adherence.

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- ***Pre-employment checks***
- ***Recruitment.***
- ***Inductions***
- ***Transfers to and from other establishments within or outwith the organisation***
- ***References***
- ***Appraisals/Supervision***
- ***Training***
- ***Personal/Professional development***
- ***Disciplinary actions***
- ***Dismissal***

iii. How was adherence demonstrated?

Pre –employment checks: In the retained paper staff files, which are for staff in the School's employment from 1990 onwards, there is a check list which confirms pre-employment checks were made and that the School was in receipt of references. There are limited records available for the period prior to this.

Recruitment: Retained teachers' files contain letters from the Headmaster outlining their success in achieving the job, and the requirements made of them thereafter.

Inductions: By the attendance by staff of Induction days, and records of their response to those induction days.

Transfers to and from other establishments: the retained staff file, in some instances, contain references for their transfers to and from other establishments out-with the organisation.

References: as above, there are references in the retained files which have been either supplied or received.

Appraisals/Supervision: Appraisals started in 1997. Appraisals for staff who have left the School are not retained. Only the current appraisal for staff who are still working at Gordonstoun is retained.

Training: the School retains records of training undertaken by staff from 2008.

Personal/Professional development: The Appraisal system and subsequent training undertaken represent the support given to the Personal/Professional development of staff.

Disciplinary actions:

Disciplinary actions are recorded in a staff Discipline file which has been in place since 2002. Previous to that, there is record of some disciplinary procedures within the retained staff files. And in some cases these are reported more fully in Part D Appendices 3 & 4, spreadsheet responses 5.8 & 5.9.

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Dismissal: Whilst staff corporate memory recalls that staff members have occasionally been dismissed from the School, we have not identified records for any staff dismissals during the research undertaken for this response.

iv. How can such adherence be demonstrated to the Inquiry?

Please see the response at iii above.

v. Were relevant records kept demonstrating adherence?

Staff files from 1990 onwards have been retained and they contain records which demonstrate adherence. Prior to that we have not been able to find relevant records.

Current appraisals demonstrate adherence.

Records of undertaken training since 2003 demonstrate adherence.

vi. Have such records been retained?

Records have been retained within the retained staff files as mentioned above, current appraisals are retained, records of training attended have been retained since 2003.

vii. If policy/procedure was not adhered to in practice, why not?

Policy/procedure was adhered to in practice. However, there are instances of abuse reported in Appendices, Part D, Appendix 3, spreadsheet response 5.8 which show that these policies/procedures did not prevent Gordonstoun from regrettably hiring a small number of staff who went on to abuse or allegedly abuse children in the School's care.

Present

viii. With reference to the present position, are the answers to any of the above questions different?

Yes

ix. If so, please give details.

Since 2016 all existing staff have been required to sign an additional clause to their contract. This clause has been included in all new staff contracts and it is as follows:

Your employment is also subject to you adhering to the Code of Conduct which includes guidance on Child Protection, which you must read, sign and return to the HR

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department. Any breach of this code of conduct could lead to disciplinary action being taken against you and dismissal for gross misconduct.

Please see Part C, Appendices, Appendix 6 for a full copy of the Staff Code of Conduct: A guide to interaction with Pupils.

4.7 Visitors

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to visitors to the establishment?***

The School's founder, Kurt Hahn, encouraged visitors to the School, believing strongly in the importance of the School being part of, and connected to, the community.

Since then, Gordonstoun has continued to welcome visitors as guest speakers at school lectures, or guest musicians performing concerts for students and the wider Gordonstoun Community, or visitors who share their expertise for the benefit of senior students and exam candidates. They are always accompanied by staff members during their visits to the School and considered to be individuals who will enhance the learning experience for the school's students through the sharing of their experience and expertise.

Gordonstoun also held 'Open Days' in the Summer Term for parents of the Senior School. In 2004 a second Open Day was added for parents of the Junior School. There has also been a parents' day on each of the other two terms, so that parents have the opportunity to meet with their children's teachers and boarding house staff. Since 2004 when the Junior School was established onsite at Gordonstoun. Parents have been invited to attend chapel on Friday afternoons. They have also, subsequently, been welcome to attend any Senior or Junior School performances or sporting fixtures if they are able to.

- ii. Was there a particular policy and/or procedural aim/intention?***

Kurt Hahn's procedural aim/intention was to welcome people to the School who were interested in his unique educational ethos, whose expertise could complement it in some way – and to welcome the return of former pupils or the arrival of prospective pupils and their parents.

This intention has been ongoing. However, an awareness of the security and child protection implications of visitors to the School is recorded in a Memorandum to all staff from the Deputy Headmaster in 1999 in which he requests that staff inform Reception and the Security Officer of an impending visit.

There is a school Security Policy, dated 2005 which outlines the requirement to 'book in' visitors at reception, and that they receive a visitors' badge. This remains a requirement. Visitors to the School are accompanied on their visits by members of staff, and do not have unsupervised access to children.

- iii. Where were such policies and/or procedures recorded?***

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The visits of guests who have visited the School to share their experience or expertise (guest speakers) are generally recorded in the Gordonstoun Record. This is an annual publication which records the academic year at the School, publishing highlights and events which have taken place during the course of that academic year.

Visitors to the School are accompanied on their visits by members of staff. Prospective parents are shown round the public areas of the School by senior Gordonstoun students. Records of prospective parents' visits are kept as part of the admissions/potential admissions process.

There is a visitor's book at reception in which all visitors sign both in and out. This has been retained since 1997.

iv. Who compiled the policies and/or procedures?

Before 1995, the Headmaster compiled policies and/or procedures. After the appointment of Gordonstoun's first Director of Staffing and Planning in 1999/2000, the responsibility fell to him to draft such documents, for the Headmaster/Senior Management Team's approval/sign off.

Gordonstoun's Security Policy falls within the remit of the School's Deputy Head, Pastoral Care as it concerns the personal security of staff, students and visitors.

These policies and procedures would then be approved by the Board of Governors.

v. When were the policies and/or procedures put in place?

A formal Security Policy was put in place in 2005, although the awareness of the need for all visitors to report Reception and the Security officer was recorded by the Deputy Head in 1999. CCTV was installed at both of the School's entry gates and at the Health Centre in 1999 and subsequently at the Junior School in 2004. Responsibility for these cameras was transferred to IT services in 2003.

The first Head of Security joined the staff at Gordonstoun in 1993. The Security Team cover from 2.30pm-6.30am. In addition to providing a presence that is a deterrent to intruders, they also have responsibilities for reporting breaches in school discipline.

Mention is made of a 'Security Review' in the School Development Plan 1998-1999^{boxviii} stating an 'aim to revise the security plan by 1998'. This came as a result of an HMI Inspection in 1997 and resulted in a series of developments achieved by March 1998 and December 2000.

The School Development Plan 1999-2000 states that '*physical security fittings in boarding houses have been installed and the programme should be completed in Autumn 1999*'^{boxix}

The programme included:

- The Installation of security gates at both East and West entrances of the School

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- The blocking off of other vehicular access points
- Installation of additional lighting on campus
- The clearing of scrubland and woodland in close proximity to buildings
- The on-going programme of installing fire alarms in existing buildings
- The installation of improved telephone communications to all areas of the campus
- The creation of a reception area in Gordonstoun House as the first point of call for all visitors
- The appointment of a second Security Officer
- Signposting on the main drive and for the reception area
- The Installation of CCTV at the east and west entrances
- Installation of an alarm system for IT centre
- Mechanical coded door locks on most of the buildings and all of the Boarding Houses
- Vehicle barriers
- Extensive security lighting around houses
- Reinforcement of access measures with signage and random barrier closures.
- Staff training and awareness through Child Protection Training
- Applying Disclosure checks to regular contractors and tradesmen.

vi. Do such policies and/or procedures remain in place?

Yes.

vii. Were such policies and/or practices reviewed?

The policies regarding visitors to the School were reviewed in 2005 and most recently in April 2017.

viii. If so, what was the reason for review?

Reviews were in response to the findings of inspections and as part of regular policy reviews in order to ensure best practice.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

The substantive changes made include the installation of physical security measures at the school in the late 90's as outlined at v above and the increasingly formal approach to identification and registration of visitors.

x. Why were changes made?

Changes were made to further protect the staff and children living on the Gordonstoun campus, and in line with requirements and recommendations made by the HMI inspection reports, particularly the 1997 and follow up report in 1999^{box}.

xi. Were changes documented?

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Gordonstoun's School Development plans outline the changes as the security procedures were implemented.

HMI inspections and follow up also document changes^{boxi}

xii. Was there an audit trail?

Gordonstoun's Policies and Procedures and their development are outlined in the School Development Plans from 1995/6 to the present day.

HMI inspections also represent an audit train in this context.

Present

xiii. With reference to the present position, are the answers to any of the above questions different?

The latest Visitors' policy was reviewed on April 10 2017.

xiv. If so, please give details.

The policy outlines the personal responsibility of Gordonstoun employees with regard to visitors to the school campus:

To maintain security within the campus it is imperative that all visitors report to Reception on arrival. After signing the Visitors' Book they will be issued with a Visitor Badge by the Duty receptionist. Any person walking in the campus unescorted and not wearing a Visitor Badge should be challenged, it is recommended that staff residing in the campus advise security staff and Headmaster of visitors staying with them in school accommodation.

This policy will be reviewed annually as a minimum and whenever there is a change in legislation or school policy. Any queries regarding this policy should be directed to the policy owner^{boxii}.

In June 2017 the Board of Governors asked for a further review of campus security to enable easier challenge of anyone not displaying appropriate identification on site. This will form the basis of the next stage of policy review.

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to visitors to the establishment?

Yes, from the time that the policy/procedures in relation to visitors at Gordonstoun were recorded.

ii. How was adherence demonstrated?

School visitors were expected to sign in and out at reception.

*Gordonstoun – Part C – Full Response***iii. How can such adherence be demonstrated to the Inquiry?**

By viewing the school visitors' book, which is available to view from September 1997.

iv. Were relevant records kept demonstrating adherence?

The school visitor's book is the only record kept which demonstrates adherence.

v. Have such records been retained?

The school visitor's book has been retained since September 1997.

vi. If policy/procedure was not adhered to in practice, why not?**Present****vii. With reference to the present position, are the answers to any of the above questions different?**

No.

viii. If so, please give details.

Not applicable.

4.8 Volunteers

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to volunteers at the establishment?**

Whilst, in principal, Kurt Hahn was interested in volunteers working at Gordonstoun, in practice there are no records to suggest that this happened with any regularity; and there is no available record of a written policy on volunteers prior to 2005. The earliest retained policy regarding the School's policy and/or procedures in relation to volunteers at the establishment is dated September 2005 – it was revised at this time (please see Part C Appendices, Appendix 4 for policy revision dates) but a previous version is not on file. The 2005 version statement is in two parts:

It is the policy of Gordonstoun to encourage volunteer workers, over the age of twenty-one years, to contribute to the services Gordonstoun provides...Whilst not enjoying all of the rights or bearing all of the responsibilities of paid employees, volunteers are nonetheless required to operate within Gordonstoun's policies, procedures and guidelines to ensure their own safety and welfare and that of our staff and pupils.

It is not our intention to use volunteers as a replacement or substitution for paid staff.^{bxxxiii}

- ii. Was there a particular policy and/or procedural aim/intention?**

The Policy states that *'it is hoped that volunteers will gain valuable insight and experience into our work and the voluntary experience gained may provide volunteers with the necessary skills and opportunities to secure paid employment in the future'*

- iii. Where were such policies and/or procedures recorded?**

These policies and/or procedures were recorded in the staff handbook.

- iv. Who compiled the policies and/or procedures?**

The Human Resources Manager compiled the policies and/or procedures.

- v. When were the policies and/or procedures put in place?**

The policies and/or procedures do appear to have been put in place before 2005 because the archived copy of the policy is 'revised'. It is thought this earlier policy may date from around 2002 as the need for such a policy was stipulated in a letter from the HMI in 2002 advising on revisions to the School's Child Protection Policy^{bxxxiv}

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vi. Do such policies and/or procedures remain in place?

Yes.

vii. Were such policies and/or practices reviewed?

Yes.

viii. If so, what was the reason for review?

The policy was reviewed in April 2017 as part of a general review of the School's operating policies and documents.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

It is not clear if substantive changes were made as records of such a policy are available from 2005 only (as mentioned above) but as stated above, there were revisions based on recommendations from the HMI. Other than that, we do not have direct evidence of substantive changes.

x. Were changes documented?

As mentioned above, we know there was a policy in existence in revised form since 2005, possibly originally formalised in 2002. The 2005 policy was reviewed/revised in 2017.

xi. Was there an audit trail?

Yes, from 2005 version onwards.

Present

xii. With reference to the present position, are the answers to any of the above questions different?

No.

xiii. If so, please give details.

Not applicable

(b) Practice**Past**

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to volunteers at the establishment?***

We do not have records or policies from the historic past which focus on volunteers, other than the information we have been able to give at the answers above. There is no evidence that we have been able to find that any volunteers in the historic past have had complaints made against them and none of those who appear at Part D spreadsheet response 5.8 is a volunteer.

Any requests for volunteering should come through the staffing/Human Resources office and would be strictly controlled. Any volunteers who would be in contact with children would be required to have PVG Scheme membership.

The only regular volunteers at the School do not have any role which involves working with children. They are:

- (a) Parents of children in the School who organise an annual junior highland games event. This is an event run by a parent-run committee. The Headmaster of the Junior School and his secretary are both on that committee and they are both PVG checked. No one on the committee or attending the Games is allowed access to the boarding facilities of the Junior School.
- (b) A group of ladies, all connected with the School, who provide flower arrangements in public areas of the School. In addition to employees who volunteer in their own time, the 'Flower Circle' includes parents or former parents and they do not have any unsupervised access to the children.

- ii. How was adherence demonstrated?***

As mentioned, the actual use of volunteers by the School has been minimal. Beyond the working practice of the Highland Games Committee and the Flower Circle, where there has been adherence, there are no further examples of adherence which can be put forward.

- iii. How can such adherence be demonstrated to the Inquiry?***

As mentioned, the actual use of volunteers by the School has been minimal. Beyond the working practice of the Highland Games Committee and the Flower Circle, where there has been adherence, there are no further examples of adherence which can be put forward.

- iv. Were relevant records kept demonstrating adherence?***

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No. The volunteering at the School has generally been confined to the above mentioned two groups and there is no evidence of any lack of adherence to the formal policy from 2005 onwards.

v. *Have such records been retained?*

No, for the reasons given in the answer above.

vi. *If policy/procedure was not adhered to in practice, why not?*

Not applicable.

Present

vii. *With reference to the present position, are the answers to any of the above questions different?*

No.

viii. *If so, please give details.*

Not applicable.

4.9 Complaints and Reporting

(a) Policy

Past

- i. ***What policies and/or procedures did the organisation/establishment have in place in relation to complaints and reporting at the establishment?***

Complaints made by staff:

As previously mentioned, the School does not have records of specific policies for the historic past. What we can say is that contracts of employment contained clauses regarding disciplinary procedures, which tends to suggest there were such procedures in place (whether or not formally written up as such). From our review of staff files, we can see that these contracts of employment used by the School stipulated:

“If you are dissatisfied with any disciplinary procedure taken against you then you are entitled to ask the Headmaster to refer the matter to the Governor appointed by the Board to consider individual staff matters.

If you have a grievance about your employment you should raise it in the first instance with the Headmaster. If you are unable to settle it with him you may refer, with his knowledge, to the Governor specially appointed by the board to deal with staff matters. If you are unable to settle it at that level you may ask that the matter be raised at the next full meeting of the Board of Governors at which you will be present and invited to state your case.”

Board Minutes dated 16.6.1978 state that 'A Grievance Procedure' paragraph was sent to all teaching staff as an amendment to their Conditions of Employment. – and was presumably added to new contracts, as above, thereafter.

The School's current Grievance policy is dated 2009, and updated November 2016. An email from Headmaster, Mark Pyper to a member of staff states that an official Complaints Policy had been in place at school from the Summer of 2000, as was 'expected'^{1000v}.

Although Grievance policies primarily concern work related matters, they also provide a structure for complaint about the School, its management or about someone at school. However, with regard to possible incidents of abuse, complaints and reporting procedure is now stated clearly in:

- the School's Equal Opportunities and Harassment Policy;
- the School's Dismissal and Disciplinary Policy and Procedure;
- the School's Public Interest Disclosure Policy

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Prior to the formulation of an official Complaints Policy, correspondence in the retained staff files suggests that complaints were made to the Headmaster and that he dealt with them accordingly, referring to the Board of Governors as and when necessary.

Complaints made by students or parents:

The Policy/Procedures for Complaints made by Students or Parents is covered in the School's Code of Conduct with the School's policy for confidentiality as required outlined in Gordonstoun's Child Protection Policy.

Additionally, on joining the School, every student is supplied with an induction pack which provides clear information on how to seek support both within and without Gordonstoun. This information is also included in each student's study planner, on the School's intranet home page and is published on leaflets on pinboards throughout the School. Contact numbers for Moray Council children and young People's Rights service, Child Line and a number for the designated Wellbeing and Child Protection Governor. This to enable children to make complaints, reports or to seek help as necessary.^{booxvi} The School's guidance on confidentiality and complaints is also included there.

Children at school are also – and have always been – able to make direct contact with their parents, family and/or guardians. In the 1930s and 1940s this was most often by post and parental visits, more recently by telephone, email and mobile phone.

ii. Was there a particular policy and/or procedural aim/intention?

The intention of policies and/or procedures was to provide an appropriate avenue for complaints and reporting, one in which all parties would receive fair and appropriate treatment and support.

In relation to children, the School's aim and intention has always been that they can communicate freely with their parents and share any concerns; equally that they should feel able to talk to staff and report concerns and complaints which are received respectfully and confidentially.

iii. Where were such policies and/or procedures recorded?Complaints made by staff:

Although there are no direct historical records on this, the policies and/or procedures referred to above have been recorded from 1995 onwards and are available to all staff members in the staff resources section of the School's online resources. They are included in the Staff Handbook and in the Junior School Staff Handbook.

Complaints made by students or parents:

Policies in relation to children's complaints are recorded in the School's Code of Conduct and Child Protection Policy.

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Their development has also been recorded in the School Development Plans which are available from 1995/6 to the present day.

iv. What did the policies and/or procedures set out in terms of the following?

• **Complaints by children**

Gordonstoun:

The procedure for complaints by children are laid out in the School's Child Protection Policy and Code of Conduct^{lxvii}. The opening paragraph of this policy and procedure explains its background *'The Children's (Scotland) Act 1995 and subsequent documents have made clear the need for the care and welfare of children to be reflected in school policies. HM Inspectors have emphasised that complaints procedures are an essential element in the care of residential students'*^{lxviii}

The procedure is summarised as follows (for the complete procedure please see endnote at li):

- A complaint can be made by a student or parent to any member of staff.
- A complaint can also be made by a member of the non-teaching staff against the behaviour of a student. This could be directed to the Deputy Head (Pastoral).
- The member of staff approached will note and record this initial contact and refer the matter to the Sixth Form Co-ordinator or the Year Leader.
- They will then have an interview with the parent or student making the complaint. If it is not then resolved, the parent or student may ask for a Complaint Report Form to be raised. This will be completed and passed to the Deputy Head (Staffing and Planning)
- The Deputy Head (Staffing and Planning) may request further research.
- If the complaint concerns another member of staff or a student, the Deputy Head (Staffing and Planning) will inform the member of staff or student concerned. If at this stage the person against whom the complaint is being made wishes to discuss the matter with the Principal, he or she may do so.
- The Deputy Head (Staffing and Planning) having considered carefully all matters relating to the Complaint and having carried out whatever investigations and interviews he/she believes necessary, will decide what action is to be taken and discuss this with the Principal. Principles of good practice and natural justice will be fully observed.
- The Deputy Head (Staffing and Planning) will then inform the complainant and the party complained against of the action which is to be taken.
- An appeal against the decision of the Deputy Head (Staffing and Planning) can be made in writing to the Principal.
- An appeal against the Principal's decision can be made in writing to the Chairman of the Board of Governors who will ensure that the matter is raised at a Board Meeting. Similarly any complaint against the Principal should be made directly, in writing to the Chairman of the Board of Governors.
- All stages in the Procedure to be recorded. Both the complainant and any person against whom a complaint is being made are entitled to a progress report at any time.

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Whilst this policy is not recorded in the archived copy of the Discipline Handbook dated July 1999, it became part of the School's Code of Conduct in 2002. Online back dated issues of the Code of conduct are available from 2011^{booxix}.

There are also other avenues for complaint available beyond the Gordonstoun Community. The phone numbers for Child Line are on pin boards across the School and have been advertised clearly in that way since 2007.

Aberlour House 1999 - 2004:

Although Aberlour House (now the Gordonstoun Junior School) is an integral part of the School, it has a different Code of Conduct from the Senior School, which makes concessions to the age of the children educated there. For example, as the Junior School is for children aged from 6-13 the Code of Conduct does not include Smoking, Drugs and Alcohol policies. As with the Senior School, the Director of Staffing and Planning would oversee any complaints made. They should be directed at the Director of Staffing and Planning, then the Headmaster who would seek to resolve them.^{xc}

- ***Complaints by staff***

Before record of a formal Grievance Policy at Gordonstoun (as mentioned at i above) any complaints made by staff were made to the Headmaster who responded accordingly, with advice or support from the Board of Governors as necessary. As also mentioned above, Board Minutes dated 16.6.1978 state that 'A Grievance procedure' paragraph was sent to all teaching staff as an amendment to their Conditions of Employment.

Thereafter there has been a more formal avenue for complaint by staff.

The School's current Grievance Policy has been in place in some form since 2002 with the School's appointment of the first Director of Staffing and Planning. It outlines the process for staff making complaints through an informal to a formal stage. The hope is that complaints will be resolved at the informal stage, through discussion with a line manager. If it cannot be resolved in this way, then a written complaint needs to be submitted to the Deputy Head, Staffing & Planning setting out the grievance. The process is fully outlined in the Policy which is dated 2009 and was reviewed in 2016.

Gordonstoun also retains a Harassment Policy to protect staff in relation to '*unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual*'.^{xcd}

This policy outlines the procedure for making complaints about personal harassment. These similarly take the form of, in the first instance, informal and then formal complaints.

- ***Complaints by third persons/family of children***

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Historically, complaints by third persons/family of children have been made to the Headmaster. With the developing management structure within the School, complaints can now also be made via a member of staff, a house master/mistress or a tutor as per the Complaints Policy as outlined above in the School's Code of Conduct.

- **Whistleblowing**

Gordonstoun adopted a policy and procedure on 'whistleblowing' or Public Disclosure in 2005 in line with national legislation and guidance at that time.

This policy is in place to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.'

- **Support, including external support, for those who made complaint or those who were the subject of complaint**

Gordonstoun's Investigating, Disciplinary and Dismissal Policy and Procedure states that *'the statutory right to be accompanied by a fellow worker or trade union official does not apply to interviews that are purely investigatory in nature. Despite this, the School will consider any request from an employee under investigation to bring a colleague along to any investigatory interview (although it may, at its discretion, refuse to agree to this)'^{xcii}*

If a disciplinary procedure is formalised, then the employee has a statutory right to be accompanied by a single companion, chosen by the employee, who must either be a colleague or a trade union official^{xciii}

Since the appointment of the School's clinical psychologist, her services have been offered as external support to former students who have reported incidents of abuse. This offer was first made in 2013. Because the school understands from survivor groups that contacting a school employee may not feel appropriate, it has also been our practice to publicise alternatives such as the National Confidential Forum and latterly the Inquiry

The policy is to offer this support – to both staff and pupils - whenever it is required.

Children making any complaint also have the support of their parents and/or guardians who are informed as soon as any complaint is made.

In the case of a complaint which relates to child protection, the complaint is immediately passed to the appropriate external agency. The School then follows their guidance on how to proceed, and accommodate any provision of external support for both the children who made the complaint, and the children against whom that complaint is made.

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Any complaint which might relate to a child's health or physical wellbeing is also referred to the medical centre who make further referrals to external agencies for support as necessary or required.

- ***Response to complaints (including response by organisation and/or establishment)***

The policy for response to complaints made by students or parents is laid out in the complaints policy above.

The response to complaints raised by staff is laid out in the Grievance Procedure and Harassment Policy also referenced above.

The response for complaints raised by children in relation to the behaviour of staff is laid out comprehensively in the School's child protection Policy.

- ***External reporting of complaints***

Where the matter appeared to be a potential criminal offence the policy or procedure for external report of complaints would be to consider the complaint, seek advice where appropriate from the local authorities/social care agencies and to act accordingly.

v. Who compiled the policies and/or procedures?

Until 1995, the Headmaster was responsible for the introduction of policies and procedures. Since 2002 the Director of Staffing & Planning has compiled the procedures for approval by the Headmaster/Principal, senior management team and/or the Board of Governors. Since 1995, Child Protection policies and procedures have been compiled by the Deputy Head, Pastoral Care and the Child Protection Co-ordinator, for approval by the Board of Governors.

vi. When were the policies and/or procedures put in place?

Although Headmasters have always received and responded to complaints (as illustrated at Part D Appendices, Appendix 3, spreadsheet response 5.9, 24, 27, 28 – cases which came out of the sampling of student files), the policies and procedures were put in place when the first director of Staffing and Planning was appointed in 1999/2000.

Formal Child Protection policies and procedures have been in place since 1995.

vii. Do such policies and/or procedures remain in place?

Yes.

viii. Were such policies and/or practices reviewed?

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Yes

ix. If so, what was the reason for review?

The School's Whistleblowing Policy was formulated in response to new national guidance and legislation in 2005.

Since 2002 Gordonstoun's Child Protection Policies are reviewed annually to assure adherence to the most current legislation and guidance with regard to the care for and wellbeing of children in the School's care.

x. What substantive changes, if any, were made to the policies and/or procedures over time?

The addition of the Public Disclosure/whistleblowing clause was a substantive change to the School's staffing policies in 2005.

xi. Why were changes made?

Changes have been made in response to HMI requirements or suggestions, in response to changes in national legislation and/or guidance.

xii. Were changes documented?

As mentioned, there were very limited historical records on specific policies available. The annual School Development Plan which is available from 1995/6 to the present day documents the changes and developments made to the School's policies and procedures.

Gordonstoun's Wellbeing System records any reporting of complaints to external agencies since 1997.

The School's Financial Director acts as Police Liaison at Gordonstoun and he retains any records of contact with the police which do not fall within the remit of child protection and wellbeing at Gordonstoun.

xiii. Was there an audit trail?

The annual School Development Plan which is available from 1995/6 to the present day represents and audit trail of the School's policies and procedures.

Gordonstoun's Wellbeing System document any reporting of complaints to external agencies since 1997.

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The School's Financial Director acts as Police Liaison at Gordonstoun and he retains any records of contact with the police which do not fall within the remit of child protection and wellbeing at Gordonstoun.

Present

- xiv. With reference to the present position, are the answers to any of the above questions different?**

Yes

- xv. If so, please give details.**

- **Complaints by children**

Gordonstoun's Code of Conduct and Child Protection Policy is reviewed and updated annually.

- **Complaints by staff**

The Staff Grievance and Policy Procedure was updated in May 2017.

- **Whistleblowing**

In 2016, all existing staff had to sign the following clause retrospectively and it is in all new contracts.

Code of Conduct: Your employment is also subject to you adhering to the Code of Conduct, (copy attached), which includes guidance on Child Protection, which you must read, sign and return to the HR department. Any breach of this code of conduct could lead to disciplinary action being taken against you and dismissal for gross misconduct.

Updates on policies are stated at xiv above.

- **Support, including external support, for those who made the complaint or those who were the subject of the complaint.**

The services and expertise of the School's full time Clinical Psychologist have been made available to anyone requiring support in the Gordonstoun community.

(b) Practice**Past**

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to complaints and reporting at the establishment?**

Please see answer at ii below.

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?

- **Complaints by children**
- **Complaints by staff**
- **Complaints by third persons/family of children**
- **Whistleblowing**
- **Support, including external support, for those who made complaint or those who were the subject of complaint**
- **Response to complaints (including response by organisation and/or establishment)**
- **External reporting of complaints**

Yes, which does not mean to say that the School would not respond differently to some of the incidents which arose in the past, if they were to arise now.

iii. How was adherence demonstrated?

- **Complaints by children**

Complaints by children are recorded in the School's Wellbeing System and pastoral records, including the consequences of those complaints. Examples are recorded at Part D Appendices, Appendix 3, spreadsheet response 5.9. 20, 59 and 66.

- **Complaints by staff**

Complaints by staff are recorded in a complaints file retained in the office of the Director of Staffing and Planning (per the School's Complaints procedure). These complaints are both formal and informal, and dealt with accordingly. This is not believed to be a comprehensive set of records, but they do demonstrate adherence.

- **Complaints by third persons/family of children**

Complaints by third persons/family of children are also recorded in a complaints file retained in the office of the Director of Staffing and Planning. These complaints are both formal and informal, and dealt with accordingly. As above, they are not believed to be comprehensive, but they do demonstrate adherence to practice.

The file for one of the cases reported more fully in Part D Appendices, Appendix 3, spreadsheet response to 5.9.10 with respect to the physical abuse of a child by a staff member demonstrates the

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School's adherence in practice to policy/procedures in relation to complaints by third persons/family of children and reporting at Gordonstoun.

Complaints by third person/family of children are also recorded in the sampled student files – and result in the cases 5.9.23 being recorded here. Examples of complaints by third persons/family of children more recently are recorded at 5.9.71 and 90.

- ***Whistleblowing***

The file for one of the cases reported more fully in Part D Appendix 3, spreadsheet response 5.8 and at Appendix 4 Spreadsheet response 5.9.9 with respect to abuse of a child by a staff member demonstrates the School's adherence in practice to policy/procedures in relation to whistleblowing at Gordonstoun.

- ***Support, including external support, for those who made complaint or those who were the subject of complaint.***

The School's response to the reporting of non-recent cases of abuse at Gordonstoun, reported more fully in Part D Appendices, Appendix 4, 5.9.4 & 13 illustrate adherence to this as support was offered.

- ***Response to complaints (including response by organisation and/or establishment)***

Letters from the Headmaster/Principal with regard to complaints illustrate adherence.

- ***External reporting of complaints***

As a result of responding to the Inquiry, the School has gained a fuller understanding of incidents of abuse or alleged abuse by staff of pupils. Some of these indicate an element of criminal behaviour. The School regrets that these matters were not always recognised as such and thus were not reported to the police at the time.

The School's ongoing relationship with outside agencies including the police and social services attest to the School's external reporting of complaints as necessary and in recent times. This is illustrated by cases reported in Part D Appendices, Appendices 3,4 & 5, spreadsheet responses to 5.8, 5.9 and 5.12. Specifically at 5.9.2 & 3, and 5.

iv. How can such adherence be demonstrated to the Inquiry?

Through retained correspondence regarding complaints – which exist within retained staff files, within archived Governors' minutes and reports to the board, within student files. And through the careful retention of recent correspondence arising since 2013 in relation specifically to incidents of alleged non-recent abuse at Gordonstoun. Also, the Part D spreadsheet responses at 5.8, 5.9 & 5.12 demonstrate a level of adherence through action taken.

*Gordonstoun – Part C – Full Response***v. *Were relevant records kept demonstrating adherence?***

Retained records – student files (and occasional correspondence therein), staff files (and occasional correspondence therein), complaints and discipline files from 2002, child protection and wellbeing records from 1997 all demonstrate adherence.

vi. *Have such records been retained?*

Please see response at v. above.

vii. *If policy/procedure was not adhered to in practice, why not?*

Regrettably the instance at Part D Appendices, Appendix 3, spreadsheet response 5.9.4 (also at 5.8 and 5.12) attests to a failure by the School to adhere to appropriate practice in the response to a complaint from a pupil about a member of staff's behaviour. There is a letter on file which discusses that failure – noting that the feeling was that complaint had been made too long after the event, and that the evidence was too scant for the School to mount an investigation. Were this to happen now, the member of staff would be summarily dismissed and reported to the police – in line with the school's policy and procedure in relation to Gross Misconduct.

Present**viii. *With reference to the present position, are the answers to any of the above questions different?***

Yes.

ix. *If so, please give details.*

- ***Complaints by children***
- ***Complaints by staff***
- ***Complaints by third persons/family of children***
- ***Support, including external support, for those who made complaint or those who were the subject of complaint***
- ***Response to complaints (including response by organisation and/or establishment)***
- ***External reporting of complaints***

Gordonstoun is committed to adhering to appropriately reviewed and maintained policies and procedures with respect to all of the above. As previously stated at 4.9. (a)iv above, Gordonstoun adopted a policy and procedure on 'whistleblowing' or Public Disclosure in 2005 in line with national legislation and guidance at that time. A specific 'whistleblowing' clause was specifically added to all

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staff contracts in 2016. Any complaints with regard to historic or non-recent abuse are immediately passed on to the police and are being or will be passed to the Inquiry. Support is also offered from the School's full time clinical psychologist.

Communications to the School community in the light of this inquiry have encouraged anyone who might wish to be in direct contact with the Inquiry, to make allegations directly to the police and also, for the survivors of abuse, to contact the National Confidential Forum (<http://www.nationalconfidentialforum.org.uk/>), which was set up as part of the Victims and Witnesses (Scotland) Act 2014 in order to allow people who spent time in institutional care as children to come forward and share their experiences, whatever they are.

Following reports of negative experiences and non-recent abuse at Gordonstoun the School also made a commitment to help and support any former students who have been affected by this or any similar issues.

In order to do this in as an informed and responsible way as possible, the School commissioned Professor Andrew Kendrick and Ms Moyra Hawthorn of the University of Strathclyde and the Centre for Excellence for Looked After Children in Scotland (CELCIS) to carry out a consultation with former students in order to discuss what support would be most beneficial. The objective of this consultation was to engage with former pupils in order to ensure that any measures put in place to support survivors of non-recent abuse are as effective and appropriate as possible, both in terms of the forms of support offered, the way in which these are framed and in terms of language and tone.

Stage 1 of the consultation involved preliminary engagement with four former pupils and three representatives of Gordonstoun School, to consider draft materials for the consultation (information forms and questionnaires), and the process of the consultation.

Stage 2 involved eight former students, five men and three women, who provided feedback either through telephone interviews or an on-line questionnaire. Those who shared this information had been in the School between the 1960s and the 1980s.

Stage 3 will draw on the perspectives of former students and CELCIS will make a range of recommendations which we hope reflects the needs of former pupils affected.

Although the consultation has been focused on addressing the needs of former students, it is clear that participants also emphasised their interest in the experience of current students at Gordonstoun. They felt it essential that the lessons of the past are learnt, and the safety and protection of current students is ensured

The School is committed to ensuring that this is the case.

(This consultation started in 2016 and the hope is that Gordonstoun will be able to share recommendations with those who took part over the Summer of 2017 in order to make a communication with the School's former pupils and wider community by the end of the year).

- ***Whistleblowing***

As mentioned previously, a whistleblowing/public disclosure clause has been added to the School's Code of conduct and staff contracts, sitting alongside the public disclosure policy which was originally formulated in line with national guidance and legislation.

4.10 Internal Investigations

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in respect of internal investigations relating to the establishment?***

As set out elsewhere in this submission, the School has not been able to identify historic formal policies and procedures. As reported in relation to answers elsewhere in this submission, staff files and other records indicate that such internal investigations did take place, however, it is not clear what formal procedures there were. Incidents recorded at Part D spreadsheet response 5.8 and 5.9, in particular 5.9.1-5 indicate that, in those examples at least, any such internal investigations were not sufficient.

In relation to staff:

There are no recorded policies and/or procedures retained pre-1996, with respect to internal investigations relating to staff at the establishment. However, from the research carried out and the available records and files which have been reviewed, it appears the process for any internal investigation was that complaints were made to the Headmaster who investigated them accordingly. This is reflected in correspondence available from Mark Pyper (Headmaster/Principal of Gordonstoun 1990-2011) which indicate he investigated issues as they arose, reporting back to the Chairman of the Board as he deemed necessary. An example of a formal warning reported to the Chairman of the Board is on file in a case which is otherwise not of relevance to this inquiry^{xclv}

The School's Investigation, Disciplinary and Dismissal Policy and Procedure is available in its 2009 form, although it is one of the procedures put in place formally with the appointment of the School's first Director of Staffing and Planning in 2000.

In relation to children

From the formulation of the first Child Protection Policy in 1995 and the subsequent development of the Code of Conduct (which was renamed in 2008 having previously been the School's Discipline Handbook which was in place from the early 90's), Gordonstoun has outlined the policy/procedure for handling investigations in relation to children. The procedure includes the original and sensitive handling of the information which might result in an investigation and outlines any resulting action taken. The principle is to protect children from being subject to questioning by a variety of school staff. *"It would be against good investigative procedures and best evidence for children to be subject to internal investigations and thereafter re-interviewed by social work and police authorities. The Wellbeing and Child Protection Coordinator and the Named Person at Gordonstoun have very strong relationships with the Public Protection Unit (which includes police, social work and healthy in a public protection hub), from whom guidance and advice is regularly sought."*^{xcv} For internal

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investigations that are less grave, policy and procedure is set out in the School's Code of Conduct^{xvii} and would involve a series of interviews as reported here, at 4.9 above.

ii. Was there a particular policy and/or procedural aim/intention?

In relation to staff:

The introduction of a formalised policy for internal investigations was intended to support staff in conducting investigations that were both effective and consistent in their approach.

Gordonstoun's current Investigation, Disciplinary and Dismissal Policy and Procedure states that: *The School operates an investigation procedure alongside its disciplinary procedure. The purpose of the separate investigation procedure is to allow management impartially to investigate any alleged or suspected misconduct on the part of an employee. The objective will be to establish all the facts of the particular case before a decision is taken as to whether or not there are proper grounds to invoke the disciplinary procedure.*

In relation to children:

The aim and intention of all policies and procedures in relation to the wellbeing and protection of children in Gordonstoun's care is to safeguard them, whilst promoting and developing all aspects of their wellbeing.

iii. Where were such policies and/or procedures recorded?

A policy for internal investigations was first recorded on appointment of the School's first Director of Staffing and Planning. The version available in the staff handbook is dated 2009. However, it is clear that, even before this time, investigations were being effectively conducted (see the example reported at Part D Appendices, Appendix 4, spreadsheet response 5.9.9 of physical abuse of a pupil by a member of staff). Although the outcome of the investigation would be different now, the investigation itself was comprehensively recorded and followed a clear procedure and process.

In relation to children – policies and procedures were recorded in the School's Code of Conduct (formerly the School's Disciplinary Handbook which was in place from the mid 90's).

iv. What did the policies and/or procedures set out in terms of the following?

- **Approach to/process of internal investigations**

As previously stated, we do not have records of any policies and procedures in relation to internal investigations prior to 2000. The procedure outlined in the School's formal Investigation, Disciplinary and Dismissal Policy and procedure is summed up as follows^{xviii}:

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- *The investigation procedure will normally be used only when an employee is suspected of committing an act of serious misconduct or act in serious breach of any of the School's policies, procedures and rules.*
- *Where the disciplinary procedure is invoked following an investigation, the manager who carries that out will not be the same person as the manager who conducted the investigation.*
- *The School would normally expect the process to be completed within two to four weeks.*
- *Whilst suspension with pay may be necessary, it will be used as a last resort.*
- *The manager overseeing the investigation will*
 - *examine all written records, appraisal reports and managers notes.*
 - *Consult other managers*
 - *Talk privately and in confidence to any employees who may have evidence relating to the employees alleged misconduct*
 - *Seek consent to use a summary of that evidence in a signed written statement.*
 - *Conduct an investigatory interview with the employee making sure that the employee knows that the purpose of the interview is to establish the facts and that the interview is not part of the School's disciplinary procedure*
 - *And take an objective a balanced view of any information that comes to light*

In relation to children:

The School's Code of Conduct sets out the following, in its approach to/process of internal investigations:

- *A complaint can be made by a pupil or parent, to any member of staff.*
- *The member of staff approached will note and record this initial contact and refer the matter to the Sixth Form Co-ordinator or the Lower School Co-ordinator, unless they are involved in the complaint in which case the matter will be referred to the Director of Staffing and Planning.*
- *The Sixth Form Co-ordinator or Lower School Co-ordinator will then have an interview with the parent or student making a complaint and, if the matter is not resolved in this interview, the parent or student may ask for a Complaint Report Form to be raised. This will be completed and passed to the Director of Staffing and Planning. (If the complaint concerns the Director of Staffing and Planning, it will be passed directly to the Headmaster).*
- *The Director of Staffing and Planning may request the Director of Curriculum or the Director of Pastoral Care to carry out further research, if this is felt necessary and depending on the nature of the complaint.*
- *If the complaint concerns another member of staff or a student, the Director of Staffing and Planning will inform the member of staff or student concerned about the occurrence and the nature of the complaint. If at this stage the person against whom the complaint is being made wishes to discuss the matter with the Headmaster, he or she may do so.*
- *The Director of Staffing and Planning, having considered carefully all matters relating to the Complaint and having carried out whatever investigations and interviews he/she believes*

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necessary, will decide what action is to be taken and discuss this with the Headmaster. Principles of good practice and natural justice will be fully observed.

- *The Director of Staffing and Planning will then inform the complainant and the party complained against of the action to be taken.*
- *An appeal against the decision of the Director of Staffing and Planning can be made in writing to the Headmaster.*
- *An appeal against the Headmaster's decision can be made in writing to the Chairman of the board of Governors who will ensure that the matter is raised at a Board Meeting. Similarly any complaint against the Headmaster should be made directly, in writing, to the Chairman of the Board of Governors.*
- *All stages in the Procedure will be recorded. Both the complainant and any person against whom a complaint is being made are entitled to a progress report at any time.^{xcviii}*

The approach to/process of internal investigations at Aberlour House 1999-2004 and subsequently the Junior School is broadly similar, with staff referring any complaints to the Head of Aberlour House and subsequently the Junior School who then works with the Director of staffing and Planning to seek appropriate resolution of the complaint following the steps outlined above.

- ***Identifying lessons/changes following internal investigations***

In relation to staff

We do not have historic records which set out policy or procedure regarding how to identify lessons/changes following internal investigations.

In relation to children:

Since 1995, national legislation and guidelines, rather than internal investigations themselves, have informed the changes made to the School's policy and procedures in relation to all aspects of Internal Investigations and the development of the School's Child Protection Policy.

- ***Implementation of lessons/changes following internal investigations***

In relation to staff:

Because there is no formal record available to us for this submission of what School policies and procedures were for internal investigations pre- 1996, we cannot say what they set out in relation to the implementation of lessons/changes following internal investigations.

From 1996, the provision and revision of policy suggests an understanding of the need to operate in line with national guidelines and legislation.

These changes are also present in developments of the school's Child Protection Policy which is in place to support and protect the staff as well as the children. These changes have come about through developing legislation and guidelines and rather than as a result of internal investigations.

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They include an awareness of ‘*the climate of suspicion that has developed with regard to child abuse (which) poses a dilemma for caring adults*’ and the consequential need to operate within ‘*understood limits*^{McK} in this regard. They also include a need to avoid one to one situations, where possible, with guidance on how to manage those situations where their avoidance is not possible (for instance in a music lesson). Further guidance is provided on physical contact/verbal remarks and reporting any concerns.

In relation to children:

National legislation and guidelines which have resulted from the identification, nationally, of lessons learnt and changes required, have informed the development of the School’s Wellbeing and Child Protection Policy, specifically in creating a reporting structure which encourages children to feel safe and supported in sharing any concerns.

There is also, through regular meetings of the Pastoral Care Team, a forum for discussions in relation to any internal investigations carried out on behalf of pupils in relation to their behaviour with other pupils which constantly informs any changes to sanctions and the code of conduct which is reviewed annually. Issues considered include, for example, are the sanctions – in combination with communication, education and support – fulfilling their purpose? If not then they will be reconsidered and reconfigured. The School’s development of its programme in relation to alcohol and smoking best illustrates this relationship over time, which has seen increasing the use of education, smoking cessation programmes, and visits from external agencies and speakers, in conjunction with discipline to better inform students about the choices they are making, not only in relation to their career at school but also in relation to their physical and mental wellbeing.

- **Compliance**

The policy/procedures in relation to internal investigations at Gordonstoun for either staff or children are set out to guide and expect compliance. Policy and procedure beyond this expectation of adherence is not set out.

- **Response (to child and abuser)**

In relation to staff:

The School’s Investigations, Disciplinary and Dismissal Policy and Procedure – established in 2002 - was designed to cover all instances in which its application might be applied, in a broader context than abuse or alleged abuse of children. Before that time, we have not been able to locate a policy or procedure which relates to the handling of this kind of response.

In relation to children:

Since 1995, the School’s Wellbeing and Child Protection policy has outlined the procedure for responding to a child making a complaint. It also outlined the procedure for caring for children in the broadest terms. This includes the care of children who are being abusive in their behaviour. The

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policy relates the procedure for care of children who might need protecting, these children might equally be capable of abuse as a result of their own situation and background. Whilst there are guidelines on how to handle the sharing of information, each instance of complaint and instance of abuse has to be considered on a case by case basis.

Parents and/or Guardians are always involved in the process of caring for and looking after children involved in any serious breaches of the code of conduct at school, which includes incidents of bullying. They also report those instances on behalf of their child on occasion (as illustrated by complaints included in Part D Appendices, Appendix 4, spreadsheet response to 5.9.23 & 90) Gordonstoun operates a policy of maintaining open and direct communications with parents.

- ***Response to complaints (including response by organisation and/or establishment)***

In relation to staff:

The School's Investigations, Disciplinary and Dismissal Policy and Procedure does not set out policy and procedure with regard to complaints beyond directing complaints about the policy itself to the School's Director of Staffing and Planning. Any complaints about any decisions made by the School are covered by a right to appeal. The procedure for Appeal is outlined in the policy. After the resulting appeal meeting is held, a decision is made after which there is no further right of appeal process.^c

In relation to children:

Based on information gleaned from the sampled student files, the procedure was for the outcome of any internal investigation to be shared with the parents of the child/children involved, with an explanation of the process of the investigation and the consequences of that investigation. This is illustrated in Part D Appendices, Appendix 4, spreadsheet response 5.9.33 & 82. The School's anti-bullying policy requires any children involved to resolve the problem, where at all possible, with active pastoral management from staff.^{ci}

- ***External reporting following internal investigations***

In relation to staff:

We do not have any records of historic policy regarding external reporting following internal investigations. The Investigation, Disciplinary and Dismissal Policy of 2000 did not explicitly state that any misconduct which constituted an illegal act would be reported to the police although, in practice (as outlined in 4.10(bii)) the police and social services were involved in two cases.

In relation to children

Since 1995 it has been the School's policy and procedure – as part of its Child Protection Policy – to make external reports regularly, often initially on an advice basis and then taken forward as may be

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required. The purpose of this has been to better inform the School's pastoral staff in the consideration of any complaints made or investigations undertaken by the School. From that time procedure has stated that complaints made in relation child protection issues should involve input from external agencies. In cases of inappropriate behaviour by pupils, parents and carers are informed once the basic facts are established.

v. *Who compiled the policies and/or procedures?*

In relation to staff:

A policy for internal investigations was first recorded on appointment in 1999/2000 of the School's first Director of Staffing and Planning. The version available in the staff handbook is dated 2009.

In relation to children:

The School's Code of Conduct and Child Protection Policy was (and is) overseen by the Deputy Head, Pastoral Care. The School's Child Protection Co-ordinator compiled the Child Protection Policy in line with national legislation and guidelines (which are also outlined within the policy itself and in an accompanying document).^{ci}

vi. *When were the policies and/or procedures put in place?*

Gordonstoun's Investigation, Disciplinary and Dismissal Policy and Procedure was created in 2000. The document was updated in August 2009 and again in November 2016.

The School's Wellbeing and Child protection Policy has been in place since 1995, and has developed and changed in line with national legislation and guidelines from that time.

The School's Code of Conduct has been in place, as a development from earlier versions of the School rules and in combination with the School's Charter since 2008.

vii. *Do such policies and/or procedures remain in place?*

Yes.

viii. *Were such policies and/or practices reviewed?*

This policy and practice was reviewed in November 2016.

The School's Code of Conduct and Child Protection Policy is reviewed annually, and more immediately if sudden changes in national legislation and guidelines arise.

ix. *If so, what was the reason for review?*

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The policy was reviewed to ensure its adherence to legislation and guidelines - the addition of the final clause in the definitions of Gross Misconduct was made in 2016 "*Failure to report to the Child protection Co-ordinator any concern about a member of staff behaving inappropriately with a child or young person.*"

x. *What substantive changes, if any, were made to the policies and/or procedures over time?*

The formalisation of the policy itself was a substantive change to policy and or procedure in 2002. Since then, the policy has developed in line with legislation and guidelines with a view to achieving best practice.

The addition of the final clause in the definitions of Gross Misconduct was made in 2016 "*Failure to report to the Child protection Co-ordinator any concern about a member of staff behaving inappropriately with a child or young person.*"

The School's Child Care Policy changes substantively regularly in line with substantive changes in National legislation and Guidelines. Although the policy is, as previously stated, reviewed annually, in order to make an illustrative answer to this question, comparison of the Policy dated 2007 and the Policy in current use at the School, the recent edition includes consideration of:

- The requirement of the 'Named Person' service at School, as specified in the Children and Young People (Scotland) Act 2014.
- The process for Wellbeing Assessment and Review at Gordonstoun in light of GIRFEC.
- The potential need for a 'Child's Plan' and its delivery.
- Developments and parameters in 'Information Sharing' at Gordonstoun.

These are some of the substantive changes evident in the policy.

xi. *Why were changes made?*

Changes to the policy and/or procedures with regard to internal investigations, have been made in line with national legislation and guidelines. This is also true of changes to policy and procedures with regard to the wellbeing and protection of children at Gordonstoun.

xii. *Were changes documented?*

Changes were documented in former versions of the policy.

In relation to children changes were documented in the development of the School's Child Protection Policy and Code of conduct.

xiii. *Was there an audit trail?*

Changes were documented in former versions of the policy.

In relation to children changes were documented in the development of the School's Child Protection Policy and Code of conduct.

Present

- xiv. With reference to the present position, are the answers to any of the above questions different?**

Yes.

- xv. If so, please give details.**

There have been revisions to School policies and procedures including annual updates to the Child Protection Policy.

Since 2015 it has been explicitly the School's policy to report any alleged instance of current or historic abuse to the Police and/or Social Services as appropriate.

(b) Practice**Past**

- i. Did the organisation/establishment adhere in practice to its policy/procedures in respect of internal investigations relating to the establishment?**

As reported in relation to answers elsewhere in this submission, staff files and other records indicate that internal investigations did take place, however, it is not clear what formal procedures there were. Incidents recorded at Part D spreadsheet response 5.8 and 5.9, in particular 5.9.1-5 indicate that, in those examples at least, any such internal investigations were not sufficient.

Historic cases included in the Part D Appendices 3 & 4, the spreadsheet responses to 5.8 & 5.9, and specifically 5.9. 1-5, indicate that the School did not have effective policy and procedures in relation to internal investigations.

The absence of historic staff files makes it hard to assess the extent of the School's historic practice of internal investigations in relation to staff at the School.

Two cases reported in Part D appendices 3 & 4, specifically 5.9.7 and 5.9.8 represent adherence to the School's policy and procedure in respect of conducting internal investigations (in 2000 and 2001). One (5.9.7) was brought to light by a concerned colleague and the other (5.9.8) was reported by the pupil to a trusted member of staff,

As part of the research undertaken for the Inquiry, a detailed review of the investigation for the case reported at 5.9.10, which took place in 1997, was undertaken. It was found to be as follows:

- A report was made of the incident

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- The Deputy Head interviewed the child involved, the staff member involved and various witnesses to the incident (staff and pupil)
- When the staff member was interviewed he was accompanied
- He was presented with a record of the interview and made comment and response to it
- This information, once agreed, was all passed on to the Headmaster who himself interviewed the staff member
- Decisions regarding the staff member's future were made through consultation with both lawyers and the Schools board of Governors.^{ciii}

That said, it is worth noting that should the events of cases such as these coming to light today, the School's investigatory procedures would have been more formal and extensive, external agencies would have been more involved and it seems likely that the disciplinary outcome would have been much more serious.

In relation to children:

Historic correspondence which has been discovered as part of compiling the response to this Inquiry suggests that, in the case reported at 5.9.4, an opportunity to conduct a full investigation of a complaint was missed.

Since they have been in place, every effort has been made to adhere in practice to the application of the School's Code of Conduct and Child Protection Policy and the procedure it lays out for internal investigations.

ii. *Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?*

- ***Approach to/process of internal investigations***

Yes – although the majority of available files record investigations of a less formal and extensive nature than would be followed today.

Child Protection records and instances of internal investigations which took place before their commencement which have come to light in the sampled student files speak to adherence in this regard.

- ***Identifying lessons/changes following internal investigations***

As previously mentioned, the School did not historically have policy and procedures in place in terms of identifying lessons/changes following internal investigations.

In relation to staff:

Because we do not have records from the time, it is hard to see if, in practice, lessons were learnt from the case reported in Part D Appendices 3,4 & 5, spreadsheet responses 5.8, 5.9 & 5.12, and

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specifically 5.9.3 where a staff member seems to have been summarily dismissed. The case reported in 5.9.4 is one where ideally the School would have learnt from the previous experience.

In relation to children:

With regard to the care and wellbeing of children, lessons from internal investigations are learnt constantly in managing instances of abuse between children. The effective identification of these lessons has resulted in practical changes to school life at Gordonstoun:

- Lessons learnt about from internal investigations concerning the sexual behaviour of the children at school have resulted in changes in the curriculum (in relation to Health Education or ISC, changes in the way subjects are covered or the order in which they are covered)
 - Lessons learnt from internal investigations concerning the danger of too much unstructured time has resulted in changes to how free time is arranged and accommodated – to strike the balance between ensuring the children in the School’s care do get some ‘down time’ without allowing them to become dissolute in the process.
 - Lessons learnt from internal investigations concerning negative behaviour in peer groups has resulted in changes in how the year groups socialise
 - Lessons learnt from internal investigations concerning negative behaviour in boarding house groups has resulted in changes in how house groups socialise
 - Lessons learnt from internal investigations concerning the efficacy of sanctions on repeat offenders has resulted in changes in how discipline is formulated and delivered
 - Lessons learnt from internal investigations concerning how bullying and/or alleged abuse is reported and why it isn’t has resulted in changes to the infrastructure and reporting structure of the School’s pastoral team and developments and expansions of that team
- ***Implementation of lessons/changes following internal investigations***

In relation to staff

Although there is evidence (Part D Appendices, Appendix 4, 5.9.10) of investigations taking place, there is no historical record of particular changes made as a result of such internal investigations in relation to staff.

In relation to children

Implementation of lessons learned following internal investigations in relation to the wellbeing of children in the School’s care can be immediate, or after discussion and planning with appropriate staff groups.

- ***Compliance***

Although adherence to policy/procedure can be demonstrated, there are instances in which gross misconduct – as defined in the School’s policy as including ‘*unlawful or inappropriate and/or*

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improper conduct towards or relating to, a pupil, child or other vulnerable person' – did not result in dismissal when arguably it should have done and this would be looked at differently today.

These cases are reported more fully at Part D Appendices 3 & 4, spreadsheet responses 5.8 & 5.9.

- ***Response (to child and abuser)***
- ***Response to complaints (including response by organisation and/or establishment)***

As stated above, the School's Investigations, Disciplinary and Dismissal Policy and Procedure does not set out policy and procedure with regard to complaints beyond directing complaints about the policy itself to the School's Director of Staffing and Planning. However, records retained in the School's disciplinary and complaints file illustrate how complaints were responded to.

Records in sampled student files, in the more recent wellbeing files and in the retained staff files support an adherence to procedure in this regard and can be found in our detailed submission at Part D Appendix 4 spreadsheet response 5.9.

In relation to children – the outcome of any internal investigation is shared with the parents of the child/children involved, with an explanation of the process of the investigation and the consequences of that investigation. Adherence to this is evident in the paper wellbeing files available since 1997, and in sampled student files referenced at Part D Appendices, Appendix 4, spreadsheet response 5.9: 27, 28 & 29.

- ***External reporting following internal investigations***

We do not have any records of historic policy regarding external reporting following internal investigations. The Investigation, Disciplinary and Dismissal Policy of 2000 did not explicitly state that any misconduct which constituted an illegal act would be reported to the police although, in practice (as outlined in 4.10(bii)) the police and social services were involved in two cases.

Cases which do not appear to have been reported at the time, but which would be reported today (and indeed have been reported by the School, as noted in Part D spreadsheet response at 5.12 since coming to light more recently) are at Part D Appendices 3 & 4, spreadsheet response 5.9, specifically 5.9 2 & 3 and 4 & 5.

Gordonstoun's commitment to consulting with external authorities following internal investigations with regard to the wellbeing of the children in its care is a matter of both written and oral records since the formal appointment of the School's first Child Protection Officer in 1995. A lack of records makes it difficult to quantify adherence before that time.

iii. How was adherence demonstrated?

In relation to staff

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The contents of staff files demonstrate adherence to the School's policy and procedures, using informal internal investigations (the stage before an investigation is formalised and the stage at which the School hopes to deal with any problems and resolve them) – as do the School's Complaints and discipline files. Gordonstoun's Disciplinary and Dismissal Policy and Procedure states '*The School recognises the importance of attempting to resolve issues about dismissal and disciplinary actions within the workplace and will attempt to do so, when it considers this is practicable*'^{civ} The records and correspondence in the staff files attest to the School's desire to seek resolution within the workplace.

In relation to children

The wellbeing files available since 1997 demonstrate the School's adherence to internal investigation policy and external reporting as appropriate, and to the procedure in relation to child protection – as they contain clear records of steps taken.

iv. How can such adherence be demonstrated to the Inquiry?

Through consideration of the information supplied at 5.8, 5.9 and 5.12 in relation to internal investigations of both staff and children.

v. Were relevant records kept demonstrating adherence?

Records of informal investigations were kept in staff complaints and discipline files.

Records of internal investigations of children's behaviour were kept in house logs, and latterly in the School's wellbeing system.

vi. Have such records been retained?

The School has retained wellbeing logs since 1997.

Staff files are available for those staff in the School's employment in 1990 and thereafter.

vii. If policy/procedure was not adhered to in practice, why not?

Although in many cases records indicate that the developing policy and procedures were adhered to, it is clear that, in the formality and extent of investigations, in the structures for learning and implementing lessons, and in the nature of some of the responses, practice fell considerably short of what would occur today.

Present**viii. With reference to the present position, are the answers to any of the above questions different?**

Yes.

ix. If so, please give details.

- **Approach to/process of internal investigations:**

Today, investigations are entirely separate from discipline (both staff and students) and any internal investigations are fulfilled completely through due process to appropriate disciplinary outcome, with involvement of external agencies as appropriate.

- **Identifying lessons/changes following internal investigations:**
- **Implementation of lessons/changes following internal investigations:**

In relation to staff – responding to Inquiry has helped to identify need for formalisation of lessons learned from investigations relating to staff.

In relation to children – As noted earlier, the pastoral team has a detailed process for incident reviews which enables lessons to be identified.

- **Response (to child and abuser):**
- **Response to complaints (including response by organisation and/or establishment)**

The School continues to maintain clear lines of communication with both child (and their parents and or guardians as appropriate) and abuser throughout any investigation process undertaken and to ensure that complainers are informed of the outcome.

Using fair and responsible investigation policy and procedures as laid out in the School's current policy, should the resulting conclusion be that a member of staff was guilty of gross misconduct in his or her treatment of a child, s/he would be dismissed summarily and any and all appropriate action with regard to reporting to external agencies would be taken.

The School's ongoing response to complaints (including response by organisation and/or establishment) is best illustrated by our management of the cases of historic abuse which have been brought to our attention.

As reported to the Inquiry in Parts A & B, we became aware of an alumni Facebook group in 2014 where former pupils (known as OGs) were discussing abuse experienced at school. In response to this discovery, the School made immediate contact with the group and has been in dialogue with them and the wider OG community ever since. The Observer later published an article which referenced alleged cases at Aberlour House before it was part of Gordonstoun. As a result, a number of people contacted the School, which led the School to formalise its response to allegations of historic abuse. Not only did we strengthen our approach to handling such contacts, and made it policy to report these immediately to the police, we developed our communications and offers of support, and appealed for anyone from Gordonstoun who was hurt by their experience at school to

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come forward. Further, we proactively engaged with bodies including Children First, NSPCC and Mandate Now to learn more about best practice in survivor support, as well as best practice in current child protection policy. This engagement gave rise to changes in the Code of Conduct and the staff contract, as previously reported, to make it an explicit gross misconduct offence for staff to fail to report child protection concerns. On the advice of these groups, and following our own research, we engaged CELSIS to talk to survivors on our behalf, to learn from them directly what support they would find most helpful. This work will shortly be published and will form the basis for the long term strategy to be developed by the School in supporting survivors.

In the meantime, we have used opportunities presented by media interviews, as well as regular OG communications, to reiterate our support, to ask for survivors to come forward, and to encourage them to contact the both the police and the Inquiry. While this has only given rise to a handful of fresh cases reported direct to us, we hope it may have helped others to approach the police or the Inquiry direct, or to seek help elsewhere. It also sends a strong signal to current staff and parents that we are not prepared to countenance any harm to children in our care.

- **External Reporting following internal investigations:**

The School's current practice is to liaise extensively to the Police and Social Services in order to support internal investigations (not merely to report externally following an internal investigation). This reporting is either formal in relation to reporting a possible crime or child protection issue, or informal when advice and input is sought.

4.11 Child Migration

This is not applicable to Gordonstoun.

4.12 Records

(a) Policy

Past

i. What policies and/or procedures did the organisation/establishment have in relation to record keeping?

Historically the School did not have a formalised overall record keeping policy.

Student files were kept, although they primarily contain only basic admissions paperwork and a copy of their final report.

Staff files have been retained since 1990.

Financial files are kept for seven years, a year longer than the statutory requirement of six years.

Records of incidents concerning the wellbeing and welfare of children have been retained since 1997.

The School archive is a *'depository for the papers, correspondence, minutes, photographs, artefacts and publications relating to the history of the School and associated bodies connected with the School, buildings and estate management'*^{cv} A brief outline of the documents retained by the Gordonstoun School Archive are outlined in Part C Appendices, Appendix 5.

Past Child Protection Policies are not retained; this is to avoid any confusion over which version is current; consequently there is an active destruction policy for hard copies of the School's CPP.

The School's policies are retained within the School Development Plans from 1995/6 to the present time.

When Aberlour House changed location and moved onto the Gordonstoun campus, files were destroyed. There are some historical records of Aberlour House retained in the School archives, and the other papers relating to 1999-2004 referenced in this inquiry response were retained amongst the private papers of the current Headmaster of the Junior School (and former staff member and headmaster of Aberlour House).

There was no systematic approach to record keeping for Gordonstoun International Summer School.

ii. Was there a particular policy and/or procedural aim/intention?

Due to a lack of historical records it is not possible to identify an aim or intention in relation to record-keeping. In relation to retention of records, for instance, the procedure was for the previous

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Child Protection Policy to be destroyed when the new one was issued, in order to ensure uniformity of approach in all areas.

iii. What did the policies and/or procedures set out in terms of records relating to the following?

- ***Children in its care***

Student files were retained from the School's foundation. They were 'thinned out' in line with data protection guidelines and also for ease of storage under Mark Pyper's headship.

The policy/procedure for record keeping in relation to the protection and well-being of children in its care has been to be comprehensive since 1997. These records have been retained in paper form since 1997 and on the School's 'Wellbeing System' since 2011.

Prior to 1997, each Housemaster and Housemistress kept a log book – a careful record of any matters arising within the boarding houses. These were maintained on a nightly basis, and referred to as necessary when considering the welfare of children in their care. They have not, however, been retained. The practice was to keep records but not to retain them.

- ***Staff***

Staff files have been retained since 1990. It is understood that staff files were retained from before this time however we have been unable to locate them having searched the campus thoroughly.

- ***Complaints***

Any recorded complaints are retained within those staff files, or – from 2002 – in a separate file in a filing cabinet in the office of the Director of Staffing and Planning.

- ***Investigations***

Information regarding investigations is retained within staff files, by the Financial Director or within the School's Child protection files and Wellbeing system.

- ***Discipline***

Records of disciplinary procedures are retained within staff files, or in a file in the office of the Director of Staffing and Planning.

They are kept inconsistently within student files pre 1997, and within the School's wellbeing files and wellbeing system from 1997 onwards.

- ***Child migrants***

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Not applicable.

- ***Responding to requests from former residents for information/records.***

The School's policy, and the policy of the School's Former Pupils Association – the Gordonstoun Association, is to respond to any requests from former pupils of the School for information/records.

- ***Other issues***

iv. Who compiled the policies and/or procedures?

Gordonstoun did not have a formalised policy for the retention of records until 2014. Since that time, the policy has been agreed by the Principal, the Finance Director, the Senior Management team and the Board of Governors and it has been, in compliance with this Inquiry since 2014, comprehensive in the retention of records.

v. When were the policies and/or procedures put in place?

Student files have been retained since the School's foundation.

Miscellaneous correspondence from Kurt Hahn and his successors, various documentation from the foundation of the School and thereafter have been retained in the School archives.

The archives retention policy was in existence by 2005 when the Gordonstoun's current archivist took up the post and was updated in 2011. It states that '*Financial records are kept in the Finance Department for six years then destroyed*'. Its Mission Statement concludes '*All staff charged with disposing of papers should be made aware, before the disposal of materials, that the archivist should be contacted with a view to identifying important papers worthy of being place in the School archive.*' The document also lists the documents it expects to hold on deposit which include HMI reports, the Gordonstoun Record, photographs etc.^{cv}

Board Minutes have been retained from 1934 – 1980. Thereafter there are no Governor's minutes in the archives – an advisory letter dated 1996^{cvii} from the School solicitor states that:

I would have thought that Board Minutes, given their confidential nature, should certainly not be available for a period of at least, say, ten years, and I would have thought arguably a period of, say, thirty years (in line with Cabinet timescales), in order that staff, pupils or indeed the School cannot be prejudiced'

Any Governor's Board minutes referred to in this response after 1980 were discovered amongst the private papers of both the School's former Company Secretary and Bursar.

vi. Do such policies and/or procedures remain in place?

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Yes.

vii. Were such policies and/or practices reviewed?

No.

viii. If so, what was the reason for review?

Not applicable.

ix. What substantive changes, if any, were made to the policies and/or procedures over time?

No substantive changes were made.

x. Why were changes made?

xi. Were changes documented?

xii. Was there an audit trail?

Not applicable.

Present

xiii. With reference to the present position, are the answers to any of the above questions different?

Yes.

xiv. If so, please give details.

Gordonstoun, in line with new legislation and national guidelines, and with the advice of SCIS, is in the process of developing its record retention policy and procedure to be in line with the GDPR changes in data protection legal requirements (to be in place by May 2018).

(b) Practice

Past

i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to record keeping?

In relation to each separate heading below, Gordonstoun adhered to its procedures (i.e. of keeping student files, keeping staff files post 1990, recording complaints since 2002, recording investigations

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within staff files, recording discipline within disciplinary files and staff files) and in their response to requests from former residents for information/records which are evident in the sampled student files and the Gordonstoun Association records.

The policy/procedure for record keeping in relation to the protection and wellbeing of children has been to be comprehensive since 1997. These records have been retained in paper form since 1997 and on the School's 'Wellbeing System' since 2011.

Prior to 1997, each Housemaster and Housemistress kept a log book – careful record of any matters arising within the boarding houses. This were maintained on a nightly basis, and referred to as necessary when considering the welfare of children in their care. These log books have not, however, been retained. The practice was to keep records but not to retain them.^{cviii}

ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of record keeping relating to the following?

Please see response at i above.

- *Children*
- *Staff*
- *Complaints*
- *Investigations*
- *Discipline*
- *Child migrants – Not applicable.*
- *Responding to requests from former residents for information/records*
- *Other issues – Not applicable.*

iii. How was adherence demonstrated?

The retention of children's files, staff files post 1990, complaints and discipline files since 2003 and, more recently, in the retention of wellbeing files from 1997 to the present day.

iv. Were relevant records kept demonstrating adherence?

Yes.

v. Have such records been retained?

Records which can attest to this adherence have been retained in the form of student files, staff files from 1990, complaints and discipline files for staff since 2003, and in the retention of children's wellbeing files from 1997 to the present day.

vi. If policy/procedure was not adhered to in practice, why not?

Policy/procedure was adhered to in practice.

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vii. Did the establishment undertake any review or analysis of its records to establish what abuse or alleged abuse of children cared for at the establishment may have taken place?

Yes.

viii. If so, when did the reviews take place, what documentation is available, and what were the findings?

The reviews took place from February 2017 – July 2017.

The documentation available includes:

- Student files from 1935 to the present day. As previously stated, 850 files were sampled from 1935 – 1999 (on the basis that information pertinent to this inquiry thereafter would be available elsewhere in child protection and wellbeing records). Amongst those files 14 cases of abuse or alleged abuse between children were discovered, together with some illustration of adherence to practice and policy.

The consideration of these files also illuminated the School's admissions policies and expectations from 1935.

- 347 staff files from 1990 onwards had been retained and have been read. The reading of these files has clarified the staffing process at Gordonstoun prior to more thorough record keeping since 2002. It has also resulted in the understanding of two regrettable cases of abuse or alleged abuse which are reported more fully at Part D Appendices 3 & 4, spreadsheet responses for 5.8 & 5.9 and specifically 5.9. 7 & 8. They also provided more information on the investigation process used in another case of abuse reported at 5.8 and 5.9.
- Child Protection logs from 1997-2014 were analysed to identify cases of abuse or alleged abuse for inclusion here. The files for each log was then read (from 1997-2004 on paper, thereafter digitally) and reported on accordingly.

The careful consideration of these logs has allowed the School to report responsibly and fully at Part D Appendices, Appendix 4, spreadsheet response 5.9.

They also underlined the breadth of concern the School has for the children in its care, with careful recording of incidents and worries which are not of interest to this Inquiry but are extremely important in the care and wellbeing of children. These include areas of concern and/or action in relation to:

- Eating disorders
- Substance abuse

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- Complications in previous schools
 - Social challenges and areas requiring sensitivity and support
 - Broader mental health issues resulting in negative and dangerous behaviours including self-harming
 - Depression
 - And complications in the home background in relation to parents exhibiting any of the above problems
 - Divorce
 - Bereavement
 - Anxiety
- Governors' minutes and Headmaster's reports to the Board from 1935 – 1983 were read for information which might be pertinent to this inquiry. The School is not in possession of complete minutes from 1983 to 2001. Board minutes thereafter were not considered, as the information pertinent to this inquiry was available elsewhere – in the School's policies and procedures or in the wellbeing system. The primary findings from consideration of available, historic Governors' minutes were in relation to the Schools' early policies and procedures with regard to admissions and staffing.
 - Miscellaneous papers of both a former Bursar and School Company Secretary were considered. These retained personal copies of some of the Board minutes from 1994-1999.
 - The Schools' historic and founding documentation was considered for information pertinent to this inquiry – providing information about the early policies and procedures at the School in relation to accommodation, classrooms, the development of the School.
 - Miscellaneous archived correspondence was also considered for information pertinent to this inquiry.
 - Published records – in the form of books and former school prospectuses - provided information on the policies and procedures at Gordonstoun, particularly in relation to admissions, curriculum and staffing.
 - The School's current policies and procedures were considered, and as many past copies as have been retained, for information on the development of Gordonstoun's operating procedures and changes therein which might have come about as a result of cases of abuse and/or alleged abuse at the School.
 - Particular attention was paid to the School's rules and the development and progression of expectations of the behaviour of both staff and pupils to its current form in the 2015-2016 Code of Conduct.

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- Files which document complaints and discipline issues with and by staff were read, informing the understanding of Gordonstoun’s complaints and discipline procedures and policies, and also in search of any otherwise unrecorded complaints.
- The School’s HMI and Care Inspectorate reports – where possible – were read for information on the School’s standing amongst those two bodies, and for an understanding of the recommendations and requirements put in place by them, and Gordonstoun’s commitment to fulfilling both. Also for any possible mention made of concerns in relation to abuse and/or alleged abuse at the School.
- The School’s Development plans from 1995 to 2016 were analysed and assessed for information which might support the audit trail of policies and procedures from 1995 onwards. And for any other information which might be pertinent to this Inquiry.
- School lists from 1935-2017 were assessed to provide as accurate information as possible concerning attendance at the School. This includes the consideration of staffing lists in order to provide information of staff/pupil ratios, the history of pastoral care at the School and an understanding of staffing policies in parallel with investigation of those through Governors minutes, prospectuses and more recently tabled procedures as referred to above.
- The Gordonstoun Child Protection co-ordinator undertook a comprehensive audit of retained paperwork – in relation to the formation of policy as well as the wellbeing system – to create a clear picture of the formulation and foundations of and for our child protection policies. As previously stated, some versions are available as archived policies, but they have deliberately not been retained on paper to avoid confusion. When a new policy is issued, staff are asked to dispose of former editions.
- In addition, oral histories were also gathered as has been reported elsewhere in this submission.

ix. How have the outcomes of investigations been used to improve systems, learn lessons?

Please see answer at x below.

x. What changes have been made?

The improved record keeping now in place at the School is the result of many years of developing policy and practice. In responding to this Inquiry, it has been straightforward to establish the relationship between recent policy, the extent to which practice adheres to that policy, and the outcomes of investigations, disciplinary matters and, crucially, child protection and wellbeing concerns. The difficulty in making such assessments of historic matters (particularly prior to 1995) underlines how much systems have improved in the interim.

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Although not directly relevant to this Inquiry, we note that the future GDPR compliance requirements may cause considerable challenges for schools seeking to find the right balance in record keeping.

xi. How are these monitored?

The improved record keeping at the School is now embedded within procedure and practice. For example, the Wellbeing system is the mechanism by which the care and support of the children in residence at Gordonstoun is recorded. It is monitored by the Child Protection Officer and maintained by the Director of IT Services.

Human Resources retains record keeping in relation to staffing.

xii. Did the organisation/establishment afford former residents access to records relating to their time at the establishment?

Yes.

xiii. If so, how was that facilitated?

The School responds promptly to any such request, providing copies of files by return.

xiv. If not, why not?

Not applicable.

Present

xv. With reference to the present position, are the answers to any of the above questions different?

Yes.

xvi. If so, please give details.

In compliance with a request made by this Inquiry, all records are being kept.

xvii. Please provide details of any records currently held relating to the establishment in respect of the following:

- ***Children in its care***

Student files are retained as previously stated.

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For Gordonstoun International Summer School, student lists and basic contact details are held from 1976, with fuller registration information from early 2000s.

Child protection and wellbeing records are currently held from 1997 to the present day.

Alongside records of every student's wellbeing/child protection records, Gordonstoun's Wellbeing Information Sharing system also contains:

- school reports
- rewards/sanctions
- Health history forms (from admissions)
- letters to parents about any pastoral or disciplinary matters.

Gordonstoun International Summer School Daily Pastoral Log Books are held from 2008.

- ***Staff***

The files of current staff are retained, and the files of staff who were employed at the School in 1990 and thereafter are retained. There are incomplete staff records for Gordonstoun International Summer School from the early 2000s.

- ***Complaints***

Records of some complaints made informally against staff and by staff are retained from 2003.

Records about complaints made in relation to the behaviour of children by both children, staff and parents are retained in the child protection and wellbeing records retained from 1997 onwards.

- ***Investigations***

The School retains very few records of historic investigations; those which are retained exist within the files of any staff member being investigated – in the form of an email trail, or correspondence with the Headmaster/Principal, or they exist within the disciplinary and complaints files in the Director of Staffing and Planning's office.

There is a complete record of the investigation undertaken in relation to 5.9.9 reported at Part D Appendices, Appendix 4, spreadsheet response 5.9 (and Appendix 3, spreadsheet response 5.8)

Investigations of the behaviour of two staff members reported at Part D, Appendices 3 & 4, spreadsheet responses to 5.8 & 5.9, specifically at 5.9 7 & 8, are also recorded in the staff files and in corresponding child protection and wellbeing files.

Records of recent investigations are retained.

- ***Discipline***

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Records of disciplinary procedures involving children in the School's care are retained within the School's Wellbeing system.

Disciplinary procedures involving staff are retained by the Director of Staffing and Planning. These records are kept separately to the staff files.

- ***Child Migrants***

Not applicable.

- ***Responding to requests from former residents for information/records***

We have not been presented with a situation where we have been unable to meet any request from a former student for their records.

*Gordonstoun – Part C – Full Response***Footnotes for Part C:**

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- i Gordonstoun Child Protection Policy & Procedures, revised June 2007, p.2.
- ii Gordonstoun Child Protection Policy and Procedures, Revised June 2007, p. 22.
- iii Gordonstoun Wellbeing and Child Protection Policy and procedures, under revision 2017, p.28.
- iv Reports on any training undertaken which has been recorded with the School's Staffing and Planning office are available from 2008 onwards for each member of staff.
- v Flow Chart 2, Gordonstoun school child Protection policy/procedures, revised and updated March 2003, p.31.
- vi Annual Board reports retained on file from 2006 – the present day.
- vii Gordonstoun Wellbeing and Child Protection Policy & Procedures, 6 Child Protection procedures at Gordonstoun, p.28
- viii Pre-war Gordonstoun School prospectus.
- ix Headmaster's report to the Board, March 1961
- x Headmaster's report to the Board, March 1962
- xi Gordonstoun: Some Facts, printed in 1967, p.25
- xii Gordonstoun Administrative Arrangements for Entry, presumed 1971 (enclosed in prospectus from that time)
- xiii Admissions forms and/or registration documents from 1934, 1950, 1964, 2000
- xiv Gordonstoun School Prospectus, June 1960, p.18.
- xv Copy of the Training plan in Archives, dated 1960's
- xvi Headmaster's Report to the Board, March 1957
- xvii Gordonstoun School Rules, Compiled in 1958, p.15
- xviii Gordonstoun School Rules, archived, dated 1980s?, final page (p.4)
- xix Code of Conduct, archived, dated 1999.
- xx Board statement on Health and Safety at Work, Act 1974, dated 7.9.1978
- xxi Gordonstoun's current ICT policy for Staff is dated 2011 and for Students is recorded in – and updated with – the School's Code of Conduct.
- xxii Gordonstoun Staff meeting Minutes, 26th August, 1996
- xxiii Letter on file , Circular no. 1/94, dated 19.1.94 to Head Teachers and School Boards outlining guidelines for schools and education authorities on arrangements for producing and using school development plans.

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- xxiv Gordonstoun Rules, 1958.
- xxv Trips Pro-Forma available to view should it be required.
- xxvi Gordonstoun, by F R Chew, dated 1964, p.9 School work and Intellectual Life
A Brief Introduction to Gordonstoun, dated 1962, *The Business of Teaching*
Gordonstoun, The School, dated 1971, *school and work* p.7
Gordonstoun, 1985, *school and work* p.6.
- xxvii For information - Henry Brereton was Hahn's colleague from 1935 – and his eventual successor -
Gordonstoun by H L Brereton, pub 1949, p.48
- xxviii *Gordonstoun*, by H L Brereton, pub 1949, p.49
- xxix *Gordonstoun* by H L Brereton, pub 1949, p.39
- xxx *Gordonstoun* by H L Brereton, pub 1949, p.19
- xxxi Letter from The Headmaster, Michael Mavor, to parents, March 1980, p2-3
- xxxii As above, p.3
- xxxiii Gordonstoun School Teaching and Learning Policy, 24.9.98 (marked draft), p.8
- xxxiv Teaching and Learning Policy Handbook, 2014-2015
- xxxv As above.
- xxxvi Staff Meeting, Minutes, 12 March 1992
- xxxvii HMI Inspection Report, January 21 1997, *Policies, Planning & Quality Assurance*, p.16
- xxxviii Disciplinary Review, Positive and Negative expectations, Report on Rewards and Punishments,
Consultation and Recommendations, Report of Working Party on Pupil Responsibility. Archived. Dated
on p. 9 as 14.12 1998.
- xxxix As above, p.16.
- xl Staff Meeting, Minutes, 12 March 1992
- xli Gordonstoun School Rules, archived, dated 1980s?, final page (p.4)
- xlii Gordonstoun Code of Conduct, Senior School 2015-2016, p.12
- xliii Gordonstoun's staff resources retain 'back copies' of the School's Code of Conduct dated 2011,
2.12-2013. 2013-2014, 2014-2015
- xliv Headmaster's report to the Board of Governors, 26 October 1971
- xlv Observation on the first three years of co-education at Gordonstoun by Diana Witts, July 1975
- xlvi Gordonstoun Code of Conduct, Senior School 2015-2016, p.2 'The Individual within the Community'.
- xlvii Gordonstoun School: Child Protection Policy/Procedures, 2003, Introduction, p.3.

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- xlviii Gordonstoun Child protection Policy & Procedures, Revised June 2007, p.8
 - xlix National Guidance for Child Protection in Scotland, 2010, p.14.
 - I Gordonstoun School, undated, makes reference to events in 1933/4 at Salem so presumed to be late 30's. p.1
 - II As currently stated on the School website under 'Health Centre'
 - III Care Commission reports 2012 & 2013 – on going recommendation.
 - IIII Care Inspectorate report, January 8 2015, p. 9
 - IV Code of Conduct, 2015-2016, Medical Confidentiality, p. 13.
 - IV *Gordonstoun: An Enduring Vision*, pub 2011, p.87
 - VI Gordonstoun Child Protection Policy & Procedures, Revised June 2007, p.11 & 12
 - VII Editions published in 2003, 2006, 2007, 2009, 2011, 2012, 2015, 2016 & 2017. The Guidance carries over from year to year, unless a revision is required due to updated guidance becoming available nationally or from SCIS.
 - VIII For example, a letter on file dated 2.12.2002 from the HMI Inspector offering guidance on revisions of the School's Child Protection Policy.
 - IX For example, an entry form for 1938 requesting information on childhood diseases.
 - X Care Inspectorate Report, January 2015, p.3
 - XI Care Inspectorate Report, January 2015, p.4
 - XII For example, SCIS Children and Young People (Scotland) Act Sharing Practice Conference for Named Persons and Senior Leaders, January 20th 2016.
 - XIII Presumed to be 1930's school prospectus, p.1.
 - XIV *Gordonstoun*, by H L Brereton, pub 1949, p.10
 - XV For reference, example in Mme BH files, 1988-2004.
 - XVI Document in Staffing and Planning/CPD/Mentor Role
 - XVII Staff Handbook/Staff Professional Development/Applying for INSET Courses. Policy dated 2009.
 - XVIII Gordonstoun School Development Plan, C4 Staff Professional Development, p.12
 - XIX Discussion with then Deputy Headmaster and subsequently the first Director of Staffing and Planning, 5 May 2017.
 - XX Staff resources/staffing and Planning/CPD/CPD Scheme 2014
 - XXI Particular Of terms of Employment given pursuant to the Employment Protection Consolidation Act 1978 as amended – clause 12.
 - XXII As referenced in early board minutes.

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- boxiii *Gordonstoun*, by H L Brereton, pub 1949, p.10
- boxiv Spreadsheet as breakdown of minutes between 1948-1980 available for easy referencing of minutes between those years.
- boxv Gordonstoun's Investigation, Disciplinary and Dismissal Policy and Procedure, dated 24.11.2016
- boxvi As above, introduction, p.2.
- boxvii As above, Clause 3, p.8
- boxviii Gordonstoun School Development Plan 1998/1999, p. 43 – implementation of measures from the security review.
- boxix Gordonstoun School Development Plan 1999/2000, p.6 – implementation of measures from security review.
- boxx Progress report following the extended inspection in 1997, report F – security measures implemented and planned 1997-1998
- boxxi As above
- boxxii The policy owner in this instance is Human Resources at Gordonstoun.
- boxxiii Gordonstoun Volunteer Worker's Policy(Dated September 2005), excerpts from the Policy Statement 1.1 & 1.2. p.1.
- boxxiv Letter to Mark Pyper, dated 2.12.2002, in Inspection file for 2002 inspection, from the HM Inspector Alistair Marquis. p.2
- boxxv For reference of practice see email dated 8.3.01 in Mme B H staff file
- boxxvi As outlined in the School's Wellbeing and Child protection policies and Procedures, p.29/30
- boxxvii Gordonstoun Code of Conduct, Senior School 2015-2016, p. 38.
- boxxviii As above, p.38.
- boxxix Archived in Staff Resources.
- xc Aberlour House, Code of Conduct 2010-2011,p.16
- xcI Gordonstoun Harassment Policy, August 2009, p.1
- xcII Gordonstoun Investigation, Disciplinary and Dismissal Policy and Procedure, 2nd draft 2009, updated 24.11.18, p.3
- xcIII As above, p.9.
- xcIV Letter dated 23.4.1999 from Mark Pyper to the Chair with regard to a Development Director in relation to the inadequate discharge of his duties in that role.
- xcv Gordonstoun wellbeing and Child Protection Policy and Procedures, 7.6 Action by the Wellbeing and child Protection Co-ordinator (WCPC), p.38

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- xvii Gordonstoun Code of Conduct, 2015-2016, Complaints Policy and Procedure, p.38/39
- xviii Gordonstoun Investigation, Disciplinary and Dismissal Policy and Procedure 2nd Draft, 27.8.09, updated 24.11.16, p.3.
- xviiii Gordonstoun Code of Conduct 2011, Complaints Policy and Procedure, p. 38.
- xvix Gordonstoun Wellbeing and Child protection Policy and Procedures, Code of Conduct for Staff: Guidance on Interaction with Pupils, Appendix 6, p.76.
- c Gordonstoun Investigation, Disciplinary and Dismissal Policy and Procedure 2nd Draft, 27.8.09, updated 24.11.16, p.10.
- ci Gordonstoun Code of Conduct 2015-2016, Bullying Policy, p.29/30.
- cii Gordonstoun Wellbeing and Child Protection Guidance
- ciii Captain John Tanner's box file.
- civ As above, p.4
- cv Gordonstoun Archives Mission statement, 2005, updated 2011.
- cvi As above.
- cvi A letter from former Governor and Solicitor Colin Whittle of R & R Urquhart dated 29th April 1996
- cvi Matter of oral record from former HMs.