

Wednesday, 4 October 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning.

4 We're now turning to the read in of a statement

5 of -- it's Professor Donaldson's statement,

6 I understand, Ms Forbes, is that right?

7 MS FORBES: Yes, good morning, my Lady. It is

8 Professor Graham Donaldson this morning.

9 LADY SMITH: Thank you.

10 MS FORBES: He's provided a statement to the Inquiry.

11 Professor Graham Donaldson (read)

12 MS FORBES: By way of background, Professor Donaldson

13 qualified as a teacher in 1970 and then later obtained

14 a masters in education. He taught in a variety of

15 schools and was at one stage appointed to a national

16 body looking at the National Curriculum. He joined Her

17 Majesty's Inspector of Schools in 1983 and then became

18 head of the retitled Her Majesty's Inspectorate of

19 Education in Scotland from 2002 until 2010.

20 In that capacity he was chief professional adviser

21 on education to the Scottish Government.

22 LADY SMITH: Thank you.

23 MS FORBES: Subsequent to retiring from the Inspectorate, he

24 became an honorary professor at Glasgow University and

25 has undertaken a variety of projects for the

1 Organisation for Economic Co-operation and Development,
2 the OECD, and his reports, which were "Teaching
3 Scotland's Future" in 2011 and "Successful Futures" in
4 2015 led to reform programmes in Scotland and Wales
5 respectively on teacher education.

6 LADY SMITH: He had a long career in education and in
7 particular inspection of educational institutions?

8 MS FORBES: Yes, my Lady.

9 I'll briefly read in some passages from his
10 statement and the reference for that statement is
11 WIT-1-000001167.

12 In this section of his statement titled "Developing
13 inspection practice", Professor Donaldson says the
14 following:

15 "During my time as HM Senior Chief Inspector the
16 prime responsibility for the regulation of secure care
17 and other residential special and boarding settings lay
18 with the recently created Care Commission."

19 My Lady, this is from paragraph 31 of his statement:

20 "We participated with them in joint inspections,
21 where we were evaluating the quality of the education
22 that the young people were receiving while also
23 contributing to a view about culture and relationships.
24 One of the consistent issues that had been around for
25 some time and one that was becoming increasingly more

1 evident in the early part of this century was the extent
2 to which information about individuals was not being
3 automatically shared across relevant bodies.

4 The various bodies that had a role in relation to
5 safeguarding were not necessarily communicating very
6 well with each other and the opportunity to identify
7 early any issues of concern was too often being missed.

8 Accordingly, in that period between 2003 and 2004
9 I was asked by the First Minister to set up and lead
10 a team that would systematically look at each Local
11 Authority area, with regard to how effective its child
12 protection procedures were.

13 Every Local Authority area was inspected over
14 a three-year period and ultimately a report was
15 produced, with the generalised findings and
16 recommendations for child protection in each area."

17 LADY SMITH: That is down to paragraph 35 now?

18 MS FORBES: Yes, my Lady:

19 "A second cycle went on beyond my time as head of
20 the Inspectorate."

21 Continuing on to 36:

22 "The general approach that HMI were using in
23 fulfilling our responsibilities was, in addition to
24 evaluating practice, to promote self-evaluation amongst
25 the bodies that were in the front line. Those bodies

1 ought themselves to have evaluation procedures in place
2 that allowed them to identify issues early rather than
3 waiting for an external body to come in.

4 We produced a series of publications called How good
5 is our school? which used a six-point scale to rate
6 different aspects of a school's work and that
7 characterised school inspections from the late 1990s.

8 Those publications were intended to be used both by
9 inspectors and by those who were being inspected as
10 a common language about quality and outcomes.

11 We applied the same principle in relation to the
12 child protection inspections of the Local Authorities
13 and we developed a system of quality indicators based on
14 child protection standards.

15 Part of the process was to make recommendations
16 about ongoing self-evaluation beyond our inspection."

17 Moving down then to paragraph 41:

18 "In relation to the inspection of secure care
19 settings, the Care Commission were in the lead and we
20 staffed the inspection jointly with them to look at the
21 educational provision and contribute to wider
22 considerations about welfare and safeguarding.

23 We also worked with the inspectorate of prisons and
24 at the request of HMIP I provided appropriate members of
25 staff to join their team when inspections were taking

1 place in those institutions."

2 If I can move down to the section of his statement
3 of inspections, which starts at paragraph 86:

4 "An important part of what was looked at was
5 an evaluation of the establishment's policies, practices
6 and guidance regarding child protection, their
7 complaints procedure, the discipline and punishment of
8 children, the process for dealing with complaints and
9 allegations against staff, whistleblowing and record
10 keeping."

11 Moving forward to paragraph 91:

12 "The process of reporting any concerns about
13 safeguarding, child protection or the provision of
14 education on inspection would depend on the nature of
15 any concern. Such concerns could, depending on their
16 nature, first of all go to the head of the establishment
17 and if it was serious enough, and it was a Local
18 Authority establishment, we would draw it to the
19 attention of the Local Authority and social work.

20 At an independent establishment, we would again go
21 to the head and draw it to the attention of social work.
22 If it was very serious, we would contact the police."

23 Moving on to the section of his statement about
24 helping the Inquiry, from paragraph 126:

25 "The educational attainment of young people within

1 secure care settings would certainly be a focus of
2 an inspection. However, such schools do not have the
3 numbers of young people to be able to undertake reliably
4 a comparative analysis. A judgment regarding
5 educational attainment at such settings would tend to be
6 based on the inspector's interaction with the young
7 people being educated there."

8 On to paragraph 129:

9 "I think inspection done badly is a burden, but good
10 inspection should work with staff, parents, carers and
11 the young people themselves to improve a school. Good
12 headteachers often said that they have been provided
13 with access to the most incredible free consultancy.
14 Inspection should be welcomed by schools as a means of
15 affirming what they do well and helping to identify
16 areas for improvement.

17 That external view by inspectors should be combined
18 with a school's own self-evaluation in order to get
19 a picture of how well it is serving its young people and
20 to help identify priorities for improvement.

21 A focus on self-evaluation and on creating a common
22 understanding about what quality looks like should
23 mitigate the risk that everyone involved may be using
24 the same words but meaning different things.

25 We need common points of reference with regard to

1 quality and improvement, all of that is a very important
2 part of the picture with regard to the protection of
3 children in establishments such as residential schools,
4 assessment centres, remand centres, secure units and
5 young offenders institution, now and in the future.

6 In any given context, being able to combine a school
7 that has been systematic, reflective and open in its own
8 self-evaluation with an external perspective means that
9 you're likely to get something that is closer to the
10 reality of how things are operating for young people in
11 that setting.

12 Good inspection is preventative and pre-emptive.
13 However, ultimately, external inspection can provide no
14 guarantees. At its best, it can help to stop things
15 going wrong rather than telling you afterwards that they
16 have already gone wrong.

17 In my view, the key role of inspection is that it is
18 an early warning system where culture, practice and
19 procedures are not in line with best practice. It can
20 help to head things off that might otherwise have gone
21 wrong. At the same time, it provides necessary public
22 assurance about the quality of the educational
23 experience of our young people, not least in relation to
24 their well-being."

25 My Lady, Professor Donaldson has stated at the end

1 of his statement that he has no objection to his witness
2 statement being published as part of the evidence to the
3 Inquiry and that he believes the facts stated in his
4 statement are true to the best of his recollection and
5 he's signed it.

6 LADY SMITH: One matter he dealt with, which you didn't
7 specifically read out, it is leading up to and including
8 paragraph 85, is of course leadership and it was a big
9 focus of the How good is our school? initiative and the
10 emphasis on management developed into the broader
11 conception of leadership and then, early to mid-1990s
12 onwards, the focus on leadership increased dramatically.

13 That, of course, chimes with what we heard from
14 Wendy Sinclair-Gieben yesterday about the importance and
15 significance of good leadership really being the key.
16 I'm sure she and Graham Donaldson would have been able
17 to agree about that.

18 MS FORBES: Yes, I'm sure, my Lady.

19 LADY SMITH: Thank you.

20 MS FORBES: I think that is all for today, my Lady.

21 There are two witnesses for tomorrow, Alec Spencer
22 and Daniel Gunn.

23 LADY SMITH: Starting at 10 o'clock tomorrow.

24 MS FORBES: Yes, my Lady.

25 LADY SMITH: Very well.

1 Thank you very much, Ms Forbes.

2 Until 10 o'clock tomorrow then.

3 (10.13 am)

4 (The Inquiry adjourned until 10.00 am on

5 Thursday, 5 October 2023)

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