

SCOTTISH CHILD ABUSE
INQUIRY
MERCHISTON CASTLE
SCHOOL

Sections A and B

28 April 2017

Scottish Child Abuse Inquiry

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Table of Contents

Part A – Background	2
1. Characteristics	2
1.1 History of the Organisation and Establishment	2
1.2 Funding of Establishment	5
1.3 Legal Status.....	7
1.4 Legal Responsibility	14
1.5 Ethos	17
1.6 Numbers	27
1.7 Children’s Background/Experience	37
1.8 Staff Background	51
2. Organisational Structure and Oversight	63
2.1 Governance	63
2.2 Culture	68
2.3 Leadership.....	81
2.4 Structure	87
2.5 Hierarchy and Control	91
2.6 External Oversight	95
Part B – Current Statement	104
3. Retrospective Acknowledgement/Admission	104
3.1 Acknowledgement of Abuse.....	104
3.2 Acknowledgement of Systemic Failures	106
3.3 Acknowledgement of Failures/Deficiencies in Response.....	107
3.4 Changes	109

Part A – Background

1. Characteristics

1.1 History of the Organisation and Establishment

Past

i.	When, how and why was the organisation founded?
	<p>The School was originally founded in 1833. This was when Mr. Charles Chalmers came to reside in the old Merchiston Tower. He established the School on 24 May 1833 with fifteen boys.</p> <p>The founding Memorandum of Association of the School dated 1927, in advance of moving to the present location in Colinton, provides that the organisation was founded with the purpose to educate, train and instruct pupils upon sound and systematic principles in religious, classical, mathematical, scientific, literary, artistic and other branches of knowledge.</p> <p>More generally, the Memorandum also provides that the organisation was founded to give education and training of the highest order and to develop mind, body and character of its pupils, including day pupils.</p>
ii.	What part did the provision in Scotland of residential care (including foster care) for children play in the organisation's purpose, operation and activities?
	<p>The purpose of the organisation was to provide a school for boys with boarding facilities. It was, from founding, an independent institution that did not form part of the state provision of residential care.</p> <p>The Memorandum and Articles of Association (M&AA) dated 1927 provide that an object of the School is:</p> <p>“to carry on and promote the work in Scotland of an educational institution for Boys by means of properly equipped Boarding-schools or Colleges for resident pupils or scholars at Merchiston Castle, Edinburgh”</p> <p>Purpose:</p> <p>The primary purpose of the organisation is to provide an educational institution for boys, with boarding. To this extent, the provision of residential care may be viewed as a secondary purpose for the organisation - it facilitates the provision of education as envisaged by the governing body.</p> <p>Operation:</p> <p>The school operates as a boarding school with dayboys. Please see the</p>

	<p>Grids in 1.6. As a boarding school the provision of residential care has been central to the operation of the school.</p> <p>Activities:</p> <p>As a boarding school the activities offered as part of the pupils' education were key to being able to attract fee-paying parents. The activities offered would have been aimed at meeting the needs of the boarders. Based on knowledge of the most recent 2 Headmasters, the activities that took place as part of the normal school day were available for the day pupils with day pupils able to stay for prep in the evenings and attend any social activities, clubs taking place. The Sunday activities organized were primarily aimed at boarders to provide free-time opportunities.</p>
iii.	<p>When and how did the organisation become involved in the provision of residential care (including foster care) for children in Scotland?</p>
	<p>It was established as a boarding school from 1833.</p>
iv.	<p>Why did the organisation consider that it had the competence to be responsible for, and manage the care of, children in establishments?</p>
	<p>The educational qualifications of the founders and the staff and the need to offer safe accommodation to the pupils attending the school seem to have been the key motivations for the establishment of the school.</p> <p>From its foundation in 1833 the School was established to advance education including, but not limited to, the provision of a day and/or boarding school(s) or college(s) in or near Edinburgh, or at other places that the Governors may see fit.</p> <p>There is no documentary evidence to answer this question apart from the records of teaching staff university degrees. However, the M&AA of 1927 also details the other objects including:</p> <p>"to employ such methods as are compatible with the main objects of the School for furthering the advancement of pupils and to promote and encourage such advancement".</p>
v.	<p>How many establishments did the organisation run, where were they located, over what period were they in operation, and what were their names?</p>
	<p>From 1930 to the present, Merchiston Castle School operates from Colinton Road, Edinburgh as a single establishment. The organisation ran one establishment only.</p> <p>In 1930, the School moved to the site of Colinton House estate, Edinburgh. The establishment has been in operation from 1930 to present.</p>

	The name of the establishment is Merchiston Castle School.
vi.	When, how and why was each of these establishments founded?
	<p>As noted above in 1.1.i, the School was founded in 1833 when Mr. Charles Chalmers came to reside in the old Merchiston Tower, and he moved there on 24 May with fifteen boys. In 1930 the School relocated to Colinton Road, Edinburgh to a purpose built boarding school to accommodate increased numbers and to provide for a memorial hall to mark the fallen in World War 1.</p> <p>The establishment was founded further to the purposes of Memorandum of Association to provide a properly equipped boarding school for pupils to enable and promote the work of an educational institution for boys.</p>
vii.	In the case of any establishment which is no longer in operation, when and why did it cease operating?
	The School is a single establishment still in operation. There are no establishments which are no longer in operation.
viii.	If the organisation itself is no longer involved in the provision of residential care for children in Scotland, when and why did it cease to be so involved?
	The organisation remains involved in residential boarding school care for children.
ix.	If the organisation was founded as a religious order by members of a particular faith or church, what was the precise relationship between the order and the religious hierarchy within that faith or church?
	The organisation was not founded as a religious order.
x.	Within the faith or church to which the religious order belonged, what degree of autonomy was enjoyed by the order in relation to the provision of residential care for children in Scotland?
	The organisation was not founded as a religious order.
xi.	In the case of establishments that were run by members of a religious order, what degree of autonomy within the order itself was enjoyed by such members?
	The establishment was not run by members of a religious order.

Present

xii.	With reference to the present position, are the answers to any of the above questions different?
	Yes. The School changed its governance structure and established a more defined ethos, from 1927 onwards, establishing a more formal approach to all elements of the care and education of the pupils.
xiii.	If so, please give details.
	<p>In relation to Question iv above, the organisation's current views regarding its competence to be responsible for, and manage the care of, children in establishments is based on:</p> <ul style="list-style-type: none"> • The employment of appropriately qualified people into various roles within the School and within the Governing body • The recruitment processes we undertake for all staff • The provision of continuing professional training • Membership of various bodies to share best practice • Use of professional advisers • Scrutiny and audit of internal processes by School • Scrutiny and audit of internal processes by Governing body • Registration with the Registrar of Independent Schools • Regular inspections by various regulatory bodies e.g. Care Inspectorate and Education Scotland • Annual audit of school accounts

1.2 Funding of Establishment*Past*

i.	How were the establishment's operations and activities, so far as relating to the provision of residential care for children, funded?
	<p>The operations and activities were funded through the payment of school fees by the parents, guardians, the armed services or other employers. Some children may have received Bursary Assistance but this was in effect paid for by the School rather than any third party. Some small contributions to individuals' fees have been received from Charitable Trusts but these have been irregular and not significant. We do not have details of these transactions over the period.</p> <p>The only other source of funding was donations from former pupils and</p>

	other related parties. We do not have details of these transactions over the period.
ii.	Was the funding adequate to properly care for the children?
	Yes. The level of funding received has enabled the children to be provided with proper care.
iii.	If not, why not?
	Please see above.
iv.	What state support did it receive?
	We are not aware of any direct state support received in support of the provision of residential care for the children. However, the School took part in the Assisted Places scheme whereby an element of fees (up to 100%) was paid for by the Scottish Education Department for certain individuals from 1980 until its abolition in 1997. We do not have records of the fees paid under the scheme.

Present

v.	If the establishment continues to provide residential care for children, how is that funded?
	It is funded through the payment of school fees by the parents, guardians, or in part by the services or other employers. Some children receive Bursary Assistance but this is in effect paid for by the School rather than any third party. Some small contributions to individuals' fees are received from Charitable Trusts but these are not significant.
vi.	What state support does it receive?
	We are not aware of any state support received in support of the provision of residential care for the children. The School is a registered charity as recognised by the Office of the Scottish Charity Regulator, OSCR, so it benefits from the arrangements applicable.

1.3 Legal Status

(a) Organisation

Past

i.	<p>What was the legal status of the organisation since it was founded?</p> <p><u>1930 – 17 December 2014</u></p> <p>Merchiston Castle School was incorporated under the Companies Acts as a Company Limited by Guarantee and with no Share Capital. Merchiston Castle School was a Registered Scottish Charity 30 May 1906. The registered charity number is SC016580.</p>
ii.	<p>Were there any changes in the legal status of the organisation since it was founded?</p> <p>The organisation has remained a company limited by guarantee, not having share capital.</p> <p><u>1930 – 7 November 2010</u></p> <p>The Memorandum and Articles of Association dated 20 July 1926 set out the legal status of the organisation. The Memorandum of Association sets out the objects for which the School was established. In particular, it was stated that the objects for which Merchiston Castle School was established were to promote the work in Scotland of an educational institution for Boys, by means of properly equipped Boarding-schools or Colleges for resident pupils or scholars.</p> <p>The School became a Registered Scottish Charity on 30 May 1906.</p> <p><u>8 November 2010 – 17 December 2014</u></p> <p>The updated Articles of Association, dated 8 November 2010, provide that the Objects of the organisation were to advance education including, but not limited to, the provision of a day and/or boarding school(s) or college(s) in or near Edinburgh or at other such places as the Governors may think fit.</p>
iii.	<p>What, if any, material changes were there to the legal status of the organisation?</p>
	<p>The School does not consider that there have been any material changes in the status of the organisation. The only change being in relation to charitable status as set out above.</p>

iv.	<p>What was the legal basis which authorised or enabled the organisation to become responsible for the provision of residential care (including foster care) for children in Scotland?</p>
	<p>The School's Memorandum of Association and Articles of Association dated 30 July 1926 as set out in the question 1.3 (a) (ii), make clear that the organisation's purpose was to provide a properly equipped boarding school for boys and this in turn enabled the organisation to become responsible for the provision of residential care (boarding) for children at the School.</p> <p>The organisation would enter into a contract with the parents or guardians of the children to authorise the School to provide schooling and residential care through boarding.</p> <p>The organisation has always sought to provide residential care in compliance with relevant national legislation in force at the time. The legal basis authorising or enabling organisations to be responsible for the provision of residential care for children in Scotland has developed considerably over the period since the School was established until 2014. The organisation was subject to statutory regulatory requirements which are referred to below.</p> <p>The key piece of more recent legislation enabling the organisation to be responsible for the provision of a boarding School is the Education (Scotland) Act 1980, as amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004, and the School is a registered independent school in accordance with the terms of this Act.</p> <p>The requirement to register was initially set out in the Education (Scotland) Act 1945 and developed and amended by the Education (Scotland) Act 1946, the Education (Scotland) Act 1962 and related regulations, being the Registration of Independent Schools (Scotland) Regulations 1957 and the Registration of Independent Schools (Scotland) Regulations 2005.</p> <p>The organisation provides boarding accommodation for children in its care and as such has complied with relevant legislation, this includes being subject to the oversight of the Care Inspectorate in respect of providing a school accommodation service under the Public Services Reform (Scotland) Act 2010.</p>
v.	<p>Did that legal basis require the organisation to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.</p>
	<p>The Memorandum and Articles of Association do not specifically require the organisation to meet, or fulfil, any legal and or regulatory requirements in respect of children in the organisation's care.</p>

	<p>The contracts between the School and parents/ guardians have evolved overtime and the organisation does not have copies throughout the period 1930 – 2014, therefore cannot confirm whether the contract required the organisation to meet, or fulfil, any legal and or regulatory requirement in respect of children in its care throughout this period.</p> <p>However, since 2005 the Terms and Conditions, which have been part of the contract between the parent and School, have clearly defined the school's obligations in this area which includes the following;</p> <p>"While your child remains a pupil of the School, we undertake to exercise reasonable skill and care in respect of his education and welfare. This obligation will apply during school hours and at other times when your child is permitted to be in School premises or is participating in activities organised by the School."</p> <p>Prior to this date we have assumed the basis of the contractual agreement would have been any application form from the parents and a subsequent letter from the School confirming the place. However, within the pupil files which are retained once a pupil has left the School, we do not retain any information relating to the Admissions process. The Prospectus of 1931 (we do not have a detailed archive of these publications) includes brief details of the Admission process as well as the medical arrangements for pupils. In addition, this publication highlights the fees payable for 'board and education'.</p> <p>As noted above, as a boarding school the organisation has been required to meet certain legal and regulatory requirements in respect of children in its care. This includes the requirements of the Education (Scotland) Act 1980, as amended, in terms of registration as an independent School and the oversight of Education Scotland. In relation to the provision of boarding accommodation, the organisation is subject to the regulation and oversight of the Care Inspectorate under the Public Services Reform (Scotland) Act 2010.</p>
vi.	Did the organisation have a legal duty of care to each child in its care?
	<p><u>1930 – 17 December 2014</u></p> <p>The organisation had a legal duty of care at common law to each child in its care and a legal duty to fulfil the terms of the contract with the parents/ guardians.</p> <p>The organisation also had a legal duty to ensure compliance with regulatory and statutory requirements in force at the time. For the purposes of this response, the School has not set out an exhaustive list of these requirements over the period 1930 to 2014.</p> <p>A key duty of care of the organisation is set out in the Education (Scotland) Act 1980, as amended, which requires the School to</p>

	<p>adequately safeguard and promote the welfare of pupils attending the School. The organisation also has other statutory duties of care towards pupils, such as, for example, employing staff in accordance with the Protection of Vulnerable Groups (Scotland) Act 2007.</p> <p>As the organisation provides a school care accommodation service under the Public Services Reform (Scotland) Act 2010, the organisation is subject to the oversight of the Care Inspectorate to ensure that the safety and wellbeing of the children is protected and enhanced.</p>
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Present

vii.	With reference to the present position, are the answers to any of the above questions different?
	The organisation's legal duties towards pupils in its care have developed over time with legal developments (both through legislation, common law and regulatory requirements).
viii.	If so, please give details.
	A key legal development since 14 December 2014, has been certain provisions of the Children and Young People (Scotland) Act 2014. Whilst this Act was given Royal Assent on 27 March 2014, some of its provisions have come into force since December 2014 and others have not yet come into force, of particular relevance to the organisation is Part 4 on the Provision of Named Persons and Part 5 Child's Plan.
ix.	If the organisation is a Scottish local authority, please provide details of the predecessor authorities for the local authority area for which the authority is now responsible, and the time periods during which these authorities were the responsible authority for the area, or any part thereof.
	The organisation is not a Scottish local authority.

(b) Establishment

Past

i.	Did the establishment have a special legal, statutory or other status?
	<p><u>1930 – 17 December 2014</u></p> <p>The School did not have a special legal, statutory or other status.</p>
ii.	If not, how was the establishment described?

	<p><u>1930 – 17 December 2014</u></p> <p>Merchiston Castle School has been an independent boarding school for boys throughout this period.</p>
iii.	<p>What was the legal basis which authorised, or enabled, the establishment to become responsible for managing the care of children in a residential setting?</p>
	<p>Memorandum and Articles of Association</p> <p><u>1930 – 7 November 2010</u></p> <p>The School's Memorandum and Articles of Association dated 30 July 1926 enabled Merchiston Castle School to become responsible for managing the care of children in a residential setting. In particular, the Memorandum provides that one object for which the School is established is to build and equip, on Colinton House Estate, a Boarding-school or Schools for boys.</p> <p>As outlined above at answer 1.3(a) (ii), the Memorandum states that the objects for which Merchiston Castle School was established were to promote the work in Scotland of an educational institution for Boys by means of properly equipped Boarding-schools or Colleges for resident pupils or scholars.</p> <p>The Governors had the power to employ staff, including a Headmaster and teachers, for the purpose of achieving the Objects of the organisation.</p> <p><u>8 November 2010 – 17 December 2014</u></p> <p>The Articles of Association, dated 8 November 2010, provide for the provision of a day and/or boarding school(s) or college(s) in or near Edinburgh or at other such places as the Governors may think fit.</p> <p>The Governors had the power to employ staff, including a Headmaster and teachers, for the purpose of pursuing the Objects of the organisation.</p> <p>Parental Contract</p> <p>The establishment would enter into a contract with the parents or guardians of the children to authorise the School to provide schooling and residential care through boarding.</p> <p>Statutory requirements</p> <p>The establishment has complied with developing statutory requirements in order to be responsible for managing the care of children in a</p>

	<p>residential setting. Under the Education (Scotland) Act 1980, as amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004, the school fulfilled its responsibility to be registered with the Registrar of Independent Schools Scotland. The requirement to register has been set out in legislation since the Education (Scotland) Act 1945.</p> <p>The school was registered with the Scottish Education Department, as evidenced from Inspection Reports from 1943 and 1949.</p> <p>The School has also fulfilled requirements in relation to the provision of boarding accommodation, and received a Certificate of Registration from SCSWIS (the Care Inspectorate), under the Public Services Reform (Scotland) Act 2010. This registration was dated 01 April 2011.</p>
iv.	<p>Did that legal basis require the establishment, or its management, to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details.</p>
	<p>The Memorandum of Association and Articles of Association from 1926 and 2010, do not refer to the establishment's obligations to meet, or fulfil, any legal and/or regulatory requirements in respect of children in care.</p> <p>The contracts between the establishment and parents/ guardians have evolved overtime and School does not have copies throughout the period 1930 – 2014, therefore cannot confirm whether the contract required the establishment to meet, or fulfil, any legal and or regulatory requirement in respect of children in its care through this period. However, However, since 2005 the Terms and Conditions, which have been part of the contract between the parent and School, have clearly defined the school's obligations in this area which includes the following;</p> <p>"While your child remains a pupil of the School, we undertake to exercise reasonable skill and care in respect of his education and welfare. This obligation will apply during school hours and at other times when your child is permitted to be in School premises or is participating in activities organised by the School."</p> <p>Prior to this date we have assumed the basis of the contractual agreement would have been any application form from the parents and a subsequent letter from the School confirming the place. However, within the pupil files which are retained once a pupil has left the School, we do not retain any information relating to the Admissions process.</p> <p>The Prospectus of 1931 (we do not have a detailed archive of these publications) includes brief details of the Admission process as well as the medical arrangements for pupils. In addition, this publication highlights the fees payable for 'board and education'.</p>

	<p>As a registered Independent School under the Education (Scotland) Act 1980, as amended, the establishment has been required to meet certain legal and regulatory requirements in respect of children in its care. These include being subject to the oversight and regulation of Education Scotland and the Care Inspectorate.</p>
v.	<p>Did the establishment have a legal duty of care to each child in its care?</p>
	<p>Yes. The establishment had a legal duty of care at common law to each child in its care and a legal duty to fulfil the terms of the contract with the parents/ guardians.</p> <p>The establishment also had a legal duty to ensure compliance with regulatory and statutory requirements in force at the time. For the purposes of this response, the School has not set out an exhaustive list of these requirements over the period 1930 to 2014.</p> <p>Some examples of legislation which include a legal duty of care to children in the establishment's care are set out below: -</p> <ul style="list-style-type: none"> • The Children and Young Persons (Scotland) Act 1937 – this act refers to the duties of those caring for children. This includes making it an offence to (or cause or procure) assault, ill-treatment, neglect, abandonment or expose children (under 16) to unnecessary suffering or injury to health. The establishment has duties under the Health & Safety at Work Act 1974 to ensure staff work and therefore pupils lived in a safe environment. • All independent schools in Scotland are required, in accordance with the Education (Scotland) Act 1980, as amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004, to be registered with the Registrar of Independent Schools. This updated previous legislation from 1945, 1946 and 1962. As a registered independent school the establishment has legal responsibilities towards children in its care, including to adequately safeguard and promote their welfare. • The Children (Scotland) Act 1995 incorporated the key principles of the United Nations Convention on the Rights of the Child into Scots law: protection from discrimination, ensuring that child welfare is a primary concern and listening to children's views. • The Protection of Children (Scotland) Act 2003 which was then repealed by the Protection of Vulnerable Groups (Scotland) Act 2007, which requires the School to fulfil certain requirements in employing staff with the aim of protecting children and young people in the School's care. • Public Services Reform (Scotland) Act 2010, which updates previous legislation and required the School to be subject to the oversight of the Care Inspectorate in providing school care

	<p>accommodation services.</p> <ul style="list-style-type: none"> • Children and Young People (Scotland) Act 2014, which aims to put the Scottish Government's GIRFEC policy and guidance into law.
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Present

vi.	With reference to the present position, are the answers to any of the above questions different?
	Yes, as noted above provisions of the Children and Young People (Scotland) Act 2014 have come into force since 17 December 2014.
vii.	If so, please give details.
	As noted above, whilst the Children and Young People (Scotland) Act was given Royal Assent on 27 March 2014, some of its provisions have come into force since December 2014. Of particular relevance to the School is Part 4 on the Provision of Named Persons and Part 5 Child's Plan, much of which is not yet in force.

1.4 Legal Responsibility

(a) Organisation

Past

i.	Did the organisation have any legal responsibility for the children in its care?
	Yes.
ii.	If so, what was the nature and extent of that legal responsibility?
	<p>The organisation has legal responsibility for the children in its care under the terms of the contract with the child's parent/ guardian and also in accordance with the law in force at the time. For the purposes of this response, the School has not set out an exhaustive list of these requirements over the period 1930 to 2014.</p> <p>Some examples of legislation which include legal responsibility to children in the organisation's care are set out below: -</p> <ul style="list-style-type: none"> • The Children and Young Persons (Scotland) Act 1937 – This act refers to the duties of those caring for children. These include that

it is an offence to (or cause or procure) assault, ill-treatment, neglect, abandonment or expose children (under 16) to unnecessary suffering or injury to health.

- The organisation has a legal responsibility under the Health & Safety at Work Act 1974, to ensure staff work and therefore pupils lived in a safe environment.
- All independent schools in Scotland are required, in accordance with the Education (Scotland) Act 1980, as amended, to be registered with the Registrar of Independent Schools. This updated previous legislation from 1945, 1946 and 1962. As a registered independent school the organisation has legal responsibilities towards children in its care, including to adequately safeguard and promote their welfare.
- The Children (Scotland) Act 1995 incorporated the three key principles of the United Nations Convention on the Rights of the Child into Scots law: protection from discrimination, ensuring that child welfare is a primary concern and listening to children's views.
- The Protection of Children (Scotland) Act 2003 which was then repealed by the Protection of Vulnerable Groups (Scotland) Act 2007, requires that the organisation fulfil certain requirements in employing staff with the aim of protecting children and young people in the School's care.
- Public Services Reform (Scotland) Act 2010, which updates previous legislation and required the School to be subject to the oversight of the Care Inspectorate in providing school care accommodation services.
- Children and Young People (Scotland) Act 2014, which aims to put the Scottish Government's GIRFEC policy and guidance into law.

The Memorandum and Articles of Association the Memorandum of Association provide the following in terms of legal responsibility: -

- 1930 – 7 November 2010

The Board of Governors was responsible for the operation of Merchiston Castle School. The Memorandum of Association provided the Governors with the powers required to carry on and promote the Objects of the School, as outlined in previous responses.

- 8 November 2010 – 17 December 2014

The Governors were responsible for the operation of Merchiston

	Castle School. The Articles of Association provided the Governors with the power to do anything within the law which may promote the Objects of the School, as outlined above.
iii.	Did any other person or organisation have any legal responsibility for the children while they were in the organisation's care?
	Parents/guardians retained parental rights and responsibilities. We are aware of one pupil placed in the School by a regional council social work department. We are not aware of any other cases.
iv.	If so, what was the nature and extent of that responsibility?
	The precise nature and extent of parent's legal responsibility for their children has developed over time. The key piece of early legislation in this regard is the Children and Young Persons (Scotland) Act 1937. More recently, under the Children (Scotland) Act 1995, parents have rights and responsibilities, including to: <ul style="list-style-type: none"> - safeguard and promote the child's health, development and welfare; - provide the child with appropriate direction and guidance; - maintain personal relations and direct contact with the child; - act as the child's legal representative. <p>The one pupil, who attended between 1984-86, was under the guardianship of Tayside Regional Council Social Work Department and living with his grandparents.</p>
v.	If the organisation had no legal responsibility for children in its care, where or with whom did legal responsibility lie?
	The organisation had legal responsibility.

Present

vi.	With reference to the present position, are the answers to any of the above questions different?
	No.

vii.	If so, please give details.

(b) Establishment***Past***

i.	Did the establishment, or those in charge of the establishment, have any separate legal responsibility (separate from the organisation) for children in its care?
	Yes.
ii.	If so, what was the nature of that responsibility?
	All staff had responsibility for the welfare of children in the care of Merchiston Castle School. As explained above, teachers have an individual and distinct duty of care to children in their care. Teachers act <i>in loco parentis</i> and have a legal responsibility for children in their care, in place of their parents.

Present

iii.	With reference to the present position, are the answers to any of the above questions different?
	No.
iv.	If so, please give details.

1.5 Ethos**(a) Organisation*****Past***

i.	What did the organisation see as its function, ethos and/or mission in terms of the residential care service it provided for children?

	<p>From its foundation in 1833 the School was established to advance education for boys including, but not limited to, the provision of a day and/or boarding school(s) or college(s) in or near Edinburgh, or at other places that the Governors may see fit. Whilst there have been day pupils in the School since the 1850s, the Governing Body (organisation) has always prioritised the residential care service for children. 1930 coincided with the relocation of the School to its present site in Colinton. This was driven by the need to improve residential care facilities, with modern kitchens, up-to-date heating and much needed space for sport and recreation.</p> <p>The horizontal house system, unusual for a Boarding School, helped build a strong corporate community spirit and space on the campus for the boys to pursue interests and hobbies, without crowding each other out.</p>
ii.	<p>If the establishment was run by a Catholic religious order, what vows were taken by members of the order and at which point in their training?</p>
	<p>The establishment was not run by a religious order.</p>
iii.	<p>What did the organisation see as the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there?</p>
	<p>The Board of Governors expected the Headmaster and his School Leadership Team to carry out the vision of the Governing Body, overseeing the improvements in residential care facilities and driving forward the ethos of the School. The leadership of the six headmasters since 1930 has been of paramount importance to the School. For example, after 1931 a system of prefects was brought in. The Headmaster has always been accountable to the Board of Governors for the safe provision of boarding education/care, as evidenced by Minutes of Board Meetings.</p>
iv.	<p>Were there changes over time in terms of what the organisation saw as its function, ethos and/or mission in terms of the residential care service it provided for children?</p>
	<p>Yes, the Board of Governors has driven key change and improvement in terms of residential care service.</p>
v.	<p>If so, what were the changes and when and why did they come into effect?</p>
	<p>Since 1930, the Governors have improved residential care:</p> <ul style="list-style-type: none"> • In 1960, quiet rooms were added to each house to supplement

	<p>the Day Rooms.</p> <ul style="list-style-type: none"> • In 1967 Governors opened a Junior House (Pringle House), expanded with much improved facilities in 1990. • In 1970 a block of studies was added to ensure all Sixth Form had use of a study. • 2009 saw the opening of Laidlaw House, the Governors' most ambitious project since the 1930s, bringing a step change in residential facilities for 5th (S4) and 6th Form (S5 and S6) boarders. The Governors also invested in improvements to the Residential Care staffing, appointing a resident Chaplain in 1966 and the 1980s saw the creation of family flats within boarding houses, to allow for closer supervision and a growing family atmosphere. • In 2007, The Governors formalised its responsibility for Child Protection by the appointment of a Child Protection Liaison Governor (CPLG), who met regularly with the School's Child Protection Team and reported regularly to the Board of Governors. • In 2012, the CPLG initiated, undertook and published a review of Child Protection arrangements at the School, with recommendations for further improvement, which were all carried out.
vi.	Were there changes over time in terms of what the organisation saw as the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there?
	Yes, the changes were driven by successive Headmasters and leadership teams.
vii.	If so, what were the changes and when and why did they come into effect?
	<p>Cecil Stagg – Headmaster 1914 – 1936 His mission was to oversee the building of the new School, opening in 1930 with buildings much more fit for purpose for its boarding pupils. With this came a change of ethos, for example, the positive development of the prefect system and an increased emphasis on leisure time activities.</p> <p>Cecil Evans – Headmaster 1936 – 1957 Cecil Evans is credited with developing the spirit and ethos of the School on its new site. Whilst the School Behaviour code allowed</p>

prefects the option to deliver corporal punishment as a final sanction during this period, their function to lead rather than to administer discipline was developed. The influence of the Headmaster's wife Mrs Evans, who helped oversee the domestic lives of the pupils, was credited with bringing a touch of home life into the boys' existence – an ethos further developed by future headmasters. The residential accommodation and facilities contributed much to the personal development of pupils, such that the school's focus was not just on providing an academic education but on providing a broader social education as well. In 1942, Mr Evans summed up the ethos: "Our aim here is that we should turn out boys who are filled with the ideal of service for Church and State, aiming neither at fostering character to the detriment of intelligence nor at athletic prowess to the detriment of academic distinction, but rather a judicious blend of all the qualities which will go to make the future citizen best able to develop his own personality, in harmony with and in the service of his fellow men."

Alan Bush – Headmaster 1958 – 1968

The School role rose to 280 in 1960 and the focus was on improving facilities and experience of Sixth Form pupils. There was an expansion of School clubs and the appointment of a resident Chaplain, providing an alternative pastoral support.

Donald Forbes – Headmaster 1969 – 1981

The ethos of personal support was further developed by the offering of careers advice and Music was a much more dominant part of the boys' lives. Mr Forbes played his part in broadening the cultural horizons of the School by improving the provision of facilities in Art, Music and Drama. In the 1970s corporal punishment by prefects was ended, although staff did still have the option to use corporal punishment as a sanction, although the School Register reports that this was used decreasingly.

David Spawforth – Headmaster 1981 – 1998

Mr Spawforth modernised the school further, bringing in much closer monitoring of the welfare of all pupils. HM Inspector of Schools in 1984, noted the excellent relations between staff and pupils, which was more relaxed and friendly, with Christian names used in place of surnames to address pupils. Corporal punishment was finally abolished in 1987, before any legislative requirement to do so. Mrs Spawforth showed great kindness to the boys and a family ethos in boarding houses was developed through the provision of family flats for Housemasters in the centre of each house with their own entrance. The Junior house was expanded and refurbished, to include modern showers and toilet facilities and much improved recreational space. The development of boarding as an experience was a key priority in this era, making Merchiston as much a home away from home as possible. Prefects were formally trained to provide pastoral support. An HMle inspection report from 1996 on the welfare of residential pupils noted that, 'the ethos of the School was very good', reaffirmed in the 2000 and 2003 HMle reports.

Andrew Hunter – Headmaster 1998 to date

Mr Hunter built on the modernising of the School of his predecessor, again supported by his highly committed wife, determined to develop further a supportive family atmosphere in very comfortable modern residential facilities. There has been extensive refurbishment of all boarding houses, with new individual private showers, improved furnishings and stylish presentation. The opening of Laidlaw House for 120 Sixth Form boarders was transformational in improving quality of life at the senior end of the School. From 1998 all full time teachers took on the role of House Tutor, greatly strengthening support of boarding pupils. Since 2003, each house has had a residential Assistant Housemaster and in most houses, a further resident tutor. There has been a deliberate growth in the number of female staff, from 0% in 1974, 17% in 1993, 24% in 2008 and 40% in 2017. A key focus has been the strengthening of two critical relationships – between the pupils and the staff, both within and outwith the classroom, and between the School and the home of each pupil.

The School has grown, with a 19% increase in the pupil roll between 1998 and 2008, with the introduction of First Form (P6) in 1994 and J4 and J5 (P4 and P5) in 2001. There has been a focus on further developing links with partner girls' schools to show the modern face of single-sex boarding. Since the 1980s there has been a deliberate and carefully managed policy to globalise the School, embracing an increasingly diverse community. The School ethos in relation to rules and regulation is much more geared towards encouraging responsibility through reward, with training for prefects to take on roles as mentors and role models in their houses.

There has been increasing focus on the professionalism of all staff, with the provision of in-service training in all aspects of school life, not just learning and teaching and from 1999 a formal School Improvement Plan was put in place.

The progress and changes the School has made in this era were validated by seven announced and unannounced inspections by the Care Inspectorate, between October 2008 and September 2013, with consistent very good and excellent grades. The report dated September 2013 recorded Grade 6 Excellent grades for Care and Support, Quality of Environment, Quality of Staffing and the Quality of Management and Leadership.

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.
	<p>18 December 2014 to the present day has seen a further series of developments and change in the ethos and culture of the School, with an intense series of inspections and support offered by Education Scotland and the Care Inspectorate. The key focus has been an improved accountability, from the Governors, through to the Headmaster and School Leadership Team to every staff member.</p> <p>A new Chair of Governors, GTG Baird HND FRAGS, (appointed 01/07/15) saw the appointment of new Governors and a renewed commitment to place Child Wellbeing and Protection at the centre of all Governance issues.</p> <p>A new Child Protection and Compliance Committee was set up in May 2016 to allow for much more effective scrutiny of the work in the School and to quality assure compliance in all areas. Intense staff training has ensured all staff are fully aware of their responsibilities under GIRFEC legislation and a Staged Intervention Model has placed key emphasis on the universal provision of wellbeing by all staff.</p> <p>A traditional approach to pupil discipline has been replaced by a more enlightened restorative approach, with all teachers and prefects trained in this new approach. This has helped break down barriers and build trust between pupils and staff and has also seen a significant strengthening of Pupil Voice in the School. These improvements were validated in very positive inspections by both Education Scotland and the Care Inspectorate in September 2016. Education Scotland, in its report to parents dated 15 November stated that "the Board of Governors has provided astute and forward-thinking strategic direction in helping the School to continue to improve. A well-qualified and experienced external committee has been established to provide independent scrutiny challenge to the Board and School leaders on their approaches to Child Protection and compliance. This innovative development demonstrates the School's commitment to continuous improvement in this important area of their work."</p> <p>The Governors also commissioned an analysis of Merchiston's Child Protection Policies and Procedures, carried out by WithScotland in March 2016 which led to further improvements in policy and provision. In particular, the School has undergone a strategic review of Policy, with an overarching strategic policy in Wellbeing and Protection within which all other policies sit. A Teaching Staff Forum has been established, to improve communication between the Senior Leadership Team and staff groups and the School has continued to remove barriers to communication with pupils through implementing a restorative approach to behaviour management.</p>

(b) Establishment***Past***

i.	What services were provided at the establishment, in terms of care for children?
	<p>From 1930 a range of services was provided to meet the needs of boarding pupils in term time. These covered meeting educational needs; health needs (with a dedicated doctor) and an increasingly wide range of activities and sport have embraced the growing interests and needs of the pupils. Housemasters have overseen the pupil support of pupils, with increasing improvement, to a much more enlightened approach to pupil support by December 2014.</p>
ii.	Did the establishment care for children of both sexes?
	No.
iii.	If the establishment cared for children of one sex only, what was the thinking behind that policy?
	<p>The School was established in 1833, as an all-boys school, in keeping with practice at the time. The School has maintained its single sex status since its foundation, believing in providing that choice for parents. Since the arrival of the current Headmaster in 1998, the strength of single-sex education has been central to his tenure and the School is a member of the International Boys' Schools Coalition (ISBC).</p> <p>The School's ethos is geared to boys learning differently to girls and the delivery of the curriculum and pastoral care is designed to cater for boys' specific needs. The School's focus on this was validated in an HM Inspectorate of Education Report (September 2011), "Particular attention has been given to the School's aim of Boys First. Staff tailor approaches to the needs of an all-boys' learning environment." The statement "Boys First" captures the centrality of the School meeting the social and academic needs of each and every pupil.</p>
iv.	Were any special child care, or child protection measures, taken in the light of that policy? If so, please provide details.
	No.
v.	What was the daily routine for boys/girls cared for at the establishment?
	In 1931 the following routines applied: 7.45am Morning Prayers and

	<p>Breakfast. 9.00-12.50 Morning School, 10.45-11.15am Interval, during which time is allocated to Physical Drill. 1.00pm Dinner. 2.00-4.00pm Exercise. 4.10-4.40pm Interval, during which time is allocated to Singing, Music Practice, Hobbies, Private Reading and Special Tuition. 4.45-6.20pm Afternoon School. 6.20pm High Tea. 7.30-9.00pm Preparation (homework). 9.00pm Supper (Milk and Biscuits). 9.15pm Evening Prayer. 9.45pm Lights Out. Younger boys do Prep 7.30-8.30pm, with lights out at 9.15pm. Wednesday and Saturdays are half-holidays, with school work ceasing at 12.30pm on Wednesdays and 11.15am on Saturdays. In the Summer Term, the afternoon interval and afternoon school are 1.55-4.00pm. Exercise 4.15-6.15pm. Tea 6.30pm. This pattern remained largely unchanged.</p> <p>In 1968 there were three half days, on Tuesdays, Thursdays and Saturdays, with afternoon School on Mondays, Wednesdays and Fridays in the Winter Term from 4.15-6.25pm and in the Summer Term 2.15-4.15pm. On Sundays there were services at 10.00am and 7.00pm, at which parents were welcomed.</p> <p>In September 2005 an eight day timetable was introduced with the aim of addressing the growing disruption to Saturday School, due to an increasing demand for morning sports fixtures. Instead of operating the timetable on a Monday to Friday basis, the eight day cycle has calendar days of the term assigned a number from 1 through to 8 on a rotational basis, with Sundays excluded as there are no timetabled classes. For example, if the first Monday of term is designated a Day 1, the Tuesday will be Day 2, Wednesday Day 3, and so on until we reach the second Monday of term which will be Day 7. This eight day cycle operates over the entire term, with the result being that timetable Days 1, 3, 5, 7 can fall on Mondays, Wednesdays, and Fridays, whilst timetable Days 2, 4, 6, 8 can fall on Tuesdays, Thursdays, and Saturdays.</p>
vi.	<p>What were the on-site activities for children cared for at the establishment?</p>
	<p>On-site activities in 1930 included all teaching and games facilities, with extensive areas of leisure and recreation. There were special opportunities on site for Nature Study and for pursuit of hobbies in the Library, Art Room, Craft Room, Music Rooms, Workshop, and a Dark Room for Photography. There was daily Physical Drill and weekly Gymnastic Training, to secure physical health and physical development. The School Games were Rugby, Football and Athletics in the Winter Terms and cricket in the Summer Term, with tennis courts built in the late 1930s.</p> <p>All boys were members of the Junior Section of the Officers' Training Corps. In addition, the following on-site activities were available as optional extras: Piano and violin tuition; dancing and Boxing, Fencing and a full-size cinema projector enabled sharing of films on-site.</p>

	<p>An inspection report from the Scottish Education Department in August 1949 commented, 'the activities of the School in music, art and drama are very strongly developed, and there is a wide variety of clubs, in the organisation of which the boys play a dominant part'.</p> <p>Over the following decades a range of activities were added with varying degrees of emphasis. For example, the School Play flourished under Headmaster Cecil Evans (1936-57) and under Headmaster Donald Forbes (1969-81), Music grew and flourished and if there was a call for a new society, one was formed. In 1961, a swimming pool on the School campus was opened. The calendar for 1992 lists 24 clubs and societies, with new clubs appearing, such as Sub Aqua and the Young Farmers' Club and Debating also flourished and the School continues to pride itself on the range and variety of on-site activities for the boys.</p>
vii.	<p>What were the off-site activities for them?</p>
	<p>In the 1930s there was an offsite Officers Training Corps Camp, as well as riding. In the 1940s, there is reference to a Forest Camp. There were outdoor activity camps. In the 1970s there were visits to theatres and concert halls. The 1980s saw a development of international tours, with the choir visiting Austria in 1988, Hong Kong in 1989 and America in 1991. An exchange link was set up with Waseda High School in Japan.</p> <p>There were regular overseas sports tours for example the 1st XV rugby team visiting Argentina (2007) and South Africa (2014) and the 1st XI cricket team visiting Barbados (2005) and the Netherlands (2007). The Juniors had regular camping trips off the School campus. The 1990s saw a growth in the Duke of Edinburgh programme, alongside the existing CCF (Combined Cadet Force), School exchanges and academic trips, as a part of the globalisation of the School.</p> <p>The choir continued to tour, with trips to France, Italy, Spain and Canada. The First Form started an annual trip to Paris in 1999 and there were annual trips to the Battlefields from 2000. The Pipe Band toured to Austria (2002) and the North of France (2003 and 2012) and the CCF ran expeditions to Kenya (2001), India (2005), Mexico and the USA (2007).</p> <p>There was a Fiji Millennium (charity) Project, started on 2000/2001 with further expeditions in 2002, 2005 and 2007.</p>
viii.	<p>Did children work manually, either at the establishment, or externally (e.g. farming work or other labour), or both?</p>
	<p>Yes.</p> <p>Boys helped with levelling of the playing fields in 1930 – 1932 and farm work during the Second World War.</p>

ix.	If the establishment was run by a Catholic religious order, were any prospective members of the order who were in training permitted to care for children?
	The School was not run by any religious order.

Present

x.	With reference to the present position, are the answers to any of the above questions different?
	Yes.
xi.	If so, please give details.
	The opening of a flood-lit AstroTurf on the School grounds in 2016 has further enhanced the range of on-site activities, with an increase in Hockey and Football.

1.6 Numbers**(a) Organisation***Past*

i.	How many children did the organisation accommodate at a time and in how many establishments?
	Please see section (b) on establishment. There was only one establishment within the organisation.
ii.	Please provide details of any material changes in numbers of children, or numbers of establishments, and the reasons for those changes?
	Please see section (b) on establishment. There was only one establishment within the organisation.
iii.	How many children in total were accommodated by the organisation?
	Please see section (b) on establishment. There was only one establishment within the organisation.
iv.	What numbers (if any) were placed in foster care by the organisation?
	Please see section (b) on establishment. There was only one establishment within the organisation.
v.	In general terms, was the main service provided by the organisation the provision of residential care for children in establishments, or was it the provision of foster care?
	Please see section (b) on establishment. There was only one establishment within the organisation.

Present

vi.	With reference to the present position, are the answers to any of the above questions different?
	Please see section (b) on establishment. There was only one establishment within the organisation.
vii.	If so, please give details.
	Please see section (b) on establishment. There was only one establishment within the organisation.

(b) Establishment**Past**

i.	How many children did the establishment accommodate at a time?																																								
	This varied year on year – see section iii below.																																								
ii.	Did this change, and if so, what were the reasons?																																								
	Yes, as the School roll grew and more space and privacy was required for the boys.																																								
iii.	How many children in total were cared for at the establishment?																																								
	<p>The total roll 1930-2014 = 28,855</p> <p>The detailed numbers for the total roll, boarders and day pupils is listed below:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Boarder</th> <th>Day</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1930</td> <td>229</td> <td>26</td> <td>255</td> </tr> <tr> <td>1931</td> <td>239</td> <td>21</td> <td>260</td> </tr> <tr> <td>1932</td> <td>223</td> <td>10</td> <td>233</td> </tr> <tr> <td>1933</td> <td>209</td> <td>7</td> <td>216</td> </tr> <tr> <td>1934</td> <td>226</td> <td>3</td> <td>229</td> </tr> <tr> <td>1935</td> <td>209</td> <td>1</td> <td>210</td> </tr> <tr> <td>1936</td> <td>194</td> <td>1</td> <td>195</td> </tr> <tr> <td>1937</td> <td>183</td> <td>0</td> <td>183</td> </tr> <tr> <td>1938</td> <td>187</td> <td>0</td> <td>187</td> </tr> </tbody> </table>	Year	Boarder	Day	Total	1930	229	26	255	1931	239	21	260	1932	223	10	233	1933	209	7	216	1934	226	3	229	1935	209	1	210	1936	194	1	195	1937	183	0	183	1938	187	0	187
Year	Boarder	Day	Total																																						
1930	229	26	255																																						
1931	239	21	260																																						
1932	223	10	233																																						
1933	209	7	216																																						
1934	226	3	229																																						
1935	209	1	210																																						
1936	194	1	195																																						
1937	183	0	183																																						
1938	187	0	187																																						

Year	Boarder	Day	Total
1939	180	1	181
1940	153	1	154
1941	152	7	159
1942	184	10	194
1943	227	13	240
1944	237	11	248
1945	237	8	245
1946	251	7	258
1947	256	8	264
1948	262	6	268
1949	269	6	275
1950	279	5	284
1951	286	4	290
1952	291	5	296
1953	308	4	312
1954	308	5	313
1955	312	4	316
1956	316	4	320
1957	317	2	319
1958	318	5	323
1959	331	7	338
1960	337	12	349
1961	330	14	344
1962	333	13	346
1963	330	16	346
1964	322	15	337
1965	331	14	345
1966	331	11	342
1967	341	14	355
1968	355	13	368
1969	349	16	365
1970	369	18	387
1971	365	20	385
1972	367	23	390
1973	367	20	387
1974	361	23	384
1975	355	30	385
1976	349	40	389
1977	356	46	402
1978	356	53	409
1979	346	50	396

Year	Boarder	Day	Total
1980	313	61	374
1981	258	51	309
1982	266	53	319
1982	286	59	345
1984	282	63	345
1985	294	56	350
1986	292	58	350
1987	288	62	350
1988	315	61	376
1989	304	71	375
1990	303	72	375
1991	291	87	378
1992	277	84	361
1993	280	87	367
1994	281	118	399
1995	269	122	391
1996	270	113	383
1997	252	116	368
1998	252	107	359
1999	263	113	376
2000	271	144	415
2001	276	137	413
2002	274	137	411
2003	273	135	408
2004	287	137	424
2005	289	137	426
2006	284	145	429
2007	281	156	437
2008	289	164	453
2009	283	163	446
2010	317	166	483
2011	297	171	468
2012	292	169	461
2013	301	160	461
2014	300	173	473
iv.	What accommodation was provided for the children?		

The accommodation provided was in a number of buildings on the campus, divided into:

1. Boarding houses providing accommodation for both boarding and day pupils when they are at School
2. Classrooms organised according to academic department with flexibility of use by other departments as required
3. Communal areas such as the Dining Hall (where everyone takes their meals) and the Memorial Hall (used for assemblies and Chapel services)
4. Sporting and recreational facilities

The School has a 'horizontal' house system – the boarding houses contain one age group and boys move house as they progress up the school. The tables below list the Houses and the changes that have been made over the years. As the Junior house (Pringle) has developed, this boarding house has had pupils from different age groups, so it is different from the senior school house structure.

1930-1967

House name	Form name	Age group
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Sixth Form	16-18

1967-1977

House name	Form name	Age group
Pringle	Third Form	12-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Sixth Form	16-18

1977-1986

House name	Form name	Age group
Pringle	Second Form; Third Form	11-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Sixth Form	16-18

1986-1994

House name	Form name	Age group
Pringle	Second Form; Third Form	11-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15

Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

1994-2000

House name	Form name	Age group
Pringle	First Form; Second Form; Third Form	10-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2000-2001

House name	Form name	Age group
Pringle	First Form; Second Form	10-12
Pringle III	Third Form	12-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2001-2002

House name	Form name	Age group
Pringle	J4; J5; First Form; Second Form	8-12
Pringle III	Third Form	12-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2002-2008

House name	Form name	Age group
Pringle	J4; J5; First Form; Second Form; Third Form	8-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16

Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2008-2009

House name	Form name	Age group
Pringle	J4; J5; First Form; Second Form; Third Form	8-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson	Fifth Form	15-16
Rogerson West	Sixth Form Boarding	16-18
Evans	Sixth Form Day	16-18

2009-2014

	House name	Form name	Age group
Junior	Pringle	J4; J5; First Form; Second Form; Third Form	8-13
Middle School	Chalmers West	Fourth Form	13-14
	Chalmers East	Shell	14-15
	Rogerson	Fifth Form	15-16
Sixth Form	Evans	Sixth Form Day	16-18
	Laidlaw North	Sixth Form Boarding	
	Laidlaw South	Sixth Form Boarding	

September 2014

	House name	Form name	Age group
Junior	Pringle	J4; J5; First Form; Second Form; Third Form	7-13
Middle School	Chalmers West	Fourth Form	13-14
	Chalmers East	Shell	14-15
	Rogerson	Fifth Form	15-16
Sixth Form	Evans	Sixth Form Day	16-18
	Laidlaw North	Sixth Form Boarding	
	Laidlaw South	Sixth Form Boarding	

v.	How many children occupied a bedroom/dormitory/house?			
	Pre -1985	House name	Set up	Year Group
	Junior	Pringle	Small dormitories (up to 8 beds)	Second and Third Forms
	Middle School	Chalmers West	Dormitories (4) – 16 beds in each	Fourth Form
		Chalmers East	Dormitories (4) – 16 beds in each	Shell Form
		Rogerson East	Dormitories (4) – individual pods, 12 per dorm.	Fifth Form
	Sixth Form	Rogerson West	1 & 2 man rooms	Lower Sixth Form
		Evans	1 man rooms	Upper Sixth Form
	1985	House name	Set up	Year Group
	Junior	Pringle	Small dormitories (up to 8 beds)	Second and Third Form
	Middle School	Chalmers West	Dormitories (4) – 16 beds in each	Fourth Form
		Chalmers East	Dormitories (4) – 16 beds in each	Shell Form
		Rogerson East	Dormitories (4) – individual pods – 12 per dorm	Fifth Form
	Sixth Form	Rogerson West	1 & 2 man rooms	Lower Sixth Form
		Evans	1 man rooms	Upper Sixth Form
	1995	House name	Set up	Year Group
	Junior	Pringle	Small dormitories (up to 8 beds)	First, Second, Third Form
	Middle School	Chalmers West	Dormitories (4) – 16 beds in each	Fourth Form
		Chalmers East	Archway dorms (a maximum of 4 beds/wardrobes in sub-divided areas of larger dormitory) (Maximum of 11 pupils per dorm)	Shell Form
		Rogerson East	Dormitories (4) – individual pods – 12 per dorm	Fifth Form
	Sixth Form	Rogerson West	1 & 2 man rooms	Lower Sixth Form
		Evans	1 man rooms	Upper Sixth Form
	1996	House name	Set up	Year Group
	Junior	Pringle	Small dormitories (up to 8 beds)	First, Second, Third Form
	Middle School	Chalmers West	Archway dorms (a maximum of 4 beds/wardrobes in sub-divided areas of larger	Fourth Form

			dormitory) (Max 11 per dorm)	
		Chalmers East	Archway dorms (4) (Max 11 per dorm)	Shell Form
		Rogerson East	Dormitories (4) – individual bunk-bed pods (Maximum 11 per dorm)	Fifth Form
Sixth Form		Rogerson West	1 & 2 pupil rooms	Lower Sixth Form
		Evans	Individual rooms	Upper Sixth Form
	2009	House name	Set up	Year group
	Junior	Pringle	Small dormitories (up to 8 beds)	J4 – III Form
	Middle School	Chalmers West	Archway dorms (4) (Max 11 per dorm)	Fourth Form
		Chalmers East	Archway dorms (4) (Max 11 per dorm)	Shell Form
		Rogerson	1 or 2 boy rooms	Fifth Form
	Sixth Form	Evans	Sixth Form Day	Lower and Upper Sixth Form
		Laidlaw House	Sixth Form Boarding – Single en-suite rooms	
	2014 to date	House name	Set up	Year group
	Junior	Pringle	Small dormitories (up to 8 beds)	J3 – III Form
	Middle School	Chalmers West	Archway dorms (4) (Max 11 per dorm)	Fourth Form
		Chalmers East	Archway dorms (4) (Max 11 per dorm)	Shell Form
		Rogerson	1 or 2 pupil rooms, occasionally 1 boarder with 1 day pupil. The norm is single bedrooms.	Fifth Form
	Sixth Form	Evans	Sixth Form Day	Lower and Upper Sixth Form
		Laidlaw House	Sixth Form Boarding – Single en-suite rooms	

Present

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

vii.	If so, please give details.																																						
	<p>School roll</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Total</th> <th>Day</th> <th>Boarder</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>456</td> <td>154</td> <td>302</td> </tr> <tr> <td>2016</td> <td>454</td> <td>154</td> <td>300</td> </tr> </tbody> </table> <p>School structure (September 2016)</p> <table border="1"> <thead> <tr> <th></th> <th>House name</th> <th>Form name</th> <th>Age group</th> </tr> </thead> <tbody> <tr> <td>Junior</td> <td>Pringle</td> <td>J4; J5; First Form; Second Form; Third Form</td> <td>7-13</td> </tr> <tr> <td rowspan="3">Middle School</td> <td>Chalmers West</td> <td>Fourth Form</td> <td>13-14</td> </tr> <tr> <td>Chalmers East</td> <td>Shell</td> <td>14-15</td> </tr> <tr> <td>Rogerson & some boarding in Laidlaw South</td> <td>Fifth Form</td> <td>15-16</td> </tr> <tr> <td rowspan="3">Sixth Form</td> <td>Evans</td> <td>Sixth Form Day</td> <td rowspan="3">16-18</td> </tr> <tr> <td>Laidlaw North</td> <td>Sixth Form Boarding</td> </tr> <tr> <td>Laidlaw South</td> <td>Sixth Form Boarding</td> </tr> </tbody> </table>	Year	Total	Day	Boarder	2015	456	154	302	2016	454	154	300		House name	Form name	Age group	Junior	Pringle	J4; J5; First Form; Second Form; Third Form	7-13	Middle School	Chalmers West	Fourth Form	13-14	Chalmers East	Shell	14-15	Rogerson & some boarding in Laidlaw South	Fifth Form	15-16	Sixth Form	Evans	Sixth Form Day	16-18	Laidlaw North	Sixth Form Boarding	Laidlaw South	Sixth Form Boarding
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1.7 Children's Background/Experience

Past

i.	Did the children admitted to the establishment generally have a shared background and/or shared experiences?
	<p>As an independent school, the pupils (all boys) admitted were placed in the care of the school by their parents or legal guardians. The records from 1930 – 2001 point to the majority of the pupils coming from Scottish/UK families based on their contact details on leaving. We do not hold records that will allow us to assess the background or experiences of the pupils other than to say that the majority came from families with sufficient means to pay the fees. The pupils were placed in the school for their education. From 2002, we hold more detailed records that allow us to track more precisely the increasing diversity of the pupil roll.</p> <p>The School started to become more international in the 1980s. The international contingent accounts for 25% of the school roll from the 2000s. This has led to a greater diversity of religious background too and the School has maintained its Christian ethos whilst promoting tolerance and awareness of other beliefs and none.</p> <p>From 1980 until the removal of the scheme in 1997, some talented pupils from less prosperous families were able to access Merchiston through the Assisted Places Scheme. Also the children of serving officers in the Armed Forces as well as those of overseas workers in large companies, e.g. BP, Shell, were given assistance to pay fees. There have also been scholarships, bursaries and fee rebate awards to pupils to allow access or to encourage attendance.</p> <p>From 2006, as part of the requirement to meet the regulatory expectations of the Office of the Scottish Charity Regulator (OSCR), a fixed % of the School's income has been devoted to means-tested bursaries.</p>
ii.	Were children admitted into the care of the organisation as a whole, or were they admitted into the care of a particular establishment?
	<p>All young people were admitted into the care of the school as the only establishment within the organisation. In that sense, the organisation (Governing Body) held, and holds, responsibility for the school (the one establishment), so all young people were admitted into the care of the organisation which had one educational establishment.</p>
iii.	If children were admitted into the care of the organisation, did the organisation decide which establishment they would be admitted into?

	There was no choice as there was only one establishment, Merchiston Castle School.
iv.	Who placed children with the organisation?
	The parents or legal guardians of the children. The organisation did not form part of any of the local or national bodies who took responsibility for children in care, as part of a legal decision (juvenile court panels, approved schools, fostering decisions) under The Children and Young Persons (Scotland) Acts, 1932 or any subsequent legislation dealing with young people being placed in care or education. We have found evidence of only one pupil being placed in the school by a Council Social Work Department, although relatives provided the home accommodation. This was in the 1980s.
v.	From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the organisation/establishment receive children mainly from the Children's Hearing system?
	No. The school was not part of the structure of state residential child care.
vi.	If not, how generally did children come to be admitted into the care of the organisation?
	<p>Young people joined the school through parental application, academic assessment with interview and the payment of fees. In some cases, the fees may have been paid by grandparents or through trust funds, but the decision to place the children in the school was taken by the parents or legal guardians, if adopted, for example.</p> <p>Some pupils were also part of the Assisted Places Scheme during its existence and, although the decision to join the school was their parents', fees would be paid in part by this government scheme from 1981 until it was abolished from 1997, the final pupils benefitting from this support leaving Merchiston in approximately 2001.</p>
vii.	Was there a gender or other admission policy or practice operated by the organisation or any establishment run by it?
	<p>The School was established for the education of boys and admission was on the basis of application and payment of fees. The Articles of Association, registering the School as a limited company state:</p> <p>"To carry on and promote the work in Scotland of an educational institution for Boys by means of properly equipped Boarding-schools or Colleges for resident pupils or scholars at Merchiston Castle, Edinburgh, at Colinton, Edinburgh." 13.07.1926</p> <p>From our records, the Prospectus set out the policy for admission</p>

	from the 1930s onwards. There has been a more formal Admissions Policy dating from 1997 onwards.
viii.	What was the policy/procedure and practice regarding admission of siblings?
	There is no documentary evidence of a policy, although there are many brothers/cousins and family connections through the years. Siblings would also require to individually fulfil any entry requirement at the time so there was not an automatic admission without assessment of ability. As mentioned previously, the fee-paying status of the school meant that each applicant's ability to pay the fees was assessed. There is anecdotal evidence that there may have been a reduction in fees applied for siblings in order to support families to have their sons in the same educational establishment.
ix.	How long did children typically remain in the care of the organisation?
	The original structure was 4 years, aged 13 – 17/18. With the addition of more junior years it was possible to remain at the school for more time. First Form (P6) was added in 1994 with J4 and J5 (P4 and P5) added in 2001. Some pupils completed 10 years at the school from the equivalent of P5 until S6. The great majority of the pupils remained at the school until the end of their education.
x.	Were children moved between different establishments run by the organisation?
	No. There is only one establishment.
xi.	If so, in what circumstances?
	This is not applicable, please see previous answer.
xii.	Generally did children typically stay in one, or more than one, establishment?
	Young people were only housed in the one school, please see question iii above.
xiii.	What provision was made for contact between siblings while siblings were at the establishment?
	It is unclear what systems were in place. The Boarding House system, based on individual year groups together, would mean that siblings would not be in the same House although they would see each other around school and were encouraged to visit one another, with the onus placed on the elder sibling.

xiv.	<p>What provision was made for contact between children and their parents and wider family while children were at the establishment?</p>
	<p>Pupils returned home, or to their guardians, for the school holidays and, since 1968, for Weekend Leaves. Families have been encouraged to attend sporting fixtures, drama, music performances, Sunday Services as well as attending Parents' Meetings to hear academic progress reports, from 1980 onwards when the Headmaster, David Spawforth, introduced these meetings.</p> <p>Alan Bush (1958-1968) introduced 2 long leave weekends in the winter term; and then a half term break each term of 3-4 days circa 1968.</p> <p>Each boarding house had a "telephone box" where boys could receive and make phone calls. There was also dedicated private space for pupils to make or receive Skype/Facetime calls or to speak on mobile phone or on laptop/pc.</p> <p>Post was (and is) distributed daily (Monday to Saturday) via Housemasters to the pupils in their care.</p>
xv.	<p>What provision was made for information sharing/updates about the children to their parents?</p>
	<p>From 1930 until 1969, we believe that reports were written and sent home once a year and these included comments from subject teachers as well as comments from boarding Housemasters.</p> <p>This changed when Termly reports were sent to parents from 1969. David Spawforth (Headmaster 1980-1998) began annual parents' meetings for all parents, the posting of calendars to parents every term, and half-termly report cards including more than just academic performance. These were internal documents, the End of Term report being the main contact to comment on progress.</p> <p>There was a Parents' Forum, initiated in 2000 and continuing in the present day, where reps from each year group table points for discussion. The minutes are shared with all parents.</p> <p>There were, and are, year group Open Forum meetings to address concerns specific to the different ages.</p>
xvi.	<p>What provision was made for information sharing/updates about parents to their children?</p>
	<p>Communication via the Housemaster/Headmaster if there was information to be shared. This could be by letter, phone or telegram. Latterly the use of fax, phone and mobile phone (Facetime or Skype) increased with email communication becoming more typical from 2004.</p>

xvii.	What provision was made for the celebration of children's birthdays, Christmas and other special occasions?
	<p>Housemasters held (and hold) a record of pupils' birthdays and congratulate, currently with a small group Pizza Party or birthday cake. In the past it is unclear whether this was recognized in the same or a similar way.</p> <p>Christmas Meals, the Carol Service, and from the 1990s birthdays have been celebrated in boarding houses arranged by Housemasters. The Headmaster, from 1998, will congratulate a birthday that falls on a Tuesday (Whole School Assembly) and the school sings "Happy Birthday" if the pupil has given consent in advance.</p> <p>The Memorial Hall was used for the Carol Service and other whole school services, e.g. Remembrance, Harvest or Commemoration.</p>
xviii.	What was the process for review of children's continued residence at the establishment, in terms of whether they continued to require to be there?
	<p>Young people were not required to be at the school by any organisation or state body, so parents made decisions about the continuation at the school or not. The only requirement would be the need to fulfil their education and achieve the necessary qualifications to access the next stage, be that the professional world or further education. There were, and continue to be, requirements in terms of behaviour and the adherence to school policies and guidelines in place to ensure the wellbeing of all pupils. As a fee-paying independent school, parents have to be able to fulfil their financial obligations. The School has a Bursary system and does all in its power to support individual pupils and their families when the need arises, but this is not always possible to the necessary extent.</p>
xix.	When children left the care of the establishment, what was the process for discharge?
	<p>If pupils left the School at the end of their education, either to go on to further education or to enter the working world, there was an End of Year Service at which the leavers in the final year were celebrated.</p> <p>All pupils leaving the School are automatically members of the Merchistonian Club and they are kept informed of school initiatives and invited to return to school for key anniversaries after leaving, e.g. 10 years, 20 years etc., unless the elect not to be a member of the Merchistonian Club or elect not to receive mailings.</p> <p>References were provided in support of applications to places of work and to further education. Parents received the End of Term report</p>

	<p>which, in the case of leavers, summarised the completion of their career at the school.</p> <p>If pupils were leaving to transfer to another school, a reference and copies of relevant reports would be sent to the new school and any form provided by that school would be completed to report on the young person's time at the school.</p>
xx.	What support was offered to children when they left the care of the establishment?
	<p>All pupils who leave the school are given membership of the Merchistonian Club (Former Pupils).</p> <p>As mentioned in question xix, references were provided for university applications and job applications.</p>
xxi.	What information was sought by the organisation and/or establishment about what children leaving its care planned to go on to do?
	Information was gathered about proposed next steps; university, career, entry to the Armed Forces or the workplace etc. and this was recorded in the Merchistonian Club records.
xxii.	Was such information retained and updated?
	This information is retained in the Merchistonian Club records and updated when information was given.
xxiii.	What was provided in terms of after-care for children/young people once they left the establishment?
	Support and information were provided via the Merchistonian Club.

Present

xxiv.	With reference to the present position, are the answers to any of the above questions different?
	Yes, there have been significant improvements.
xxv	If so, please give details.
	<p>From our records, there has been a formal Admissions Policy, we believe from 1997. Please see extract below from the current policy:</p> <p>“ADMISSIONS POLICY</p>

Admission to the School depends upon a prospective pupil meeting the criteria required to maintain and, if possible, to improve the educational and general standards for all its pupils commensurate with the ethos to which the School aspires. The School must also feel reasonably sure that it will be able to educate and develop the prospective pupil to the best of his potential and in line with the general standards achieved by the pupil's peers so that there is every chance that the pupil will have a complete, happy and successful school career and emerge a confident, well-educated and well-rounded adult with a good prospect of a satisfying life. These criteria must continue to be met throughout the pupil's time at the School.

Pupils who apply to the School must fulfil the School's academic entrance requirements. This is usually done through entrance assessment (or by public examination results). This allows us to ensure that Merchiston is the right school academically for each pupil, and to tailor our academic programmes to the needs of our students. Assessment for each point of entry is different, and details of the assessments can be found on the School's website.

The School requires parents to complete the appropriate section of the Registration Form (available on the website) at the time of application, and to declare any additional support needs, medical condition or disability, which could require specialist support, treatment or equipment. This information is essential to assist with any interview or other pre-assessment screening. All pupils are screened for additional support needs at the time of initial assessment and undertake a medical examination on entry. The School's policy is to apply the same criteria to all current and potential pupils regardless of any disability or need of which it is aware, subject to its obligation to make reasonable adjustments, so as not to put any disabled pupil or potential pupil at a substantial disadvantage compared to any pupil who is not disadvantaged because of his disability.

In addition to assessments, we will normally take up a (confidential) report from a pupil's current school, which will provide information on his academic progress."

Admissions Process

All parents and pupils are fully involved in the application and taster programme for prospective entrants. The taster visits to School are tailor-made for each prospective pupil as well as a number of organised events for prospective pupils, to give them a taste of Merchiston life, including residential weekends. The Admissions procedure is exhaustive and provides a complete profile of each pupil before he joins the School. This includes a very detailed medical form which is completed by all parents. This is especially important if specific learning and health issues need to be provided for. Support for Learning plans, Support Plans and, if relevant, Child's Plans are prepared and circulated to all relevant staff.

The Headmaster and a team of staff meet applicants and their families to ensure that the School understands the aspirations and needs of individual applicants whilst explaining the school's ethos of supporting each individual to fulfil his potential. The Faculty of Support for Learning and the Medical Department will spend time with pupils where there are specific needs to ensure that these can be met and the necessary resources allocated to them.

Admissions

We have a very detailed website, www.merchiston.co.uk with a wide range of information about the School which was relaunched in February 2015 and we also have a School Prospectus. The Information Booklet provides a wealth of information for prospective parents about life in the School. The Admissions Department arranges personal tours for prospective parents and pupils with an opportunity to ask any questions, including questions to present pupils without staff present. There are, in addition to this, Information Mornings and other events for prospective families. Personal taster visits can be arranged for prospective new boys.

The Admissions Department arranges entrance days for boys joining the Junior and Middle Years in the January of the year of entry. We also assess boys who cannot make these events on a one-to-one basis. Offers are made on the basis of a boy satisfying our academic entrance criteria and we also take up reports from a boy's current school using our own reference request forms which ask for sharing of information about wellbeing concerns as well as any support that may be required.

The Admissions Department send out joining papers, which include, for example, the medical information form and the music lesson request form. All new parents are given access to the ParentNet section of our website which enables them to read information specifically for new boys joining the School as well as access to a whole range of School policies and information. This includes House Handbooks and year group specific information as well as information for International students. All documents are reviewed and updated annually with input from pupils. Houses also have an Anti-Bullying Policy/Code of Conduct to confirm the aspirations of the boys in the House that year.

There is an International Student Policy, see extract below:

"Merchiston has for many years welcomed overseas pupils wishing to experience British education. Some of these pupils come to the School for only one year; others come to receive their entire secondary education at the School.

In any year, a small number of each year group will be International pupils. Whilst Merchiston does not operate a strict quota system, the School nevertheless aims to maintain a clear balance between UK and International recruitment so that the International pupils can experience a truly British education. In any year, therefore, a small number of

International pupils may be members of each House, although it is recognised that there are likely to be more International pupils in the senior part of the School – especially in the Sixth Form. Our International pupils also come from more than 20 different countries and both they, and UK students, have a wonderful opportunity to broaden their cultural horizons and to make friends with students from all around the world.”

The Reporting Cycle now is:

	What type of report will we receive each term?			How many internal report cards are written each term?			When do the Parent Meetings take place?		
	Aut	Lent	Sum	Aut	Lent	Sum	Aut	Lent	Sum
J4	full	-	full	0	0	0	✓	✓	✓
J5	full	-	full	0	0	0	✓	✓	✓
I	full	-	full	2	1	1	✓	✓	
II	full	-	full	2	1	1		✓	
III	full	-	full	2	1	1		✓	
IV	full	-	full	2	1	1			✓
Shell	full	-	full	2	1	1			✓
V	full	full	sum	2	1	0		✓	
LVI	full	-	full	1	1	1	✓*	✓	
UVI	full	full	sum	1	1	0	✓		

Religious Education

Merchiston Castle School has a Christian heritage and ethos. Other religious faiths are integrated and respected and provision is made for pupils from differing cultures and beliefs. Initially this is done in the classroom where pupils are introduced to what religious belief is all about and are encouraged to develop a greater knowledge and understanding of the six major religions in the world today. In the early stages this is done through a study of festivals, stories, symbols and pilgrimage. This leads on to worship, the home, scriptures, key beliefs, and rites of passage. Pupils from different faiths are encouraged to be actively involved in the class when their religion is being studied.

As the pupils progress through the School a wide range of moral issues is studied from the viewpoints of the world's major religions.

Assemblies

All pupils attend morning assemblies. Topics are varied and often include material from different faiths and cultures.

Rationale

- To offer a framework within which pupils with a religious faith or none can unite both with honesty and integrity.
- To ensure an educational experience of the highest quality, which fulfils statutory requirements.
- To respect the family, cultural or religious backgrounds of all

members of the Merchiston community.

- To promote the School's sense of community, offering experiences which are inclusive – enabling all members of the School to participate.
- To be consistent with the School's aims and philosophy and with the ideals and values pursued by the School.

Improvements to Communication

Pupils

The Senior Deputy Head and Senior Sixth Form Housemaster meet weekly with the Senior Prefects who discuss issues relating to their Houses and individuals while the Deputy Head Pupil Support meets the team of Wellbeing Prefects to ensure the wellbeing agenda is a priority in each House. Wellbeing prefect offer "drop-in" sessions every week in their Houses. There are weekly Housemaster-prefect meetings (minuted) to share key messages and to discuss the needs of individual pupils.

The pupils have House Forums as well as sending representatives to participate in School Forums within the Merchiston community: the School Forum; House Forums; the Food Forum; International Students Forum; Pupil Learning Council (fully led by students); the Sustainability Committee; the Library Committee, the Boarders' Forum Pringle – new September 2016) all minuted and circulated with actions as appropriate. The youngest pupils have their own weekly assembly and circle time to feedback on key areas of interest to them.

We have adopted a "You said, we did" approach to demonstrate improvements brought about through Pupil Voice, further visually reinforced through a traffic-light system. Electronic display screens around the School, a dedicated noticeboard and the school intranet are all used to raise awareness amongst the pupil body of positive changes brought about through pupil voice and a summary of the meeting is presented by the pupil leaders in Whole School assembly.

Annual questionnaires (Wellbeing, House, Academic,) are held for all pupils to feed back on their experiences and the results of these questionnaires help inform the improvement of the quality of care and support, in particular through the Wellbeing Improvement Plans in each House. The School has focused on Wellbeing and this is the basis for House/Year Group meetings who also are briefed by the Child Protection Coordinator to explain how Child Wellbeing and Protection works as well as the rights, roles and responsibilities of all in keeping safe.

There is clear communication of the different people who pupils can go to for support and these key messages are repeated regularly to build confidence in the structures and posters are displayed throughout the School. From January 2016, a range of governors, staff and pupil leaders have been involved in the Learning Walks in Houses programme (structured around the 8 wellbeing indicators) which allows pupils to

comment directly on the quality of care and support they receive and to put forward suggestions for further improvement; this has also provided an opportunity for objective advocacy.

Pupils have also been asked to contribute to surveys (in 2015-16) on the use of sanctions, the Prefect System and the Co-curricular Provision, the last of which led to further development of the whole school House Team structure and a focus on further diversity of the co-curricular programme in the Lent Term.

Pupils contribute to the Review and Development of new Housemasters led by the Senior Deputy Head, alongside the Resident tutor team and Prefects. Pupils are involved in the annual PRD system for teaching staff and Pupil Panels are also an important part of our Staff Recruitment policy and the pupils give written feedback on all candidates who they meet both in formal meetings and when touring the school.

With reference to the Wellbeing Indicators, pupils are asked to self-assess and action points are discussed and agreed with pupils. The responses are no longer anonymous in order to allow thorough follow-up of any concerns raised.

The Housemasters produce the Wellbeing Improvement Plan and compare both individual wellbeing scores and year group trends. Tutors discuss the wellbeing indicators and they form part of the Tutorial Programme in all areas of the school. The School counsellor can be contacted by email by all pupils and the Chaplain offers additional support with a specific expertise in bereavement counselling.

All pupils attend a whole School Assembly and a sectional Assembly each week and this helps pupils to understand whole school issues and to congratulate the achievements of others. PSHE lessons are a platform to discuss a range of social and personal issues and Senior Prefects deliver wellbeing presentations in sectional assemblies in order to give a pupil perspective to issues such as bullying and internet safety.

We have an extensive Induction Programme for pupils and parents which includes appointment of buddies for new entrants involving boys' peers and prefects.

We have regular social gatherings for both pupils and parents, including the Headmaster's Gatherings for all year groups, House barbecues and dinners.

There is continual contact between the Housemasters and the pupils in the House through informal and formal daily House Meetings. Emails between pupils and staff are encouraged and boys are asked to check them regularly.

Each year group has an annual Parents' Meeting for parents, teachers and pupils (S1 and above). Individual meetings are regularly arranged for

parents at their request.

There are also briefings on subject choices, UCAS and ALIS/MiDYIS forecasts. Pupils are asked to complete self-assessments of their progress on a regular basis and their feedback is discussed with tutors who follow them through the sections of the School within our reformed Tutorial System.

There is a Merchiston Careers Newsletter with eight monthly editions, which all V Form and above are encouraged to read for suggestions and information about life beyond school.

The message delivered in Headmaster's Assembly each week is circulated electronically to pupils and staff. The provision of digital screens in Houses (since 2015) has been an excellent innovation and key daily routines as well as displays of the wellbeing messages and House values and social activities are clearly shared.

Staff meet with Upper Sixth Form for coffee on Fridays when there is an opportunity to discuss any aspects of the week in a more informal setting. Breathing Space has been adopted by the Sixth Form Houses, to replace Childline at this level, with posters displayed and reminders given to all pupils about Childline and Breathing Space.

All international pupils arrive for a pre-Autumn Term induction (introduced in September 2014) and this has been further fine-tuned from August 2015 with the International Handbook revised by the pupils. The International Students' Forum is another of the numerous opportunities for pupils to give their opinions about what the School can improve.

A new firewall, installed in Summer 2015, has allowed the School to broaden internet access, in a controlled manner, to facilitate improved communication, especially with overseas parents. Pupil Voice has led to further amendments to the timings and accessibility to social media and streaming services.

Parents

The Parents' Forum meets three times a year, chaired by a governor, and all parents are invited by their year group representatives to contribute agenda items. This forum is also used to consult with parents about new initiatives and policies such as the reformed Tutor System and the Staged Intervention Model (a structure to ensure the promotion of wellbeing for all and to offer the relevant support to each pupil's needs). Each year group has an annual Parents' Meeting for parents, teachers and pupils (S1 and above).

Individual meetings are regularly arranged for parents at their request. Parent Voice has been further strengthened through the Open Forum meetings held for each year group when parents can raise any concern with the School Leadership Team and Housemasters and these points

are noted and action is fed back to all parents in the year group.

Other ways in which we believe we have strengthened Parent Voice is through consistent consultation with parents in any Child's Plan meetings including regular reviews.

We have acted on the views expressed by parents in questionnaire results (most recently Education Scotland in November 2015) and we will be going back to parents in the academic year 2017-18 to analyse improvement and to gauge response to other areas of strength and development.

House dinners and the popular annual Burns' Supper are just a sample of the social activities offered to parents when they can share their experiences with both staff and other parents.

There are many opportunities for informal contact between pupils, staff and parents at school matches, concerts, performances in school.

We invite guardians as well as parents to induction meetings. A weekly bulletin from the Housemaster of Junior Houses promotes efficient communication and all Houses have a Twitter account which is used to give regular messages and update parents on all the activities taking place on a daily basis.

Staff

There is a weekly meeting of the Common Room with the Headmaster, raising issues throughout the School. The Senior Deputy Head and the Deputy Head Pupil Support, accompanied by the Head of Middle Years, hold a weekly meeting with the Catering and Domestic managers when any pupil support issues relating to these areas can be fully explored as well as dealing with the routine matters for these areas of school life.

The Domestic Manager and General Manager attend Housemaster meetings as required.

The Housekeepers meet on a daily basis and any management issues can be raised.

There are daily informal meetings between the Housemasters and their Housekeeper as well as more formal, minuted weekly meetings.

There is a timetabled Housemasters' Meeting twice every 8-day cycle which includes the Senior Medical Sister, The Chaplain and a Pupil representative.

There are also regular meetings between the Senior Deputy Head and the Deputy Head Pupil Support with the Senior Medical Sister and the School Medical Officer to share and review information about individual needs.

All departmental meetings have a standing agenda item covering Child Wellbeing and Protection and the minutes are shared with SLT, ALT and PSLT.

There is regular (often daily) contact with parents by email, telephone and in person, recorded as appropriate. Housemothers are employed in the four most Junior Houses to help improve domestic management and general care.

Notes on pupils are shared with staff through a secure file on the common room server via OneNote. There has been continued development of 3Sys (Information Management System) to ensure that the needs of all individual pupils are understood and all staff understand their responsibility for the active promotion of the wellbeing of each pupil, differentiating lessons and activities to meet individual needs.

Learning Walks in Departments and, from January 2016, Learning Walks in Houses, allow line managers, SLT and governors to monitor the quality of care and support pupils receive and to put forward suggestions for further improvement. The Pupil Support Leadership Team structure has also strengthened the support of House teams with the Delegated Named Person attached to each section of the School.

The School has established a Teaching Staff Forum and a Support Staff Forum where members of staff can raise suggestions for improvement and discuss concerns as well as sharing in the possible solutions. The Teaching Staff Forum has an online area where points can be suggested and explored in advance of the twice termly Forum Meetings. The President of Common Room chairs these sessions and has scheduled feedback meetings with the SLT as well as reporting to the Governors' Education and Pastoral Committee which meets 4 times per academic year.

After School – support offered

Each year, upwards of 80 upstanding young men leave the School and The Merchistonian Club connects them to a community across the globe. The Club is an excellent resource that each Merchistonian can draw upon, providing introductions, job opportunities, networking events and career mentoring. This is added to a social calendar of annual dinners, class reunions and informal drinks gatherings around the world. Former pupils will enjoy support and camaraderie wherever their career takes him.

There are Leavers' Questionnaires carried out by the Merchistonian Club and we also ask leavers to complete the Leavers' Survey run by CEM, University of Durham.

The Club celebrates the passion for sport ignited during the boys' time here through a wide variety of sporting fixtures, both at home and abroad.

	<p>From curling to cricket and fives to fly-fishing (and everything in-between), members can get involved and enjoy the strong levels of competition that they relished at School.</p> <p>The annual Merchistonian Club magazine is filled with personal interest stories, news about former classmates, career stories, contact details and future events. It is the perfect way for former pupils to keep up-to-date with information and current happenings at the School and around the Merchistonian network and compliments a weekly electronic newsletter, Twitter, Facebook and LinkedIn posts.</p>
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1.8 Staff Background

(a) Organisation

Past

i.	How many people were employed by the organisation who had some responsibility for residential care services for children?			
	<p>In the following figures, we have included all teaching staff as this body participates in the residential care services of children at the establishment to some extent. From 1930 until 1983, we do not hold detailed records of the domestic and catering support staff, some of whom had some responsibility for residential care services.</p>			
	YEA R	TOTAL TEACHIN G	TOTAL MEDICAL	Total
	1930	23	2	25
	1931	24	2	26
	1932	22	2	24
	1933	20	2	22
	1934	20	2	22
	1935	25	2	27
	1936	19	2	21
	1937	18	2	20
	1938	19	3	22
	1939	18	2	20
	1940	18	2	20
	1941	21	3	24
	1942	19	3	22
	1943	22	3	25
	1944	21	3	24
	1945	25	3	28
	1946	22	3	25
	1947	23	3	26

1948	21	4	25
1949	21	3	24
1950	23	3	26
1951	20	3	23
1952	21	3	24
1953	21	3	24
1954	24	3	27
1955	23	3	26
1956	21	3	24
1957	21	3	24
1958	22	3	25
1959	25	3	28
1960	23	3	26
1961	23	3	26
1962	24	3	27
1963	25	3	28
1964	24	3	27
1965	27	3	30
1966	27	3	30
1967	26	3	29
1968	28	3	31
1969	30	3	33
1970	32	4	36
1971	31	3	34
1972	31	3	34
1973	32	3	35
1974	36	3	39
1975	35	3	38
1976	40	3	43
1977	38	3	41
1978	37	3	40
1979	42	3	45
1980	41	4	45
1981	40	3	43
1982	43	4	47
1983	43	3	46
1984	46	3	49
1985	47	3	50
1986	48	3	51
1987	53	4	57
1988	51	3	54
1989	55	7	62
1990	53	4	57
1991	54	4	58
1992	53	4	57

1993	49	5	54
1994	50	5	55
1995	50	5	55
1996	51	5	56
1997	55	5	60
1998	56	5	61
1999	53	5	58
2000	53	5	58
2001	53	5	58
2002	57	5	62
2003	56	5	61
2004	54	4	58
2005	58	4	62
2006	63	6	69
2007	66	4	70

The School Register has details of all teaching staff up to 2007-08 and we have included details of these numbers.

Other members of the domestic, catering, housemothers and medical staff had some responsibility for residential care but we have limited details of the number of these staff employed until 2008 when a more detailed record is available, please see the table below.

	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Teachers	76	70	72	71	70	71	77	76
Catering and Domestic	63	70	68	68	76	70	69	64
Medical	4	4	4	4	4	4	4	4
Housemothers	2	2	2	2	2	2	2	2
Total	145	148	144	145	152	147	162	156

From the audited accounts in 2014 there were 77 teaching staff and 4 medical staff. The catering and domestic staff (69) had by this time reverted to being direct employees of the school. We have not included administrative staff as they did not have direct responsibility for residential care.

ii. How many people were employed by the organisation at any one time who had some responsibility for residential care services for children?

Please see previous answer.

All teachers have always had some responsibility for the pastoral care of the pupils including the boarding students.

In addition, various support staff e.g. medical staff, housemothers,

	catering and domestic staff have had some responsibility.
iii.	What experience/qualifications did such staff have?
	<p>This will have varied depending on the type of job. The vast majority of teachers have been university-educated and many have also achieved a teaching qualification (although this has never been a legal requirement).</p> <p>From 01 April 2010, staff not eligible for GTC Scotland or GTC Wales, have had to register with SSSC. Staff are also subject to disclosure checks in accordance with the terms of the Protection of Vulnerable Groups (Scotland) Act 2007.</p>
iv.	If the organisation is a religious order, how many members of the order had a responsibility for residential care services for children provided by the organisation in Scotland?
	The organisation is not a religious order.
v.	What experience/qualifications did such members have, to equip them to discharge their responsibilities?
	The organisation is not a religious order.

Present

vi.	With reference to the present position, are the answers to any of the above questions different?
	Yes.
vii.	If so, please give details.
	<ul style="list-style-type: none"> • There are currently 76 teaching staff employed at the School. • There are currently 53 administration and support staff employed at the School. • There are currently 70 catering and domestic staff employed by the School. <p>The pastoral/pupil support element is overseen by the Headmaster in conjunction with the Pupil Support Leadership Team. This team, made up of the Deputy Head Pupil Support, Senior Deputy Head and two Assistant Heads Pupil Support, provides support and guidance to pupils and to the Housemasters.</p> <p>Each boarding house has a dedicated and resident Housemaster. In addition, there is at least two other members of staff resident within</p>

	<p>the Boarding house except for one Boarding House which has an additional member of staff living close by. These are full-time members of the teaching staff and can be male or female.</p> <p>Each boarding house also has a number of tutors allocated who help with evening and weekend duties. These are full-time members of the teaching staff and can be male or female.</p> <p>All of the Boarding Houses (except the VIth form) also have a Housemother (member of the support staff) attached as well as a housekeeper (member of the domestic staff). Both of these staff are female.</p> <p>All staff that are recruited into these positions will need to have the necessary qualifications in line with the requirements of the General Teaching Council of Scotland or those of SSSC. If the qualifications are not already in place, then such staff will need to secure the necessary qualifications within the timescale stipulated by the relevant professional body. All staff currently employed at the School have/are working towards the requisite qualifications, including necessary disclosures under the Protection of Vulnerable Groups (Scotland) Act 2007.</p> <p>Regular, detailed Child Protection training is provided to all staff working in the School but additional training has been provided for those staff working in the boarding houses.</p>
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(b) Establishment

Past

i.	<p>How many persons were employed in some capacity at the establishment?</p>				
	<p>The total staff numbers from 1930 until 1984 include an estimate of the other staff employed (Administrative, Grounds, Maintenance, Domestic and Catering) as detailed records of individual roles, other than teaching and medical roles, are not held until 2008.</p> <p>The increase in total staffing between 1984 and 2008 is due to more accurate recording of the catering and domestic staff as well as an expansion in the School's overall staffing provision.</p> <p>From 2008 until the present there has been an increase in teaching staff and administrative support which largely accounts for the overall increase in totals.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 50%;">YEAR</th> <th style="width: 50%;">TOTAL STAFF</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	YEAR	TOTAL STAFF		
YEAR	TOTAL STAFF				

1930	45
1931	46
1932	44
1933	42
1934	42
1935	47
1936	41
1937	40
1938	42
1939	40
1940	40
1941	44
1942	42
1943	45
1944	44
1945	48
1946	45
1947	46
1948	45
1949	44
1950	46
1951	43
1952	44
1953	44
1954	47
1955	46
1956	44
1957	44
1958	45
1959	48
1960	51
1961	51
1962	52
1963	53
1964	52
1965	55
1966	55
1967	54
1968	56
1969	58
1970	71
1971	69
1972	69
YEAR	TOTAL STAFF
1973	70

	1974	74	
	1975	73	
	1976	78	
	1977	76	
	1978	75	
	1979	80	
	1980	85	
	1981	83	
	1982	87	
	1983	86	
	1984	109	
	1985	110	
	1986	111	
	1987	117	
	1988	114	
	1989	122	
	1990	127	
	1991	128	
	1992	127	
	1993	124	
	1994	125	
	1995	125	
	1996	126	
	1997	130	
	1998	131	
	1999	128	
	2000	138	
	2001	138	
	2002	142	
	2003	141	
	2004	138	
	2005	142	
	2006	149	
	2007	150	
	2008	170	
	2009	173	
	2010	169	
	2011	170	
	2012	177	
	2013	172	
	2014	187	
ii.	How many of those persons had the opportunity of unaccompanied access to a child, or children, cared for at the establishment?		

	All staff may have had the opportunity of unaccompanied access although remits and responsibilities have been increasingly well defined.																																																									
iii.	How many were involved in the provision of care to children accommodated at the establishment (child care workers)?																																																									
	All teachers have always had some responsibility for the pastoral care of the pupils including boarding. In addition, various support staff e.g. medical staff and housemothers had some responsibility for the care of children.																																																									
iv.	What experience and/or qualifications, if any, did the child care workers require to have?																																																									
	From the required date, 30 November 2013, all staff with this responsibility were required to register with SSSC or with GTCS, GTC Wales or any other professional bodies with a reciprocal arrangement with SSSC. Staff also require the necessary disclosures in accordance with the Protection of Vulnerable Groups (Scotland) Act 2007.																																																									
v.	What was the child care worker/child numbers ratio?																																																									
	From 1930 until 2007, the ratios below have been calculated on the basis of teacher and medical staff employed and the number of boarding pupils. From 2008, there is a more detailed record of those involved in residential care and the ratios reflect that.																																																									
	<table border="1"> <thead> <tr> <th>YEAR</th> <th>STAFF</th> <th>BOARDERS</th> </tr> </thead> <tbody> <tr><td>1930</td><td>1:</td><td>9</td></tr> <tr><td>1931</td><td>1:</td><td>9</td></tr> <tr><td>1932</td><td>1:</td><td>9</td></tr> <tr><td>1933</td><td>1:</td><td>10</td></tr> <tr><td>1934</td><td>1:</td><td>10</td></tr> <tr><td>1935</td><td>1:</td><td>8</td></tr> <tr><td>1936</td><td>1:</td><td>9</td></tr> <tr><td>1937</td><td>1:</td><td>9</td></tr> <tr><td>1938</td><td>1:</td><td>9</td></tr> <tr><td>1939</td><td>1:</td><td>9</td></tr> <tr><td>1940</td><td>1:</td><td>8</td></tr> <tr><td>1941</td><td>1:</td><td>6</td></tr> <tr><td>1942</td><td>1:</td><td>8</td></tr> <tr><td>1943</td><td>1:</td><td>9</td></tr> <tr><td>1944</td><td>1:</td><td>10</td></tr> <tr><td>1945</td><td>1:</td><td>8</td></tr> <tr><td>1946</td><td>1:</td><td>10</td></tr> <tr><td>1947</td><td>1:</td><td>10</td></tr> </tbody> </table>	YEAR	STAFF	BOARDERS	1930	1:	9	1931	1:	9	1932	1:	9	1933	1:	10	1934	1:	10	1935	1:	8	1936	1:	9	1937	1:	9	1938	1:	9	1939	1:	9	1940	1:	8	1941	1:	6	1942	1:	8	1943	1:	9	1944	1:	10	1945	1:	8	1946	1:	10	1947	1:	10
YEAR	STAFF	BOARDERS																																																								
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1946	1:	10																																																								
1947	1:	10																																																								

1948	1:	10
1949	1:	11
1950	1:	11
1951	1:	12
1952	1:	12
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1954	1:	11
1955	1:	12
1956	1:	13
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1968	1:	11
1969	1:	11
1970	1:	10
1971	1:	11
1972	1:	11
1973	1:	10
1974	1:	9
1975	1:	9
1976	1:	8
1977	1:	9
1978	1:	9
1979	1:	8
1980	1:	7
1981	1:	6
1982	1:	6
1983	1:	6
1984	1:	6
1985	1:	6
1986	1:	6
1987	1:	5
1988	1:	6
1989	1:	5
1990	1:	5
1991	1:	5
1992	1:	5

	1993	1:	5	
	1994	1:	5	
	1995	1:	5	
	1996	1:	5	
	1997	1:	4	
	1998	1:	4	
	1999	1:	5	
	2000	1:	5	
	2001	1:	5	
	2002	1:	4	
	2003	1:	4	
	2004	1:	5	
	2005	1:	5	
	2006	1:	4	
	2007	1:	4	
	2008	1:	2	
	2009	1:	2	
	2010	1:	2	
	2011	1:	2	
	2012	1:	2	
	2013	1:	2	
	2014	1:	2	
vi.	What was the gender balance of the child care workers?			
	<p>The majority of teaching staff have historically been male. In 1974 there were no female teachers. In 1993 there were 17% female teachers and in 2008 30%.</p> <p>There were females, however, amongst the staff including the Headmaster's Wife, Housemothers, Matrons, Catering staff and Domestic staff.</p> <p>There has been a deliberate policy to increase the number of female teaching staff with a rise to 40% by 2017 and also an increase in female staff in promoted positions. E.g. the first female Housemaster was appointed in 2011 and the second in 2013.</p>			
vii.	Was any attempt made to employ child care workers in looking after children of the same sex as those workers?			
	<p>We are not aware of any such policy, but male teaching staff would have been more likely to apply to work at a boys' school where the delivery of sports more typically played by boys (e.g. rugby and cricket) has been a part of the expectations on a teacher for many years.</p> <p>The role of housemothers has always been fulfilled by a female.</p>			

	The first female Housemaster was appointed in August 2011 and the second in August 2013.
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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.
	<p>As per 1.8(a) vii:</p> <ul style="list-style-type: none"> • There are currently 76 teaching staff employed at the School. • There are currently 53 administration and support staff employed at the School. • There are currently 70 catering and domestic staff employed by the School. <p>The pastoral/pupil support element is overseen by the Headmaster in conjunction with the Pupil Support Leadership Team. This team is made up of the Deputy Head Pupil Support, Senior Deputy Head and two Assistant Heads Pupil Support which provides support and guidance to pupils and to the Housemasters.</p> <p>Each boarding house has a dedicated and resident Housemaster. In addition, there is at least two other members of staff resident within the Boarding house except for one Boarding House which has an additional member of staff living close by. These are full-time members of the teaching staff and can be male or female.</p> <p>Each boarding house also has a number of tutors allocated who help with evening and weekend duties. These are full-time members of the teaching staff and can be male or female.</p> <p>All of the Boarding Houses (except the VIth form) also have a Housemother (member of the support staff) attached as well as a housekeeper (member of the domestic staff). Both of these staff are female.</p> <p>All staff are required to go through the necessary disclosure procedures in accordance with the Protection of Vulnerable Groups (Scotland) Act 2007. All staff that are recruited into these positions will need to have the necessary qualifications in line with the requirements of the General Teaching Council of Scotland or those of SSSC. If the qualifications are not already in place, then such staff will need to secure the necessary</p>

	<p>qualifications within the timescale stipulated by the relevant professional body. All staff currently employed at the School have/are working towards the requisite qualifications.</p> <p>Regular, detailed Child Protection training is provided to all staff working in the School, but additional training has been provided for those staff working in the boarding houses.</p> <p>Female Assistant Head (Pupil Support) appointed for August 2016. Female Deputy Head (Pupil Support) appointed for August 2017.</p>
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2. Organisational Structure and Oversight

2.1 Governance

Past

i.	What were the governance arrangements within the organisation?
	<p>As detailed in the 1927 M&AAs, 'the affairs of the school shall be managed by the Governing Body, consisting of the Governors, elected or nominated under these articles"</p> <p>The 2009 M&AAs state:</p> <p>'Subject to the provisions of the Companies Acts, the Charities Acts, the Articles and to any directions given by special resolution, the business of the Company shall be managed and administered by the Board of Governors which may exercise all the powers of the Company and in particular</p> <ul style="list-style-type: none"> • no alteration of the Articles and no such direction shall invalidate any prior act of the Board of Governors which would have been valid if that alteration had not been made or that direction had not been given; and • a duly convened meeting of Board of Governors at which a quorum is present may exercise all powers exercisable by the Board of Governors <p>As detailed in the Audited accounts of 2006, the full Board of Governors meets four times during the year. Certain of the business is delegated to the following sub-committees:</p> <ul style="list-style-type: none"> • Finance and General Purposes (5 meetings during the year) • Education & Pastoral (3 meetings per year) • Health & Safety and Accessibility (3 meetings per year) • Development (ad hoc) • Nominations (ad hoc) • Risk Management (at least one meeting per year, but discussed annually in other sub-committees) <p>In addition, Strategy meetings are held on an ad hoc basis.</p> <p>The Governors also had the ability to instruct Governors or external parties to undertake reviews of any areas of the School. Such reviews took place in 2013 and 2014 into:</p> <ul style="list-style-type: none"> • To determine whether the School has, in any sense, fallen short in terms of its duty of care to the boys in its charge • To record lessons to be learnt from the tragic sequence of events (suicide of a staff member) • To review the School's handling of other Child Protection issues since 1998

	<ul style="list-style-type: none"> To recommend any changes to current procedures or policies which should be implemented in light of these reviews.
ii.	<p>How were the members of the governing body selected?</p> <p>In 1927 the 'number of Governors shall be such as may from time to time be determined by the members of the Ordinary General Meeting of the School. A majority of the Governors (hereinafter called the 'Elected Governors') shall always be elected by members from among the members of the School, and the remainder (hereinafter call the 'Nominated Governors') shall be nominated by the following Public Bodies, or such of them as shall consent to nominate, viz. :-</p> <ol style="list-style-type: none"> The University Court of the University of Edinburgh. The University Court of the University of Glasgow. The Faculty of Advocates. The Society of Writers to His Majesty's Signet. The Royal College of Surgeons, Edinburgh. <p>Each of these Public Bodies shall nominate one Governor. Until otherwise determined by the members, the Governors shall be eleven in number consisting of six Elected Governors and five Nominated Governors.'</p> <p>However, over time it proved difficult to fill the above nominated posts so the M&AAs were changed in 2009 to the following:</p> <ul style="list-style-type: none"> "The Board of Governors shall be composed of not less than five and not more than eighteen competent persons appointed by the Members at the AGM. At least one-third of the Governors for the time being shall be former Pupils and members of the Merchistonian Club The Board of Governors may appoint any person as it in its discretion considers suitable to be a Governor to fill a casual vacancy Every person wishing to become a Governor may be required to sign a declaration of acceptance and of willingness to act as a Governor, and also consent to become a Member, in the form prescribed by the Board of Governors from time to time, and shall make disclosures for the purposes of all safeguarding checks and registrations that may be required by law for governors, from time to time. Each new Governor shall become entitled to the rights of being a Governor, including, but not limited to, the right to such information and advice with regard to the activities of the Company as the Board of Governors may lawfully and reasonably require to be furnished to it."
iii.	<p>What qualifications and/or training, if any, did the members require to have in relation to the provision of residential care services for</p>

	<p>children?</p> <p>The 2006 audited accounts state:</p> <p>'The Governors are identified and chosen by the Nomination Committee and are proposed to the full Governors' meeting. Candidates are selected based on eligibility, personal competence and professional skills which can benefit the Company as well as local availability.</p> <p>Governors are encouraged to attend training sessions organized for the education sector. During the year, Governors attended meetings organized by the Scottish Council of Independent Schools and the Association of Governing Bodies of Independent Schools'</p> <p>The 2009 M&AAs highlights reasons why a Governor cannot hold office which include:</p> <ol style="list-style-type: none"> 1 he has been adjudged bankrupt or sequestration of his estate has been awarded and (in either case) he has not been discharged or the bankruptcy order has not been annulled or rescinded; 2 he has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it; 3 he is subject to a disqualification order under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a county court administration order); 4 he fails to declare the nature of any direct or indirect Interest in Company business as required by the Companies Acts or these Articles and the Board of Governors resolve that his office be vacated; 5 he is disqualified from acting as a director or charity trustee by any provision of the Companies Acts; 6 he is disqualified from acting as a trustee under the provisions of section 69 of the Charities Acts; 7 at any time, his name is included in any list of persons considered to be unsuitable to have access to children, young persons or vulnerable adults and the Board of Governors resolve that his office be vacated; <p>Audited accounts are available as far back as 1972 but the level of detail as quoted above only appeared in this document from 2006 onwards.</p>
iv.	Did the members receive remuneration?
	No.
v.	What was the nature of the accountability and oversight regime between the organisation's governing body and the establishment?

	<p>During committee meetings as detailed in 2.1 (i) above, the School reports back to the Governing body or Committee.</p> <p>In addition, as taken from the 2006 audited accounts:</p> <p>'The Headmaster is appointed by the Governors to manage the day to day operations of the School. In order to facilitate effective operations, the Headmaster and the Secretary/Bursar have delegated authority within terms approved by the Governors for operational matters including educational, finance and employment matters.'</p> <p>We only have this information documented from 2006, but based on the experiences of the current and former Headmaster we can confirm this was the position during their tenures (1980 – present).</p>
vi.	What visits were made by the governing body to the establishment?
	For regular committee meetings as well as attendance at school events. From 2007, The CPLG has visited the School at least once per term.
vii.	What was the purpose of such visits?
	<p>Committee Meetings - to undertake school business</p> <p>Attendance at school events – to meet pupils, parents and staff and to support the pupils and staff at regular events.</p> <p>The CPLG visited to scrutinise Child Protection records and to draw up a termly report with the Child Protection team which she later presented to the Governing Body.</p>
viii.	How frequently did these happen?
	<p>Both Committee Meetings and school events were held on a regular basis. During the tenure of the current Headmaster there have been 4 Board meetings per year, 5 meetings of the Finance & General Purposes Committee and 3 or 4 meetings of the Education and Pastoral Committee.</p> <p>Key events for Governors during this time would have been start of year gathering, Christmas Carol Service, Remembrance Day Service, Commemoration Service and Prize Giving. Attendance at music concerts, drama productions and sporting fixtures was also encouraged.</p>
ix.	Were children interviewed, or spoken to, by members of the governing body during such visits?
	There are no records of this happening but based on the more recent experiences that are known then Governors would have spoken to pupils but not interviewed them. This would have been during their

	visits to the School.
x.	If so, were establishment staff present while children were interviewed or spoken to?
	We are not aware of any interviews taking place. We would not expect the conversations with pupils to have required school staff to be present although they would have happened at school events with others present.
xi.	Were reports of such visits made and discussed by the governing body?
	All Committee Meetings were minuted. Key school events were recorded and governors may have discussed these events in a more informal way during Committee meetings.
xii.	Did visits result in changes to the organisation's policy, procedure and/or practice? If so, please give examples.
	There is no direct evidence of changes as a result of this.

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.
	<ul style="list-style-type: none"> • Representatives of the pupil body now meet Governors within the termly Education and Pastoral Committee meeting and are asked for their views and opinions. • Similarly, there is pupil representation on the Health & Safety Committee which although chaired by the School is attended by a Governor. • Governor training now takes place during Board meetings specifically in the area of Child Protection. • A new Child Protection and Compliance Committee was set up in 2016 with a specific remit to provide assurance to Governors that processes are in place to ensure the safety and wellbeing of all pupils at Merchiston. The CPLG presents the termly review of Child Protection issues, drawn up with the Child Protection team, to this new Committee

	<p>for close scrutiny in advance of presentation to the full Board for discussion.</p> <ul style="list-style-type: none"> • Board level decisions on Child Protection issues must now be ratified by the Child Protection Liaison Governor. • An existing Governor was appointed as the Assistant Child Liaison Governor in 2015. • Child Protection is now a much more prominent item during Board meetings. • An independent review, carried out by WithScotland was also commissioned by the Governors in 2015 to identify how the School's safeguarding policies and procedures and internal disciplinary procedures are implemented by staff and consider any barriers that prevent those procedures being followed appropriately at the School. This was in response to conditions imposed by the Registrar of Independent Schools in November 2015. Staff have been reminded of the role of Governors in challenging the School Leadership Team. • The new Chairman and other Governors have been raising their profiles amongst staff. • Since 2015 we have also updated the Care Inspectorate with details of any changes to the Governing Body including any Governor appointed to a 'significant role' being separately PVGed. • Governors involved in 'Learning Walks' of Boarding House since February 2016 • Staff reminded of the role of the Whistleblowing Governor and how to make contact in confidence. Reminders were given again in 2016 with the appointment of a change of governor holding this role following a retirement.
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2.2 Culture

Past

i.	What was the nature of the culture within the organisation?
	<p>The culture of the School has changed between 1930 and 2014. There are some consistent cultural features which have endured. There has always been a focus on standards of courtesy and behaviour, with high expectations of the pupils, both in and out of the classroom. The staff has been dedicated and hard-working, with increasing emphasis on positive relationships between staff and pupils, a strong corporate community spirit, evident from its foundation. The culture of the organization reflected the mores of society, so corporal punishment was part of the school rules until its abolition in 1987.</p> <p>The unusual horizontal house system made inter-house rivalry out of the question and helped to mitigate the possibility of bullying of younger by older boys. However, the School has always been as vigilant as possible with regard to peer/peer bullying in our horizontal house system. A</p>

	<p>developing positive change has been the move from a male orientated and dominated school, to a school in the mid-1980s, more in tune with the home, with a focus on appointment of female staff, married housemasters, closer contact with parents and closer supervision and care of pupils.</p> <p>Hand-in-hand with this has been the increasingly caring, rather than authoritative role, of prefects.</p> <p>Team sport, as a way of developing character, has also been a constant. From 1930 there is clear evidence of a diverse range of non-sporting activities including Arts and Crafts, Photography and Debating. There has been an increasing diversity of opportunities through clubs and societies.</p>
ii.	<p>Was that culture reflected in the organisation's policies, procedures and/or practice in relation the provision of residential care services for children?</p>
	<p>The evidence base, in terms of surviving formal policies, prior to 1994 is slim. From 1994 there is an increasingly rich source of evidence of the close alignment of culture, ethos with policies and procedures. Aspects of culture such as corporal punishment, alien in modern culture, were nevertheless part of the organisation's policies and procedures. The evidence for this comes from the School's Register which records the imposition of this punishment by both staff and prefect as well as from a copy of the School Rules from 1958.</p>
iii.	<p>How can that be demonstrated?</p>
	<p>Prior to 1984, the key evidence of policy, procedure and practice in relation to the provision of residential care services for children, is the School's "Register". Before the School moved to its present site in 1930, one former pupil recorded that "the life of the average Merchiston boy was divided into work and non-work, the latter covering very little else than Officer Training Corps, cricket and ruggar."</p> <p>The culture changed to some degree with the move to the new School at Colinton, with a greater variety of activity, from arts and crafts, photography to fencing.</p> <p>Headmaster Evans actively encouraged the boarders to express their individuality in ways other than games, with a focus on drama and music and this helped develop the culture of the school, evidenced in the Scottish Education Department's Report of 1949, which noted "a wide variety of clubs, in the organisation of which the boys play a dominant part." There were more school clubs than ever before through the 1960s, with increasing opportunities to socialise with girls' schools. This increasing diversity has certainly continued through to 2014, allowing much greater individual choice and identity.</p> <p>A prefectorial system was established well before 1930 and the senior</p>

pupils, have always had a strong influence on the culture of the School. School rules and regulations allowed prefects and staff to use Corporal punishment. The rulebook from 1958 stated that "corporal punishment may be administered only after the Headmaster's sanction has been obtained: it may be administered by prefects only in the presence of the Captain of the School." A key change in culture came about in 1974 with the ending of corporal punishment by prefects. Corporal punishment was restricted to Masters ("and very little by them") but it was only in 1987 that Headmaster Spawforth abolished corporal punishment, leading to further culture change.

The Register also records the change in culture of male dominated regime and it was the arrival of Headmaster Spawforth who brought about significant cultural change. Headmaster Evans (1936–57) was the first to focus on developing a family atmosphere in the school, aided by his wife. Another dominant female figure was Miss Thom, the school matron, who retired in 1974.

The major change in culture came with Headmaster Spawforth again supported by his wife. They believed passionately in improving the boarding experience and in making Merchiston a home from home, getting to know pupils and staff individually. In 1981 there were three bachelor housemasters out of five houses, as family flats were developed in the 1980s, with a focus on the appointment of married housemasters another key change in culture. This can be demonstrated through the Her Majesty's Inspectorate of Education Report in 1984, which noted the excellent relations between staff and pupils. Headmaster Spawforth also instituted a culture change in the school's relationships with the parents and families of pupils. He introduced annual parents' meetings for all parents, the posting of calendars to parents every term, and pupil report cards that included more than just academic performance.

The focus on people and relationships has remained a top priority of the current headmaster and his wife, who also have a personal knowledge of all pupils and staff and have further developed support and family atmosphere with the further provision of Assistant Housemaster married accommodation within boarding houses. In August 2011, the first female Housemaster was appointed and a second female Housemaster followed in 2013.

There was a 12 year gap before the School underwent its next inspection of the care and welfare of residential pupils in 1996 and detailed preparatory documentation shows the School had covered all the expected areas of policy and procedure at that time, following the Children (Scotland) Act 1995. The Report noted the school "good quality care and appropriate experiences for residential pupils, as well as a good range of policies were in place, including guidelines on the welfare and protection of pupils."

In 1998-99, the current Headmaster undertook an audit of provision across the whole school and the resulting school development plan

identified areas of care and welfare requiring priority action. The school since 1998 has developed and enhanced the range of policies and procedures related to children's care and welfare and at regular intervals over the period 2000 to 2014 the school has had endorsement of the suitability of these procedures through inspection from HMIE in 2000 arrangements of care and welfare in the School were "good" and the Headmaster's leadership skills were "very good" in 2003 (boarders felt safe and well supported by the school). An integrated HMIE and Care Commission inspection in 2005 noted the "positive climate and welcoming environment where pupils felt well cared for and secure" as well as noting that, "staff had received child protection training". In 2007, the Care Inspectorate noted "comprehensive child protection policy informed by relevant legislation" and the "positive, supportive role of prefects was consistently raised by pupils and staff" following an unannounced inspection in March 2007 and an announced inspection in November 2007.

An announced inspection by the Care Commission in March 2008 awarded the School the following grades:

Quality of care and support – 6 excellent
 Quality of environment – 5 very good
 Quality of staffing – 5 excellent
 Management and leadership – 6 excellent
 And noted, "comprehensive child protection policy and associated procedures".

An announced Inspection in October 2008 by the Care Commission awarded:

Quality of care and support – 6 excellent
 Quality of environment – 5 very good
 Quality of staffing – 6 excellent
 Management and leadership – 6 excellent
 And noted, "the School had a comprehensive Child Protection Policy and associated procedures."

An unannounced inspection in March 2009 recorded:

Quality of care and support – 6 excellent
 Quality of environment – 5 very good

An announced inspection in June 2010 gave the school excellent for both care and support and the environment.

An unannounced inspection in May 2011 commented on the "outstanding boarding experience of pupils" and awarded very good (grade 5) for quality of care and support and staffing.

A QUIPE inspection by HMIE in September 2011 noted, "very well developed and detailed approaches to ensuring the health and well-being of each and every student" and 100% of the boys felt safe.

	<p>An unannounced Care Inspection in December 2011 recorded very good for quality care and support and staffing, noting the "first rate boarding experience" and an unannounced Care Inspection in October 2012 recorded excellent, grade 6 in four categories:</p> <p>Quality of care and support Quality of the environment Quality of staffing Quality of management and leadership</p> <p>Noting, "the quality of pastoral care is exceptional" and that, "the staff teams are led in an ideal way by the Schools' School Leadership Team".</p> <p>An unannounced Care Inspection in September 2013 once again recorded excellence in all four areas, noting, "outstanding pastoral care and support for pupils by staff and by senior pupils".</p> <p>Finally, a joint Education Scotland and Care Inspectorate inspection in October 2014, whilst not specifying a grade, reported that "young people feel safe and cared for in School" and also recommended ways for the School further to develop its Child Protection and HR systems. It also required that "the service provider must demonstrate to the Care Inspectorate that all decisions made in the course of the business for which it is registered, are made in accordance with its safeguarding policies and procedures." The May 2015 Care Inspectorate inspection report documents the satisfactory measures taken to meet this requirement within the stipulated timescales. "The service has changed and updated its arrangements for meetings of the Board of Governors to ensure that Child Protection and safeguarding received a higher priority and that all members attended for discussions. There had also been changes to the attendance at Board meetings of the members of the School Leadership Team with responsibility for Child Protection. Arrangements for safeguarding and any discussions involving the care and wellbeing of pupils had been reviewed and continued to be monitored."</p> <p>In addition to detailed reports following the above inspections, Education Scotland has provided confidential and detailed Records of Inspection Findings (RIF) which have further informed the School's improvements in developing a positive culture of self-reflection and measurement of impact.</p> <p>The 17 inspections between 1996 -2014 demonstrate the culture reflected in the organisation's policies, procedures and practice in relation to the provision of residential services for children. During this period the school has also produced annually reviewed staff handbooks and guidelines and policies for pupils and parents.</p>
iv.	Did the running of establishments reflect the organisation's culture, policies and procedures?
	For the most part – yes. However, there have been occasions where culture in some areas of the school did not follow established policies and

	procedures, as discussed below.
v.	If not, please provide a representative range of examples and explain, by reference to those examples, why particular establishments were not, in material ways, run in accordance with the organisation's then culture, policies and procedures and what, if anything, was done to change that state of affairs?
	<p>We have selected 5 examples where aspects of the establishment were not run in full accordance with the School's culture, policies and procedures.</p> <ol style="list-style-type: none"> 1. There is evidence that one of the Houses was not consistently run in accordance with the culture, policies and procedure of the rest of the School. Change of leadership led to a more consistent culture, in line with whole school policies and procedures. The reason behind this inappropriate culture in this House was an apparently high degree of autonomy and trust enjoyed by the Housemaster. 2. Another example where practice did not consistently match policies and procedure dates back to 1997, when a pupil had his clothing removed by his peers as a prank. This, in turn, revealed a hidden culture within the pupil body of carrying out unacceptable birthday pranks and the new Headmaster, who arrived in September 1998 took immediate steps to eradicate that tradition and to ensure that any bullying culture was addressed in order to align with School policy and practice. 3. In 2006 there was a fight on the School playing fields, seen by pupils, filmed and posted on social media. The School was concerned that pupils did not seek the help and support of staff and did not pass on their concerns at the appropriate time. The police were involved, which stressed the seriousness of the situation to all concerned and all parents were informed. 4. Another example where practice in one part of the School ran contrary to School culture was on some School camping trips, where pupils were allowed to swim naked at camp. The action taken was to improve the staffing of these trips, to ensure compliance with established guidelines. 5. The School was made aware of culture running contrary to School policy at an externally run activity centre, despite explicit reassurances about Child Protection arrangements and, in particular, privacy surrounding showering arrangements. As a result of this incident, the School ceased to use that activity centre and another organisation run by the same firm, where one of our pupils had been permitted to take part in an activity unclothed, as part of a dare. This also led to a review of policy and procedure for trips and further training of staff in

April 2014, using an external expert.

From September 2013, the School took the following action to change and improve the policies and procedures surrounding School Trips:

A member of the School Leadership Team (SLT) has attended the following SCIS Courses:

7 November 2013 Preparing for Residential School Trips at Home and Abroad School Trip Co-ordinators
15 January 2014 Safeguarding Pupils in School Trips

A summary of the 'Going Out There' - Scottish Framework for Safe Practice in Off-site Visits (June 2013) (<http://www.goingoutthere.co.uk/>) was drafted by the Deputy Head Co-Curricular and presented to the School Leadership Team. An update of our existing policy was made.

Inclusion of a new Hosting and Exchanges Policy was added.

Inclusion of the new International Visits Pro-forma was added.

The Deputy Head Co-Curricular conducted short thirty minute workshops for staff to give an overview of:

- Current procedures
- Visit Leader's Responsibilities
- Dynamic Risk Assessments
- Exchanges and Hosting Policy
- Overseas Trips
- Consent for Residential and Adventure Activities
- Child Protection training led by external Child Protection consultant Dr Susan Hamilton

Fifty-four staff attended the workshops on the following dates:

- Wednesday 5 March 2-2.30pm
- Thursday 6 March 4.30-5pm
- Thursday 13 March 4.30-5pm
- Wednesday 19 March 1.30-2pm & 3.30-4pm
- Each member of staff left with a copy of the EV Update, March 2014 document.

On Tuesday 22 April, Dr Susan Hamilton delivered a Staff Training Session on Planning and Managing Off-Site Learning. Seventy-two members of staff attended this training session and the following areas were addressed:

- Going Out There
- Planning Trips
- Codes of Conduct

	<ul style="list-style-type: none"> • Risk Assessment • School Exchange and Hosting • Child Protection • Case Studies and Answers <p>An online consent process was set up in September 2014 for parents to consent to Routine and Expected Educational visits involving their son.</p> <p>Insurance policies are now circulated to parents and specific reference is made to home to home cover for overseas trips.</p> <p>Contact details for the Deputy Head Co-curricular, the Child Protection Co-ordinator and the Deputy Child Protection Officer were added to the top right of the Educational Visits form. It was decided that the CPC will sign-off all the residential visits from April 2015.</p> <p>Specific Mobile Phone Policies are applied to each residential trip to cater for the age and stage of pupils and on a trip where there are a range of age groups, there are set rules for different year groups.</p> <p>An excellent culture has been developed by which the trip leader contacts the School Based Contact and communication of the trip progress is made via the School Twitter account.</p>
vi.	When and why did any changes in the culture of the organisation come about?
	<p>As previously detailed in section iii, these changes in culture were mostly driven by successive Headmasters, sometimes in response to changes in National Legislation and at other times in a drive to modernise the School.</p> <p>Examples of key changes include:</p> <ul style="list-style-type: none"> • 1974: abolition of corporal punishment by prefects. • 1987: abolition of corporal punishment by staff. • 1980s: development of married family accommodation within boarding houses. • 1999: formalised policies and procedures for pupils, parents and staff, to ensure compliance with new legislation and best practice.
vii.	Were any changes in culture driven by internal influences, incidents, experiences or events within the organisation, or any of the establishments run by the organisation?
	<p>The experience of Mr Spawforth at Wellington College, which had undergone what the former Headmaster of Westminster School, John Rae, described as 'the Public School Revolution', led to the creation of married accommodation within boarding houses; the appointment of more married Housemasters and the appointment of more female staff.</p>

viii.	Were there any changes in culture that were driven by abuse, or alleged abuse, of children cared for at the establishment?
	<p>The suicide of a member of staff, Mr Rainy Brown, in April 2013, following a complaint made to the Police about inappropriate behaviour by this member of staff. This led to an interim investigation by the Governing Body into the management of Child Protection during the employment of Mr Rainy Brown at the School (June 2013). The Governors then asked former HM Inspector Kate Cherry to take over this investigation and her report and recommendations were finalised in August 2014. This report covered cases of alleged historic abuse, discussed with the Police in May 2013.</p>
ix.	If so, when did they occur and how did they manifest themselves?
	<p>Key changes were implemented and the results are recorded in section xii. There was sustained focus on the School's Child Protection Policy and Procedures through 2013/14, manifested in the Staff In-service training programme (INSET) and in the Personal, Social and Health Education (PSHE) programme for pupils. This included INSET from Dr Susan Hamilton on the School's Trips Policy, following review and improvement, in compliance with the Scottish Government's "Going Out There" framework for safe practice in off-site visits.</p>
x.	Were any changes in culture driven by any external influences or factors and if so what were those influences or factors?
	<p>There has been a growing expectation from parents to be kept informed and involved in their child's progress and welfare at the school. The Parents' Forum started in the 1998/99 academic year. The principal aim of the Parents' Forum has been to provide a recognised means of communication between the School and the parents by which</p> <ul style="list-style-type: none"> (i) the School can present to the parental body strategic initiatives which it is considering or proposing to take and (ii) parents can express through their year group representative any concerns about or make suggestions to improve the management of all aspects of School life, other than particular parental concerns about individual boys which are more appropriately raised with other members of staff. <p>The Forum has also provided a venue at which the School can present news about its academic performance or other issues which it is appropriate to raise with the parental body and parental members can express their views on matters which the School or other members raise.</p> <p>Another external influence has been the 15 inspections between 2000 and 2013, which, as well as recognising and commending the culture in the School, also made recommendation for further improvement. These recommendations were acted on, in particular ensuring that policy and procedures reflected legislative changes.</p>

	<p>Examples of this would be the abolition of corporal punishment in 1987 and the implementation of the Children (Scotland) Act 1995, ranging from the standard guidance in the Staff Handbook 1998 to the comprehensive approach in place by 2014, all backed up through staff training and PSHE guidance for pupils.</p>
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Present

xi.	<p>With reference to the present position, are the answers to any of the above questions different?</p>
	<p>Yes – from 2014 to the present day, there has been a further step change in culture, policy and procedure, in response to the requirements of GIRFEC, embedded in the Children and Young Person (Scotland) Act 2014.</p>
xii.	<p>If so, please give details.</p>
	<p>The School received 8 inspections between October 2014 and September 2016. In addition to the advice given in the reports, both Education Scotland and the Care Inspectorate provided ongoing support to bring about further culture changes within the School.</p> <p>In November 2015, the Registrar of Independent Schools imposed the following conditions on the School:</p> <p>1. That the School must by 31 December 2015, take appropriate steps to ensure that: -</p> <p>(a) staff and young people at the School are aware of their roles and responsibilities in respect of safeguarding matters; and (b) Young people at the School are informed about the support which the School will provide to them should they make a child protection disclosure.</p> <p>2. That the Board of Governors must, by 31 March 2016, conduct a review of how the school's safeguarding policies and procedures and internal disciplinary procedures are implemented by staff and consider any barriers that prevent those procedures being followed appropriately at the school.</p> <p>3(a) That the Board of Governors must, by 31 March 2016, provide to the Registrar a report on the review carried out under condition 2 and this report must, as well as conveying the methodology of the review and findings, also outline the steps the school's leadership (including the Headmaster and promoted staff) will take to (a) address any barriers considered as part of the review; (b) foster a culture within the school that is sensitive to care and welfare provision; and (c) bring the school's care and welfare provision into line with best practice.</p>

3(b) The Board of Governors must, by **29 February 2016**, provide to the Registrar an interim report that conveys the steps identified to improve the school's current policies and procedures; the methodology of the review; findings made by the review so far; and details of the action taken by the school to comply with condition 3(a).

4. That the Board of Governors must, by **31 May 2016**, provide to the Registrar a report on the actions taken and outcomes achieved as a result of the review under condition 2.

- to ensure that staff and pupils were aware of their roles and responsibilities in respect of safeguarding matters;
- that young people were informed about the support which the School will provide to them should they make a Child Protection disclosure;
- that the Board of Governors conduct a review of how the School's Safeguarding procedures are implemented by staff and consider any barriers that prevent those procedures being followed appropriately at the School.

All of these conditions were successfully met by the School within the deadlines and this was confirmed in writing on 06 September 2016, revoking any remaining conditions. The Governors asked WithScotland to conduct this review on their behalf. The School underwent significant culture change, as detailed below, satisfying the conditions imposed by the Registrar of Independent Schools.

This period of significant change was recognised in Inspection Reports from both Education Scotland and the Care Inspectorate. Following its inspection in September 2016, Education Scotland recognised that ongoing and high-quality training is helping staff across the School and boarding houses to have a shared understanding of best practice to ensure the wellbeing of all boys at Merchiston Castle School and were confident in the School's capacity to continue to improve.

The Care Inspectorate report published September 2016 rated the School as Very Good in all areas inspected and commented on the vision and culture change within the School. Key to this change was the introduction of restorative practices. 'This approach had resulted in boys feeling respected, treated fairly and encouraged to take responsibility for their own actions' and they acknowledged that, 'the review and adjustment of the role of the prefect had been very significant.' The School's Behaviour Management Policy was reviewed and amended to reflect this change of culture (August 2015).

This period saw further review of policy, following through the 'WithScotland' report recommendation of an overarching strategic approach to Wellbeing. A new policy on Child Sexual Exploitation was developed (adopted February 2017) as well as a Knives and Offensive Weapons Policy (adopted January 2017), after extensive consultation with pupils, parents, staff and Governors. An Allegations of Abuse

Against Staff Policy has been put in place, to sit alongside the revised Staff Disciplinary Policy. This policy has been more rigorously enforced, alongside staff training, learning from the past when a more rigorous response was required. To help drive and embed this culture change the Governors have supported the formation of a Pupil Support Leadership Team (August 2017) and the creation of two Assistant Head Pupil Support positions, with the profile of Personal Health and Social Education (PSHE) becoming ever more prominent. Finally, the Governing body has set up a Child Protection and Compliance Committee (May 2016), to monitor culture change and the on-going work of the School's Leadership Team.

The WithScotland Report (March 2016) commented at some length on the culture of the School, the impact of an allegation of abuse against a former female member of staff and an intense period of inspection.

The following positive changes were made as a result of this report:

1. *The School's Child Protection Policy was amended and cross-referenced with the other documents to ensure consistency.*
2. *The referral procedure, including the use of the Record of Concern Form, was clarified and explained to all staff by the Child Protection Co-ordinator (CPC).*
3. *A system was put in place to cover the situation where the CPC is not available and his Deputy or the Senior Deputy Head or the Headmaster may require access to on-going paper or electronic files.*
4. *The practice of naming individuals in e-mails relating to child protection ceased and a system of anonymising cases brought in.*
5. *The School developed and disseminated its Confidentiality Policy in line with the sample policy included in the Scottish Council for Independent Schools Guidance.*
6. *A report from the CPC became an annual item on the Education and Pastoral Committee's agenda*

The Educational Visits Policy was updated in March 2015. Additionally, the Child Protection Co-ordinator signs off all residential visits from April 2015.

The Headmaster met with DS Wright on Thursday 20 August 2015 for feedback on Operation Brecon - *Operation Brecon* is the code name for the inquiry into historic allegations at Merchiston Castle School.

DS Wright gave the following observations about culture change at the School, noted by the Headmaster in his minute of the meeting:

	<ul style="list-style-type: none"> • DS Wright thanked the School for the cooperation provided and the flow of information received when requested. • The Police have been the length and breadth of the UK and spoken to many people, most of whom have been supportive of the School and who also recognise that the culture of the School today is vastly different to that of decades gone by. • The former pupils with whom DS Wright and his team have spoken, have indicated that they are pleased to have had the opportunity to air their concerns. • What might have been deemed as acceptable behaviour in past decades (such as “muscular Christianity”) is not now considered as such, and the culture change in the School, and the sector generally, is important. <p>In 2017, we have 6 female Heads of Department as well as a female Head of Juniors and a further 3 females who are resident in houses.</p>
xiii.	<p>To what extent, if any, has abuse or alleged abuse of children cared for at any establishments caused, or contributed to, the adoption of the current policies, procedures and/or practices of the organisation, in relation to the provision of residential care services for children including the safeguarding and child protection arrangements applying to its current establishments?</p>
	<p>The suicide of a member of staff in April 2013 led to the development of a Suicide and Sudden Death Policy, adopted by June 2014, followed by staff training in January 2015. The allegation of abuse by a former female member of staff in 2014-15 led to a powerful INSET presentation for staff on grooming by ‘Enough Abuse UK’ and the formation of a Child Sexual Exploitation Policy following extensive consultation with pupils, parents and staff, with further INSET surrounding the Policy in January 2017.</p> <p>To ensure the total understanding of the responsibilities for all staff, relating to Safeguarding and Child Protection arrangements, an external specialist delivered Child Protection training in the context of Getting it Right for Every Child (GIRFEC), in January 2016. At Merchiston, we also call this the Team Around the Boy (TTATB).</p> <p>After extensive consultation, an ‘Allegation of Abuse Against Staff Policy has been adopted (February 2016), to sit alongside an updated Staff Disciplinary Policy, with training for staff and an awareness of a more rigorous enforcement of this policy. The revised disciplinary process reinforces the principle of suspension without prejudice. This revised policy includes examples of gross misconduct and serious gross misconduct (e.g. breach of the School’s Child Wellbeing and Protection Policy).</p> <p>Action has been taken against 2 staff members (both dismissed) in 2016 and 2017, as evidence of a more rigorous enforcement of the School’s Disciplinary Policy in relation to breaches of the Child Wellbeing and</p>

	<p>Protection Policy and the Safer Recruitment Policy. Improved tracking of staff disciplinary issues has been put in place, to allow a clearer overview of an individual's record and whose files are checked at least annually by the Chair of the Child Protection and Compliance Committee, set up in May 2016. Governors and external experts sit on the interview panels for all Senior Leadership posts and other appointments, as appropriate.</p> <p>From May 2015, all internal applicants for Pupil Support positions, such as Assistant Housemaster, must include references from line managers, as well as a rigorous panel interview and follow up Professional Review and Development.</p> <p>To help remove barriers to communication, particularly where a pupil may wish to divulge a Child Protection concern, a Restorative Approach to Behaviour Management has been adopted and each member of the teaching staff has received 8 hours of training in these techniques. The School's Behaviour Management Policy has been reviewed (May 2015) to take account of this new approach. There has been a sustained programme of Parent Information Sessions, covering a variety of key topics, to keep parents informed and involved in issues surrounding the safeguarding and protection of their children. This has included the development and launch of an e-safety app, launched in February 2016.</p> <p>The formation of a Pupil Support Leadership Team, from August 2016, followed the appointment of a Deputy Head Pupil Support in August 2015 and this has allowed for much tighter monitoring and quality control of Pupil Support in the School, as well as increased support for Housemasters.</p> <p>This team has led on the implementation of GIRFEC, including preparatory arrangements for the Named Person provision (currently under review by the Scottish Government), and the launch in April 2016 of a Staged Intervention Model, stressing the universal responsibility of all adults, working in School, for the Wellbeing of all pupils, as well as very clear guidelines for the escalation of a Wellbeing or Child Protection concern.</p> <p>Finally, Pupil Voice has been strengthened throughout the School, adopting a 'You Said, We Did' approach, to issues raised in Pupil Forums. At the same time, Staff Voice and representation through the President of the Common Room has been consistently strengthened, from August 2016.</p>
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2.3 Leadership

Past

i.	How was the establishment managed and led?
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	By a headmaster
ii.	<p>What were the names and qualifications of the persons in charge of the establishment? Please include the dates for when each of the persons was in charge.</p> <p><u>Headmasters of Merchiston from 1930</u></p> <p>Cecil Stagg (1914-1936) Scholar, Gonville and Caius College, Cambridge MA; Assistant Master, Marlborough College, 1905-14</p> <p>Cecil Evans (1936-1957) Scholar, Brazenose College, Oxford MA; Assistant Master, Sedbergh, 1921-36</p> <p>Alan Bush (1958-1968) Queen's College Oxford MA; Assistant Master Mill Hill School</p> <p>Donald Forbes (1969-1981) Clare College, Cambridge MA; Assistant Master Dulwich College 1946-1955; Headmaster, Dauntsey's School, 1956-69</p> <p>David Spawforth (1981-1998) Hertford College, Oxford MA and DipEd; Assistant Master Winchester College, 1961-64; Housemaster Wellington College, 1964-80; BP Educational Fellow, Keble College, Oxford, 1979</p> <p>Andrew Hunter (1998-present) Manchester University MA; Manchester Polytechnic PGCE; Assistant Master Worksop College, Housemaster, 1983-91; Assistant Master Bradfield College, Housemaster 1991-98</p>
iii.	<p>What were the oversight and supervision arrangements by senior management within the establishment?</p> <ul style="list-style-type: none"> • On site and present in School on a daily basis • Communication to staff and pupils via assemblies to reinforce ethos • Weekly Housemaster meetings • Parents' Forum (from 1998); Pupil Forums (Students' Forum from 2000, and previous to this a Food Committee); Prefect Meetings (from pre-1930) • Informal meetings with staff, parents, pupils • Lesson observation and pupil tracking (e.g. a day in the life of a learner), including involvement of a Governor • Programme of in-service training for staff (on record from September 1998 to present) • Programme of Professional Review and Development. This was well received as a part of the GTCS Professional Update, and the School's PRD process was praised by GTCS for its clear and comprehensive quality assurance process. • Programme of annual lesson observations for teaching staff • Weekly staff briefing meeting every Monday break 10.50am to 11.10am for all staff from September 1998 (minutes are circulated to all staff). • School Leadership Team (Senior Management Team) meetings every Monday, Wednesday and Friday morning at 9.30am for 40 minutes and every Tuesday afternoon for 2 hours. • On a termly basis, Housemasters' meetings (weekly) and Heads of Department meetings (3 per term). • School Improvement Plan (from 1999) includes sections on academic, pastoral care, music, drama and sport, leadership, management, quality assurance, staff development, public relations, marketing, admissions,

	<p>friendraising and fundraising, outreach, business and facilities development.</p> <ul style="list-style-type: none"> • Standards and Quality Report (from 2007-8) – improvement through self-evaluation • Koinonia (Public Benefit, Teamwork with the Community) Report (annual report from 2005)
iv.	<p>What were the oversight arrangements by the organisation, including visits by or on behalf of the organisation?</p>
	<p>The Headmaster is the Chief Executive of the School but he reports to the Board of Governors. Originally the oversight arrangements were handled solely by the Board of Governors and one sub-committee called the Executive Committee. Both these committees met once each in the Autumn Term, the Lent Term (Spring Term), and the Summer Term. For each Board of Governors termly meeting, the Headmaster submitted a written report to the full board. The purpose of this report is to ensure that the Governors are kept fully informed about all aspects of school life, both within and outwith the classroom, including pupil welfare, staff welfare, liaison with external agencies and the like. In recent times, the present Headmaster has called these "Progress Reports" and the agenda item for the Headmaster's Progress Report would usually be in the following areas:</p> <ol style="list-style-type: none"> 1. Outstanding business from previous Progress Report; 2. Preamble (this gives the board an inkling of all aspects of school life, both within and outwith the classroom); 3. Admissions and External Relations; 4. School Leadership Team issues (including staffing issues, pupil welfare issues, liaison with external agencies such as regulators); 5. Any other relevant business; 6. Dates for diaries and future meetings. <p>From September 1999, the number of full board meetings increased to two full board meetings in the Autumn Term, one in the Lent Term and one in the Summer Term. The Headmaster and Bursar (who also doubles up as the Clerk to the Board of Governors) are in attendance at these meetings.</p> <p>Over time, the organisation of the Board of Governors has become more sensitive and subtle, and indeed, more challenging of the School. In 2005, a number of sub-committees were created:</p> <ul style="list-style-type: none"> • Finance and General Purposes (5 meetings during the year) • Education & Pastoral (3 meetings per year) • Health & Safety and Accessibility (3 meetings per year) • Development (ad hoc) • Nominations (ad hoc) • Risk Management (at least one meeting per year, but discussed annually in other sub-committees) <p>The organisation of the Board of Governors' business means that all sub-committees have to meet every term prior to the full board meeting and papers from the sub-committees are fed into the Board of Governors' agenda.</p> <p>The Education and Pastoral Committee was formed in October 2005. Its membership consists of Governors, the Headmaster, members of the School Leadership Team, and over time it has evolved to include the following</p>

representatives: Chairman/Convenor Governor or Headmaster, Child Protection Liaison Governor, Deputy Child Protection Governor/Chair of Parents' Forum, Governor who is at present a representative of the medical profession, Governor who is an educational specialist and a retired Chief Executive Principal and a Director of Education in Northumberland. Staff members consist of: the Headmaster, Senior Deputy Head, Deputy Head Academic, Deputy Head Pupil Support, Deputy Head Co-curricular and Head of Juniors. The original remit of the functions of this committee as agreed in October 2005 are as follows:

- To audit academic provision, pupil support and pastoral care, co-curricular provision and links with girls' schools and to review the balance of the academic curriculum and co-curricular activities.
- To carry out this audit by a process of internal audit, quality assurance techniques and self-evaluation and to consider recommendations and advice as to best practice from bodies such as Education Scotland and the Care Inspectorate.
- To monitor and review the School Improvement Plan as submitted by the Headmaster.
- To act as a forum of debate on educational matters.
- To review staffing requirements.
- To consider staffing issues.
- To monitor staff recruitment, professional review and continuing professional development.
- To consider the curriculum and examination systems and possible changes thereto
- To review examination results
- To monitor the performance of former pupils at university and colleges of further education
- To consider the use of new technologies
- To consider whether the welfare and pupil support and pastoral needs of pupils is being well looked after, in particular, with regard to: tutoring system, the care and welfare of pupils, the personal and social development of the pupils, in addition to the Personal, Social and Health Education programme for the pupils
- To ensure that there are written policies and procedures in place in all matters in respect of which by statute and best practice schools are obliged to have in place
- To acquaint themselves by the way of visits to the boarding houses and departments (perhaps with a Governor being linked to boarding houses and/or departments)
- To report on these matters to the Board of Governors at each of its meetings.

There were two Education and Pastoral meetings in the Autumn Term, one in the Lent/Spring Term and one in the Summer Term.

The Finance and General Purposes Committee audits all financial aspects of the School on a termly basis, and in addition to this, the School's accounts were audited on an annual basis by Geoghegans.

A Child Protection Liaison Governor was appointed in 2007. The Governor appointed to be Child Protection Liaison was responsible for:

1. Working closely with the CPC to offer advice and support on individual cases.

2. Ensuring that the governing body is familiar with the School's Child Protection Policies and Procedures. There should be a good working knowledge of a variety of publications such as: Scottish Council of Independent Schools' Guidelines on Child Protection; Merchiston School policies booklet and guidelines for pupils, parents and guardians.
3. Ensuring that all Governors and all new appointments to the governing body have Enhanced Disclosure checks.
4. Checking that the School has in place effective mechanisms to ensure that all members of staff, teaching and non-teaching, have undergone Enhanced Disclosure checks and that the mechanisms are in place to carry them out with the appropriate frequency.
5. Making sure that the Governors, following recommendations of the Care Commission, are kept abreast of any developments in this area: new legislation, issues developing in the school and recommendations from the relevant bodies.
6. Highlighting the Governors' responsibility as members of the Merchiston community, to ensure the happiness and well-being of all pupils in their care.
7. Reinforcing the practice of consistent professionalism among all staff in their interactions with pupils.
8. This Governor should receive appropriate training in Child Protection issues and legislation. Opportunities are offered through Headmasters' and Headmistresses' Conference and the Girls' Schools' Association as well as the Scottish Council of Independent Schools.
9. It would be sensible for the nominated Governor to attend the annual in-service training offered to all staff as well as meeting the School's Child Protection Officers on a termly basis. A short report by the Child Protection Liaison Governor should be given at the termly Governors' meeting.
10. Ensuring that School Child Protection policies and practice were followed and reporting to the Board on CP activities on a termly basis.

We have undertaken a more systematic complaints' process since 2011 and whilst this was signed-off by the School Leadership Team (Senior Management Team) it was also checked on a regular basis by a Governor.

The composition of the Board of Governors was carefully considered. As far as was possible, in terms of seeking those who wish to offer unremunerated public service, we tried to have as many different skill sets represented: safeguarding and child protection; education and pastoral; finance; marketing; law; medical practice. In addition, we tried to ensure there was a balance between male and female representatives on the Board of Governors and we also endeavoured to have some parent governors who were governors not just because they were parents, but because they fulfilled a skill set. However, parent governors could

	<p>also aptly challenge the School. Moreover, there was an induction process for the appointment of a new governor.</p> <p>The interaction between the Governors of the School and the members of staff of the School was also augmented by the attendance of governors at the beginning of the academic year at the drinks and dinner function for all staff. Governors were also invited to the end of the Autumn Term carols evening for staff. Governors were also invited to many major events and saw the pupils in action at these events, whether these events were Chapel Services, music concerts, carol services or sporting occasions. Prior to the termly meeting of the Board of Governors, always held at School, different members of staff were invited to the pre-meeting lunch.</p>
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Present

v.	With reference to the present position, are the answers to any of the above questions different?
	Yes
vi.	If so, please give details
	<p>In short, we have enhanced and augmented our oversight arrangements by the organisation. It was eminently logical that just as we have a financial audit of the School that we should have a Child Protection and Compliance audit of the School, so the Child Protection and Compliance Sub-committee was set up in June 2016. The membership of this committee consists of: a Chairman who is a Governor and a QC, Child Protection Liaison Governor, Deputy Child Protection Liaison Governor, Governor who is Laidlaw Schools Trust Education Director, and the Deputy Headteacher of Firrhill School (a member of the state sector). The overarching aim of the Committee is to provide assurance to Governors that processes are in place to ensure the safety and wellbeing of all pupils at Merchiston. The agenda for these meetings goes as follows:</p> <ol style="list-style-type: none"> 1. Apologies; 2. Minutes of previous meetings; 3. Child Protection report from the CPLG informed by a termly meeting with the CPC and other members of the PSLT to audit the documentation and implementation of systems relating to Child Protection and Wellbeing of pupils 4. Policies and Guidance; 5. Staff disciplinary issues; 6. Health and Safety; 7. Dates of next meetings. <p>Equally, whilst we had introduced a Child Protection Liaison Governor in 2007, an existing Governor was appointed as the Assistant Child Protection Liaison Governor in 2015 and in the same year we clarified the arrangements of the Whistleblowing Governor and circulated the details of this arrangement to all staff. The role of the CPLG now includes close liaison with the Pupil Support Leadership Team which increases the professionalism and time devoted to Child Protection matters.</p>

In recent years the Education and Pastoral Committee has included representation from members of the Common Room, and since September 2016, three members of staff have attended every meeting to gain an understanding of the interface between governance and leadership at the School. Moreover, on the forum are representatives from the student body, and over the course of the academic year of 2016/17 this has included the triumvirate (three student leaders), representing the Students' Forum and the Senior Prefect Academic Liaison. This Committee now meets 4 not 3 times per year.

Since November 2014 the running order of the agenda for the meeting of the Full Board of Governors has changed to the following:

1. Apologies for absence;
2. Minutes of previous meetings;
3. Matters arising;
4. Child Protection and Compliance;
5. Health and Safety;
6. Headmaster's report;
7. Finance and Property;
8. Education and Pastoral (including self-evaluation and improvement);
9. Parents' Forum;
10. Development;
11. Merchistonian Club;
12. Any other relevant business;
13. Governors' private time without any school representatives present.

The Governors commissioned the WithScotland Report, *An analysis of Merchiston Castle School's child protection policies and procedures: Final report*, published 31 March 2016.

We instituted a system of learning walks undertaken by Governors from January 2016. These learning walks see the boarding houses and departments in action and Governors spend time with the learners.

Following the Education Scotland inspection in May 2015, the Academic Leadership Team adopted and adapted East Lothian Council's *Learners' Entitlements* document into a learning walk form, in order to look at lesson observation methodology, and find a way of gathering quantitative data to inform improvement priorities. The learning walks were carried out by members of the School Leadership Team and Academic Leadership Team in the first phase; this was extended to HoDs and all members of staff during the year 2015-16. At different times, the learning walks have been used to focus on different areas of learning and teaching: learning intentions and feedback; content; conduct; learning experiences. During the latter part of the year 2015-16, the Pupil Support Leadership Team adapted the form for use in other parts of school life, especially in the boarding houses, to monitor pupil wellbeing using the wellbeing indicators. The pupil support learning walks are carried out on a half-termly basis by the School Leadership Team (Senior Management Team), Academic Leadership Team, Housemasters, Assistant Housemasters, Chaplain, Senior Nursing sister, Heads of Houses and wellbeing prefects.

2.4 Structure

Past

i.	What was the structure of the organisation?																																																															
	An organisation with one establishment – Merchiston Castle School.																																																															
ii.	What was the structure of the establishment?																																																															
	<p>Since 1930 Merchiston Castle School has been located within its own grounds on Colinton Road, Edinburgh. There are a number of buildings on the campus, roughly divided into:</p> <ol style="list-style-type: none"> 1. Boarding houses providing accommodation for both boarding and day pupils when they are at School 2. Classrooms organised according to academic department 3. Communal areas such as the Dining Hall (where everyone takes their meals) and the Memorial Hall (used for assemblies and Chapel services) 4. Sporting and recreational facilities <p>The School has a 'horizontal' house system – the boarding houses contain certain age groups and boys move houses according to their age.</p> <p>1930-1967</p> <table border="1" data-bbox="435 814 1351 972"> <thead> <tr> <th>House name</th> <th>Form name</th> <th>Age group</th> </tr> </thead> <tbody> <tr> <td>Chalmers West</td> <td>Fourth Form</td> <td>13-14</td> </tr> <tr> <td>Chalmers East</td> <td>Shell</td> <td>14-15</td> </tr> <tr> <td>Rogerson East</td> <td>Fifth Form</td> <td>15-16</td> </tr> <tr> <td>Rogerson West</td> <td>Sixth Form</td> <td>16-18</td> </tr> </tbody> </table> <p>1967-1977</p> <table border="1" data-bbox="435 1066 1351 1245"> <thead> <tr> <th>House name</th> <th>Form name</th> <th>Age group</th> </tr> </thead> <tbody> <tr> <td>Pringle</td> <td>Third Form</td> <td>12-13</td> </tr> <tr> <td>Chalmers West</td> <td>Fourth Form</td> <td>13-14</td> </tr> <tr> <td>Chalmers East</td> <td>Shell</td> <td>14-15</td> </tr> <tr> <td>Rogerson East</td> <td>Fifth Form</td> <td>15-16</td> </tr> <tr> <td>Rogerson West</td> <td>Sixth Form</td> <td>16-18</td> </tr> </tbody> </table> <p>1977-1986</p> <table border="1" data-bbox="435 1339 1351 1560"> <thead> <tr> <th>House name</th> <th>Form name</th> <th>Age group</th> </tr> </thead> <tbody> <tr> <td>Pringle</td> <td>Second Form; Third Form</td> <td>11-13</td> </tr> <tr> <td>Chalmers West</td> <td>Fourth Form</td> <td>13-14</td> </tr> <tr> <td>Chalmers East</td> <td>Shell</td> <td>14-15</td> </tr> <tr> <td>Rogerson East</td> <td>Fifth Form</td> <td>15-16</td> </tr> <tr> <td>Rogerson West</td> <td>Sixth Form</td> <td>16-18</td> </tr> </tbody> </table> <p>1986-1994</p> <table border="1" data-bbox="435 1654 1351 1791"> <thead> <tr> <th>House name</th> <th>Form name</th> <th>Age group</th> </tr> </thead> <tbody> <tr> <td>Pringle</td> <td>Second Form; Third Form</td> <td>11-13</td> </tr> <tr> <td>Chalmers West</td> <td>Fourth Form</td> <td>13-14</td> </tr> <tr> <td>Chalmers East</td> <td>Shell</td> <td>14-15</td> </tr> </tbody> </table>	House name	Form name	Age group	Chalmers West	Fourth Form	13-14	Chalmers East	Shell	14-15	Rogerson East	Fifth Form	15-16	Rogerson West	Sixth Form	16-18	House name	Form name	Age group	Pringle	Third Form	12-13	Chalmers West	Fourth Form	13-14	Chalmers East	Shell	14-15	Rogerson East	Fifth Form	15-16	Rogerson West	Sixth Form	16-18	House name	Form name	Age group	Pringle	Second Form; Third Form	11-13	Chalmers West	Fourth Form	13-14	Chalmers East	Shell	14-15	Rogerson East	Fifth Form	15-16	Rogerson West	Sixth Form	16-18	House name	Form name	Age group	Pringle	Second Form; Third Form	11-13	Chalmers West	Fourth Form	13-14	Chalmers East	Shell	14-15
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Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

1994-2000

House name	Form name	Age group
Pringle	First Form; Second Form; Third Form	10-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2000-2001

House name	Form name	Age group
Pringle	First Form; Second Form	10-12
Pringle III	Third Form	12-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2001-2002

House name	Form name	Age group
Pringle	J4; J5; First Form; Second Form	8-12
Pringle III	Third Form	12-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17
Evans	Upper Sixth Form	17-18

2002-2008

House name	Form name	Age group
Pringle	J4; J5; First Form; Second Form; Third Form	8-13
Chalmers West	Fourth Form	13-14
Chalmers East	Shell	14-15
Rogerson East	Fifth Form	15-16
Rogerson West	Lower Sixth Form	16-17

Evans	Upper Sixth Form	17-18	
2008-2009			
House name	Form name	Age group	
Pringle	J4; J5; First Form; Second Form; Third Form	8-13	
Chalmers West	Fourth Form	13-14	
Chalmers East	Shell	14-15	
Rogerson	Fifth Form	15-16	
Rogerson West	Sixth Form Boarding	16-18	
Evans	Sixth Form Day	16-18	
2009-2014			
	House name	Form name	Age group
Junior	Pringle	J4; J5; First Form; Second Form; Third Form	8-13
Middle School	Chalmers West	Fourth Form	13-14
	Chalmers East	Shell	14-15
	Rogerson	Fifth Form	15-16
Sixth Form	Evans	Sixth Form Day	16-18
	Laidlaw North	Sixth Form Boarding	
	Laidlaw South	Sixth Form Boarding	
September 2014			
	House name	Form name	Age group
Junior	Pringle	J4; J5; First Form; Second Form; Third Form	7-13
Middle School	Chalmers West	Fourth Form	13-14
	Chalmers East	Shell	14-15
	Rogerson	Fifth Form	15-16
Sixth Form	Evans	Sixth Form Day	16-18
	Laidlaw North	Sixth Form Boarding	
	Laidlaw South	Sixth Form Boarding	

Present

iii.	With reference to the present position, is the answer to the above
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	question different?		
	Yes		
iv.	If so, please give details.		
	September 2016		
		House name	Form name
	Junior	Pringle	J4; J5; First Form; Second Form; Third Form
	Middle School	Chalmers West	Fourth Form
		Chalmers East	Shell
		Rogerson & some boarding in Laidlaw South	Fifth Form
	Sixth Form	Evans	Sixth Form Day
		Laidlaw North	Sixth Form Boarding
		Laidlaw South	Sixth Form Boarding
			Age group
			7-13
			13-14
			14-15
			15-16
			16-18

2.5 Hierarchy and Control

Past

i.	What was the hierarchy within the organisation?
	<p><u>Historically</u> Support staff > Assistant Masters/Teachers > Housemasters > Second Master/Senior Master/Deputy Head (senior leadership) > Headmaster > Governors.</p> <p>Over the past 40 years the professionalism of the support staff has grown, such that their position within the School has gradually become more on a par with the Common Room (the teaching staff)</p>
ii.	What was the structure of responsibility within the organisation?
	<p>Traditionally split into Common Room (teaching staff) and Support staff (medical, games coaches, administration, catering and domestic, maintenance)</p> <p><u>Common Room</u> Assistant Masters/Teachers > Housemasters > Second Master/Senior Master/Deputy Head (senior leadership) > Headmaster > Governors.</p> <p><u>Support staff</u> Support staff > Managers/Master of Works/Bursar/School Doctor > Headmaster > Governors</p>
iii.	What were the lines of accountability?

Lines of accountability within the school

Common Room

Broadly speaking, Housemasters were accountable for what happens in their boarding house, and teachers were accountable for what happens in the classroom.

1. **Boarding houses** > Housemasters > Senior leadership > Headmaster > Governors
2. **Teaching** > Assistant Masters/Teachers > Senior leadership > Headmaster > Governors

The lines of accountability for teachers and Housemasters have extended over the years as follows:

Teachers reported to Heads of Department (from 1981), a Director of Studies/Deputy Head Academic (from 1989), and an Academic Management Team (from 1999).

Housemasters reported to Head of Juniors (from 1999), Head of Middle School (from 2006) and Head of Sixth Form/Dean of Sixth Form (from 2000) accordingly. The latter position changed its title to Senior Sixth Form Housemaster from September 2016.

Support staff

Support staff were accountable for the work they did and all teams reported to the Headmaster:

Games coaching/ domestic/ catering/ maintenance/ administration/ medical teams > Managers/Master of Works/Bursar/School Doctor > Headmaster > Governors

The Janitor's Office was accountable for the domestic running of the School up until the 1970s when an outside company took over the running of the domestic and catering, and the Master of Works Office took control of the remaining maintenance duties.

The Bursar was accountable for the financial running of the School from 1983 when the School started to do its own accounts.

Pupil Welfare

The 1994 Staff Handbook states that "Whilst designated members of staff hold specific responsibilities, we are all concerned for and involved in the welfare of our pupils". The Headmaster, (and in his absence the Second Master) was the School's Child Protection Co-coordinator until 1999 when the role was given to a senior and experienced member of staff.

Senior Leadership

The level of senior leadership reporting to the Headmaster has developed over the years as follows:

First, the augmentation of Pupil Support and Pastoral Care by appointing an Assistant Head (Pastoral Care) in 1999-2001. This retired member of staff, Mr Nigel Rickard, was eminently suited to this position as the Co-ordinator of Personal and Social Education from 1997-2001, let alone having been Head of

	<p>Careers from 1991-2001 and a Housemaster from 1986-1993. Mr Rickard was also appointed as the first formal Child Protection Officer, (apart from that position being held by the Headmaster), from 1999-2001. In 2001 Mr Nigel Rickard was appointed joint Deputy Head, and in 2009 he was sole Deputy Head.</p> <p>Originally, there was just one Second Master/Deputy Head, and this grew to include: Deputy Head Academic (from 1989), joint Deputy Heads (2001-2009), Senior Deputy Head (from 2012), Deputy Head Co-Curricular (from 2014) and Deputy Head Pupil Support (from 2015). The Bursar was appointed in 1970 and he also became the Secretary to the Board of Governors. The Headmaster's Forum was initiated in 1998 and a smaller School Leadership Team in 1999. The Headmaster's Forum was disbanded at this time to ensure that the School Leadership Team (Senior Management Team) made decisions on all aspects of the School after careful reflection and consultation. There has been a movement away from heroic leadership, centred totally on the Headmaster, to anti-heroic leadership which has involved delegated and distributed leadership, yet holding such co-leaders accountable and responsible.</p> <p><u>Governors</u> The Headmaster is accountable to the Board of Governors.</p> <p><u>Professional Regulatory Bodies</u></p> <ul style="list-style-type: none"> • Individual members of staff were accountable to the professional regulatory bodies that they were registered with, e.g.: <ul style="list-style-type: none"> ○ General Teaching Council of Scotland ○ Scottish Social Services Council ○ General Medical Council (School Doctor) ○ Nursing and Midwifery Council (School nurses/matrons) ○ Headmasters' and Headmistresses' Conference (Headmaster) • The School as an organisation was accountable to the regulatory bodies it was registered with and/or was subject to inspection from: <ul style="list-style-type: none"> ○ Her Majesty's Inspector of Education (from 1930 to 2011) ○ Education Scotland (from 2011 to present) ○ Care Commission (from 2002 to 2011) ○ Social Care and Social Work Improvement Scotland (SCSWIS) (from 2011 to 2012) ○ Care Inspectorate (from 2012 to present) ○ Registrar for Independent Schools Scotland (from 1980 to present) ○ Scottish Council of Independent Schools ○ The Headmaster is a member of the Headmasters' and Headmistresses' Conference. Membership is given to the Headmaster of the School and membership depends on the School fulfilling criteria in terms of: academic results; the roll of the School and financial stability. ○ Office of the Scottish Charity Regulator (OSCR) (from 2006)
iv.	<p>Within the organisation, who had senior management/corporate/organisational responsibility for the managers/management teams/leadership teams who managed the establishment on a day-to-day basis?</p>
	<p>Non-executive Chairman of the Board of Governors and the executive Headmaster</p>

v.	What were the reporting arrangements between the establishment and the organisation?
	<p>For each Board of Governors termly meeting, the Headmaster submitted a written report to the full board. The purpose of this report was to ensure that the Governors were kept fully informed about all aspects of school life, both within and outwith the classroom, including pupil welfare, staff welfare, liaison with external agencies and the like. In recent times, the present Headmaster has called these "Progress Reports" and the agenda item for the Headmaster's Progress Report was usually in the following areas:</p> <ol style="list-style-type: none"> 1. Outstanding business from previous Progress Report; 2. Preamble (this gives the board an inkling of all aspects of school life, both within and outwith the classroom); 3. Admissions and External Relations; 4. School Leadership Team issues (including staffing issues, pupil welfare issues, liaison with external agencies such as regulators); 5. Any other relevant business; 6. Dates for diaries and future meetings. <p>The Governor sub-committees (whose membership included members of staff) wrote reports after each of their meetings and these were addressed at the meeting of the full Board of Governors. Other communications were given through the Secretary to the Board of Governors (from 1970)</p>
vi.	Within the establishment itself, who had managerial responsibility for, or was in overall charge of, those employed there, including in particular those who were involved in the day-to-day care of children, and any other persons who had contact with the children?
	The Headmaster
vii.	To whom were child care workers within the establishment directly responsible?
	Immediate responsibility was determined by the type of work the member of staff was doing; for example the Housemaster of the boarding house they were working in, or their academic Head of Department (or Headmaster if there was no Head of Department).
viii.	Who, within the organisation, took decisions on matters of policy, procedure and/or practice in relation to the establishment?
	The Headmaster
ix.	Who, within the organisation, was responsible for the implementation of, and compliance with, the organisation's policies, procedures and/or practices at the establishment?
	The Headmaster, reporting to the Board of Governors

Present

x.	With reference to the present position, are the answers to any of the
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	above questions different?
	Yes
xi.	If so, please give details.
	<p>From 2015 the School employed a Deputy Head Pupil Support and created a team around him called the Pupil Support Leadership team with two Assistant Heads Pupil Support. This creates a new line of responsibility in the School that brings together the role of all staff to safeguard the wellbeing of all pupils in the School and a clear reporting structure:</p> <p>Pupil Wellbeing > All staff > Pupil Support Leadership Team > Headmaster > Governors</p> <p>In 2015 the Academic Management Team was renamed the Academic Leadership Team with two new Assistant Heads.</p> <p>Growing accountability of governors, through the formation of the Child Protection and Compliance Committee in May 2016.</p> <p>The new President of Common Room (elected by his colleagues in August 2016) brought in some key positive changes: he chairs twice termly meetings of the newly formed Teaching Staff Forum, he attends SLT meetings twice a term to enter into discussion with the school leadership on the issues raised by his colleagues, he organises (with the Social Secretary) twice termly social outings for all staff. In December 2016 it was voted to create a third staff body at Merchiston which includes all members of staff. In summary, there is a Teaching Staff Forum (no longer called the Common Room), a Support Staff Forum (chaired by the Bursar) and a third body that includes all members of staff and is principally a bringing-together of all staff for social activities. This meets one of the recommendations of the WithScotland report "...to encourage two-way dialogue between SLT and staff groups and to create an environment to give and receive feedback on changes and developments for all staff groups."</p>

2.6 External Oversight

Past

i.	What were the arrangements for external oversight of the organisation and the establishment?
	<p>Inspections were carried out by the appointed regulatory bodies in line with the national structures at those times. The School has evidence of inspections as follows:</p> <ul style="list-style-type: none"> • Scottish Education Department 1943 • Scottish Education Department 1949 • HM Inspectors of Schools 1976 • HM Inspectors of Schools 1984

- HMI Inspection: Welfare of Residential Pupils 1996, incl. covering letter and MCS response letter
- Verbal report from re-visit of Welfare Inspectors, HMI, 1998
- HM Inspectors of Schools, Inspection of Standards and Quality, 16 May 2000
- HM Inspectors of Schools Follow up Report 2002
- HM Inspectorate of Education, Inspection of the Care and Welfare of Residential Pupils, 17 June 2003
- HM Inspectorate of Education and Care Commission, integrated inspection, 25 October 2005
- Care Commission 2006 (unannounced)
- Care Commission 2007 x2 (March, unannounced) (November, announced)
- Care Commission 2008 x2 (March, unannounced) (October, announced)
- Care Commission 2009 (March, unannounced)
- Care Commission 2010 (June, announced)
- SCSWIS 2011 x2 (May, unannounced) (December, unannounced)
- Education Scotland, QUIPE inspection, 2011 (announced)
- Care Inspectorate, 2012, (unannounced)
- Independent Investigation (Robertson Report) into former member of staff, June 2013
- Care Inspectorate 2013 (unannounced)
- Report on Historic Child Abuse Cases by Kate F Cherry, Education Consultant/Former HMIE inspector June 2014
- Report on Child Protection Policy and Procedures by Kate F Cherry, Education Consultant/Former HMIE inspector August 2014
- Education Scotland and Care Inspectorate, October 2014 (announced)

There was no requirement for individual members of staff to be registered with the professional bodies as now, but some teachers and other professionals were registered with the bodies below and were accountable to the professional regulatory bodies:

- General Teaching Council of Scotland
- Scottish Social Services Council
- General Medical Council (School Doctor)
- Nursing and Midwifery Council (School nurses/matrons)
- Headmaster's and Headmistresses' Conference (Headmaster)
- PVG Disclosure Scotland

The School as an organisation was and is accountable to the regulatory bodies it is registered with and/or is subject to inspection from:

- Her Majesty's Inspector of Education (from 1930 to 2011)
- Education Scotland (from 2011)
- Care Commission (from 2004 to 2011)
- Care Inspectorate (from 2011)

	<ul style="list-style-type: none"> • Registrar of Independent Schools (from 1980 – “An independent school is defined in the Education (Scotland) Act 1980 (referred to as “the 1980 Act” in this guidance), as amended, as “a school at which full-time education is provided for pupils of school age (whether or not such education is also provided for pupils under or over that age), not being a public school or a grant-aided school””). • Office of the Scottish Charity Regulator (OSCR) • The School’s appointed Financial Auditors • United Kingdom Visa and Immigration Service (UKVI) • Environmental Health (City of Edinburgh Council) • Fire Service • The Armed Forces - Biennial inspection of CCF by senior Army officer
ii.	Who visited the organisation and/or the establishment in an official or statutory capacity and for what purpose?
	<p>HMIE until it became Education Scotland in 2011 – the scope of these inspections was to assess the care and welfare of pupils (until 2004 when the Care Commission also took on the focus on residential care and welfare), the educational offer, the curriculum and the provision offered to all learners.</p> <p>The Care Commission – from 2004 and then the Care Inspectorate from 2011 – the scope of these inspections was to focus on the residential care offered, policies and procedures.</p> <p>External experts were invited to review policies and procedures:</p> <ul style="list-style-type: none"> • August 2014, Kate Cherry - Report on Child Protection Policy and Procedures at Merchiston Castle School • Former HMC Headmaster of Dollar Academy, John Robertson – Report on the School’s handling of a staff disciplinary issue at Merchiston Castle School, June 2013.
iii.	How often did this occur?
	<p>The inspections followed the schedule established by these bodies, carrying out unannounced and announced inspections or inspections with the agreed notice period.</p> <p>The School has records of inspections as listed above. This shows the frequency of the visits.</p>
iv.	What did these visits involve in practice?
	The inspection reports describe the scope of the visits. For example,

	<p>from the 1943 inspection report focussed on academic provision, in 1949 the inspection report from the Scottish Education Department in commented, 'the activities of the School in music, art and drama are very strongly developed, and there is a wide variety of clubs, in the organisation of which the boys play a dominant part'.</p> <p>All inspections seem to have visited all parts of the School meeting both staff and pupils.</p> <p>From the 1984 report, mention was made of the excellent relations between staff and pupils.</p> <p>The 1996 inspection focussed on the care, welfare and protection of residential pupils, and detailed preparatory documentation shows the School had covered all the expected areas of policy and procedure at that time, following the Children's Act (Scotland) in 1995. The Report noted as a strength of the school "good quality care and appropriate experiences for residential pupils, as well as a good range of policies were in place, including guidelines on the welfare and protection of pupils."</p> <p>An integrated HMIE and Care Commission inspection in 2005 noted the "positive climate and welcoming environment where pupils felt well cared for and secure" as well as noting that, "staff had received child protection training".</p> <p>From 2013 onwards Education Scotland and the Care Inspectorate have carried out joint inspections focussing on the educational provision, the care and wellbeing of pupils and the management and leadership of the School, resulting in grades as well as detailed reports. Please see the lists in Questions i and x. These inspections involved visits to all parts of the School, focus groups with pupils, parents and staff as well as individual interviews with pupils. The main focus has been a forensic examination of Child Wellbeing and Protection.</p>
v.	What involvement did local authorities have with the organisation and/or the establishment in respect of residential care services for children?
	No direct involvement.
vi.	What involvement did local authorities have with the organisation and the establishment in respect of the children at the establishment?
	No direct involvement.
vii.	If the establishment was run by a Catholic religious order, what actual involvement and/or responsibility, whether formal or informal, did the Catholic Hierarchy/Bishops' Conference have, either directly or at diocesan level, in the creation, governance, management and/or

	oversight of the establishment?
	The establishment was not run by any religious order.
viii.	What was the nature and extent of any pastoral care provided to the establishment, if it was run by a religious order?
	The establishment was not run by any religious order.

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.
	<ul style="list-style-type: none"> • 2015 and 2016 inspections by Education Scotland and the Care Inspectorate • Conditions from the Registrar of Independent Schools in Scotland to be fulfilled by March and June 2016 • WithScotland carried out an independent review of policies and procedures, March 2016. <p>The requirement for all teachers in Scottish schools to be registered with, or in the process of registering with, the General Teaching Council for Scotland will come into force in August 2017. This requirement applies to independent schools so all teachers at Merchiston will fulfil this requirement. The School has prepared all staff for this situation since 2015. Staff have been required to Self-reflect against GTCS Teaching Standards since August 2015.</p> <p>There has been an intense series of inspections and support offered by Education Scotland and the Care Inspectorate since December 2014. The key focus has been on improved accountability, from the Governors through to the Headmaster and School Leadership Team and onto every staff member. A new Chair of Governors (appointed 01/07/15) saw the appointment of new Governors and a renewed commitment to place Child Wellbeing and Protection at the centre of all Governance issues. A new Child Protection and Compliance Committee was set up in May 2016 to allow for much more effective scrutiny of the work in the School and to quality assure compliance in all areas. This well-qualified and experienced committee with an external member has been established to provide independent scrutiny and challenge to the Board and School leaders on their approaches to Child Protection and</p>

compliance. This innovative development demonstrates the School's commitment to continuous improvement in this important area of their work.

Trained and Motivated Workforce

We provide considerable training opportunities for all staff, teaching and support staff, both in School (at least 3 INSET sessions each year) and externally, using organisations such as SCIS (Scottish Council for Independent Schools) and HMC (Headmasters' and Headmistresses' Conference). INSET in April and August 2016 explicitly covered the area of Wellbeing, Child Protection and the Prevent duty and trained staff through case studies. The introduction of the Staged Intervention Model, April 2016 with accompanying training sessions, has helped to strengthen the understanding of all in the promotion of wellbeing. We have also welcomed external trainers in 2015-16 to address issues such as identifying the signs of grooming, GIRFEC and Child's Plans, using the National Practice Model and Assessment for Learning. Sessions regarding Child Wellbeing and Protection are attended by all staff and we held additional training for the Support Staff in May 2016 to allow them to build their confidence through group work discussing situations that may be relevant to their areas of work. An updated Child Wellbeing and Protection card was issued to all staff in September 2016 and the Policy and Guidelines formed a key part of the Child Protection update. The School embarked on a rigorous programme of training for teaching and residential staff in Restorative Practices to support the drive to introduce and embed a more positive and supportive behaviour management policy. The 3 year plan began in August 2015 and in September 2016, 67 members of the teaching staff (85% of relevant staff) have attended the 9 hour training programme and the approach has been rolled out throughout the School with both the classroom and the boarding houses as key areas where this positive message is reinforced. The training programme continues and all relevant staff will have completed the training by January 2017. Many staff have commented on how the training has helped them to deal confidently with pupil behaviour and engage in a more significant way to support young people to establish positive relationships with others. There has also been significant training for the Upper Sixth, June 2016, who have now taken on leadership roles and the Lower Sixth have had an introduction as part of their initial Leadership training in September 2016. Both in PSHE lessons and in the Houses, we have engaged with pupils to discuss their opinions of the restorative approach and we are beginning to see a greater understanding of the benefits that it brings. It was also discussed at the Parents' Forum where there was support for this more individual and positive approach. In line with the School's redrafted Behaviour Management Policy (2016), this drive towards a more dignified and respectful approach has led to the barriers between staff and pupils being eliminated. Learning Walks in Houses, started in February 2016, allow pupils to engage with staff, governors and pupil leaders and to discuss issues that concern them. These conversations are built around the 8 wellbeing indicators which, in turn, allow for a

reflection on the National Care Standards.

The Staff Handbook has all the expectations and policies which staff follow and there is consultation as policies or procedures are reviewed. During 2015-16, staff, pupils, parents and governors fed back on, for example, the Child Wellbeing and Protection Policy, the Staged Intervention Model and the Physical and Safe Touch Policy as well as arrangements for the Named Person Service. The Staged Intervention Model, and the INSET training that accompanied its introduction in April 2016, has helped staff confidence in the lines of communication and responsibility for the wellbeing of each pupil. The reformed Tutor System which is part of this model also ensures that there is greater continuity of care and support for pupils. GTCS and SSSC Codes of Conduct are issued to all staff and used in updating of policies, e.g. Disciplinary Policy (2016) and the draft Allegations against Staff Policy (2016). Housemasters provide training to Tutors on the National Care Standards and other key pupil support issues with both support and challenge from the PSLT. The PSLT, Housemasters, Chaplain and Senior Medical Sister meet every week for one hour to ensure issues are discussed and recommendations, where necessary, are made for consideration and further discussion or consultation as relevant. A pupil leader also attends these meetings and gives feedback from a pupil perspective.

The improvements made to staff voice in 2016, with both a Teaching Staff Forum and a Support Staff Forum, allow for training needs to be identified and discussed which would benefit the staff groups, for example all staff attended the WRAP (Prevent) course in August 2016 INSET. Alongside these whole staff themes, individual PRD identifies skills development needs for individuals on an annual basis and the School has a generous budget to facilitate attendance at the relevant courses. An updated Review and Development programme was brought in for all non-teaching staff in September 2016 following consultation with the Support Staff Forum to establish the support and challenge for this group of staff. This open and supportive approach allows staff to identify a positive direction for their professional development and this will, in turn, improve their motivation and practice in school. The School actively encourages leadership development, through opportunities for taking on responsibility and attending external training courses, leading to promotion. Recent examples include the appointments of the Deputy Head Academic and two Assistant Heads, all of which are internal promotions. In 2015-16, the School ran training courses for middle managers (Heads of Department and Housemasters), led by Navigator (our retained employment law advisor), to improve skills in the management of disciplinary incidents and capability and performance issues. This programme continues and the next group to receive training will be the SLT.

The PSLT leads in the management of all Support and Child's Plans and they have been involved in extensive training in 2015-16, alongside Housemasters, Assistant Housemasters and Lead Supports led by

Heather Smith in February, April and September 2016 as well as a workshop with Paul McWatt from Education Scotland. The most recent training session, September 2016, has been on SMART target-setting for action points in these support plans in order to allow us all to provide the correct intervention for individuals with a more defined measurement of positive impact or further support required.

Housemasters and Assistant Housemasters have taken on the majority of the PSHE teaching, supported by the new Assistant Head Pupil Support (Head of PSHE), and this has helped to focus the further opportunities within the boarding houses to engage in discussions on these key topics. The AHPS is looking into SHARE training being hosted at Merchiston for a large group of PSHE/Life Skills staff in December 2016.

Staff are fully aware of the new Whistleblowing Governor who took on this role in August 2016 and they have been reminded of the purpose of this governor and the need to report any concerns about poor performance which seems not to have been addressed by the School Leadership Team.

Intense staff training has ensured all staff are fully aware of their responsibilities under the Children and Young People (Scotland) Act 2014 legislation and a Staged Intervention Model has placed key emphasis on the universal provision of wellbeing by all staff. A traditional approach to pupil discipline has been replaced by a more enlightened restorative approach, with all teachers and prefects trained in this new approach. These improvements were validated in very positive inspections by both Education Scotland and the Care Inspectorate in September 2016.

Inspections since December 2014 have been:

- Care Inspectorate, May 2015 (unannounced)
- Education Scotland, June 2015 (announced)
- Registrar of Independent Schools imposed conditions on the school, November 2015
- Care Inspectorate, December 2015 (announced)
- Education Scotland, December 2015, report published February 2016
- WithScotland report into Child Protection Policies and Procedures and the culture within Merchiston in relation to the care and welfare of pupils and staff, March 2016
- Care Inspectorate, June 2016 (unannounced)
- Education Scotland, on behalf of the Registrar of Independent Schools, June 2016, leading to the revocation of the conditions imposed on the school by the Registrar, September 2016
- Care Inspectorate, September 2016 (unannounced)
- Education Scotland, September 2016, report published November 2016

	<p>There has also been much improved training for the Governors with all receiving annual update training on Child Wellbeing and Protection, WRAP (2016) and in 2015 a representative of the Care Inspectorate attended a Board Meeting to remind the governors of their regulatory responsibilities with a specific emphasis on Child Protection.</p>
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Part B – Current Statement

3. Retrospective Acknowledgement/Admission

3.1 Acknowledgement of Abuse

i.	Does the organisation/establishment accept that between 1930 and 17 December 2014 some children cared for at the establishment were abused?
	<p>The full review of our historic files for the purpose of responding to this Inquiry together with the review which has been taking place since the police investigation referred to in 2013 means that the School has identified, and therefore accepts, that there have been instances of abuse between 1930 and 2014. It is understood by the School that there has been only one criminal case in court in the whole period referred to (this case is referred to below) and therefore the acceptance given relates to what the School has identified itself as a result of the review within the definitions given by the Inquiry and cannot and does not offer comment on criminality or the criminal law.</p>
ii.	What is the organisation/establishment's assessment of the extent and scale of such abuse?
	<p>Following a review of available files and complaints covering the period 1930 – 17 December 2014, we believe that there may have been psychological and/or emotional abuse including: humiliation of pupils; bullying; voyeurism, including what the School identifies as lewd practices and inappropriate behaviour.</p> <p>The School's assessment includes the following:</p> <ul style="list-style-type: none"> • One former member of staff has been found by the courts, to have perpetrated abuse (lewd and inappropriate behaviour). The Scottish Court Service said: "In respect of this matter after a trial, Mr X was found guilty of three charges of indecent exposure. The Court then without proceeding to a conviction dealt with the matter in terms of Section 246 (3) of the Criminal Procedure (Scotland) Act 1995 by way of an absolute discharge. The impact of this disposal is that although Mr X was found guilty he has not been convicted of the offences libelled." • A second former member of staff was charged and the information the School has is: "The Procurator Fiscal has received a report concerning a sixty-nine-year-old man in connection with a number of incidents alleged to have occurred in Edinburgh between 1 and 31 March 1977. There are currently no proceedings but the Crown reserves the right to raise proceedings should further evidence become available." • A third, deceased, member of staff was disciplined by the School

	<p>for inappropriate behaviour that could be classed as abuse.</p> <ul style="list-style-type: none"> • A fourth former member of staff has admitted to behaviour which the School considered inappropriate and possibly abusive. • A fifth former member of staff was investigated by the police and charged (in 2015/16), but we believe that the case was not taken forward by the Procurator Fiscal. • There have been allegations of abusive behaviour against a further seven former members of staff <p>Separately, the School is aware that there was an allegation against the owner an outdoor activity centre used by Merchiston. He was convicted for lewd and libidinous practices, but not involving pupils from this School.</p> <p>All allegations of abuse have been fully shared with the police with full co-operation and all available information has been shared by the School.</p> <p>We also acknowledge cases of peer abuse, principally verbal and physical bullying.</p>
iii.	What is the basis of that assessment?
	<p>The School reviewed all of its past files as well as appealing to the whole former pupil body as part of the investigation sparked by allegations made in 2013. The School considers it has identified abuse by a limited number of individuals who apparently used their position of trust to indulge in a level of inappropriate behaviour which could be said to amount to emotional or psychological abuse.</p> <p>There has been physical abuse in terms of the caning of a pupil after corporal punishment was abolished at Merchiston. We have evidence from a former member of staff's file with regard to the issue of a verbal and written warning to this member of staff in 1990 for continuing to use corporal punishment three years after the School had banned it in 1987. In state run schools and also in private schools where at least part of the funding came from the Government, corporal punishment was outlawed by the British Parliament in 1986. In other private schools, it was banned in 1998 (England and Wales), 2000 (Scotland) and 2003 (Northern Ireland).</p> <p>There have been two Police investigations into possible abuse at Merchiston Castle School. The first was conducted by DS Brady starting in April 2013 and the second, known as "Operation Brecon", started in May 2015. Operation Brecon revisited the alleged cases of abuse by adults against young people at Merchiston, scrutinised in the 2013 investigation. It also explored reports which arose from former pupils who the School has encouraged to come forward when the 2013 investigation began.</p>

3.2 Acknowledgement of Systemic Failures

i.	Does the organisation/establishment accept that its systems failed to protect children cared for at the establishment between 1930 and 17 December 2014 from abuse?
	<p>The School has conducted a full review of its entire available files in preparation for this Inquiry response and as a result of that, as well as recent work done in 2014 and 2016 following on from Inspections (referred to below) it is apparent that historically there are occasions where there has either been a lack of rigorous procedures and policies of the type in place now or a lack of full application of the procedures that were in place in respect of some complaints brought to the School's attention. Where this has occurred, it can be said that the systems failed to protect some children from abuse between 1930 -2014 and, in particular, this involved a deceased member of staff.</p>
ii.	What is the organisation/establishment's assessment of the extent of such systemic failures?
	<p>The extent of the failures are in reference to systems not applied rigorously rather than a total absence of systems.</p> <p>The Report into Child Protection Policy and Procedure, carried out by Kate Cherry in 2014, looked at issues since 1998 and reported that "there was a deficit in the School's organisation which did not have in place a mechanism to see the whole picture of individual behaviour of staff."</p> <p>There is evidence that the School, whilst reacting to all reports of abuse, did not follow through to the strongest extent in accordance with disciplinary policy as it existed at the times of these inappropriate behaviours.</p> <p>When there were concerns raised, we believe that, looking back, our systems for dealing with such instances were too informal and did not follow fully a disciplinary policy. We believe that Merchiston did its best in these instances to deal responsibly and sensitively with these situations, in accordance with the standards of the time.</p> <p>Our systems now in relation to Safeguarding and Child Protection are very formal and have been scrutinized rigorously since 2013 by external regulators as well as by external reviewers engaged by the School and the Governors.</p>
iii.	What is the basis of that assessment?
	<p>There was a systemic failure which allowed one part of the School to operate outwith the School's established policies and procedures. This</p>

	<p>was addressed by the School with the enforced retirement of Mr Rainy Brown as Housemaster in 1993</p> <p>The Report into Child Protection Policy and Procedures, carried out by Kate Cherry in 2014, looked at the overview and management of this member of staff as well as reviewing the School's handling of Child Protection issues since 1998 reporting "there was a deficit in the School's organisation which did not have in place a mechanism to see the whole picture of individual behaviour of staff."</p> <p>The Police involvement in reviewing all allegations, which led to their request for several specific staff files to allow them to assess allegations of abuse, gives the basis for this assessment. The full cooperation with Police Scotland's "Operation Brecon" has allowed the school to review all past allegations made against adults. The School has cooperated fully in our desire to respond rigorously to any person's experience at Merchiston.</p> <p>Before 1998, the School did not have a formal system in place for the recording of complaints and the action taken.</p>
iv.	<p>What is the organisation/establishment's explanation for such failures?</p> <p>One explanation is that there were errors of management "where the balance of pupil care and collegiate loyalty or "making allowances" was not well judged." Cherry Report</p> <p>On review now, it can be identified that in several cases more timely and robust action could have been taken.</p> <p>When concerns were raised the School responded by challenging the members of staff, but this was not always done with sufficient rigour and, whilst requiring a change to behaviour in order to comply fully with the School's ethos and approach to the welfare of the boys, there was not a specific system in place at the time to measure the effectiveness of this intervention.</p>

3.3 Acknowledgement of Failures/Deficiencies in Response

i.	<p>Does the organisation/establishment accept that there were failures and/or deficiencies in its response to abuse, and allegations of abuse, of children cared for at the establishment between 1930 and 17 December 2014?</p>
	<p>It can be identified from the School's review of the files it holds for the response to this Inquiry and recent internal reviews and reports, fully set out above, that there were stronger steps which could have been taken, particularly in respect of one individual (more fully discussed below) and</p>

	therefore the School has identified instances of deficiencies in its response to allegations of abuse of children care for between 1930 and 2014.
ii.	What is the organisation/establishment's assessment of the extent of such failures in its response?
	<p>Whilst the School responded to any allegations of abuse, there has been a lack of rigour in fully following disciplinary processes to the final outcome.</p> <p>The response to complaints of abuse happened but there was not always a documented and detailed recourse to the disciplinary structure, as far as we can be aware that it existed. The general teaching standards formed part of teachers' contracts.</p> <p>Incidents were not always logged in sufficient detail and dealt with in a prompt manner with sufficiently firm decisions. Communication with all of those involved was not formal.</p> <p>To our knowledge a formal, central Complaints Record was not held until 2000.</p> <p>The extent of the failure to respond is more in the level or seriousness of the response rather than any lack of response.</p>
iii.	What is the basis of that assessment?
	The Police requested records of relevant staff files as part of Operation Brecon which was established in order to investigate Merchiston Castle School and any allegations of abuse in the past. This Operation began in 2014 and was carried out with the fullest cooperation of the School.
iv.	What is the organisation's explanation for such failures/deficiencies?
	<p>On review, the School considers that too much trust was put in staff and that historically there was a lack of a strong formal appraisal system.</p> <p>This led to an apparent:</p> <ul style="list-style-type: none"> • lack of rigour in applying disciplinary policy. • misguided sense of support or loyalty to staff. • lack of rigour in the training of staff in key areas of Child Protection and Wellbeing. <p>The principle of universal promotion of wellbeing was not established strongly enough historically to allow the pupils or staff to question with confidence behaviours which they found of concern.</p> <p>It appears that historically the culture was not sufficiently open for the young people to feel that they could come forward and some may have felt that they could not speak out about abusive and inappropriate behaviour.</p> <p>There also appears historically to have been a mistaken sense of loyalty</p>

	<p>to the peer year group, to the school, to other staff.</p> <p>Historically, it can be identified that there was a lack of consistent objective scrutiny from the Governing Body.</p>
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3.4 Changes

i.	<p>To what extent has the organisation/establishment implemented changes to its policies/procedures and practices as a result of its acknowledgment in relation to 3.1 – 3.3 above?</p>
	<p>The School received 8 inspections between October 2014 and September 2016. In addition to the advice given in the reports, both Education Scotland and the Care Inspectorate provided on-going support to bring about further culture changes within the School. In addition, the process of preparing this submission to the Scottish Child Abuse Inquiry has given the opportunity for further self-reflection and underlined the improvements the School has made since December 2014.</p> <p>In November 2015, the Registrar of Independent Schools imposed the following conditions on the School:</p> <ol style="list-style-type: none"> 1. That the School must by 31 December 2015, take appropriate steps to ensure that: - <ol style="list-style-type: none"> (a) staff and young people at the School are aware of their roles and responsibilities in respect of safeguarding matters; and (b) Young people at the School are informed about the support which the School will provide to them should they make a child protection disclosure. 2. That the Board of Governors must, by 31 March 2016, conduct a review of how the school's safeguarding policies and procedures and internal disciplinary procedures are implemented by staff and consider any barriers that prevent those procedures being followed appropriately at the school. <ol style="list-style-type: none"> 3(a) That the Board of Governors must, by 31 March 2016, provide to the Registrar a report on the review carried out under condition 2 and this report must, as well as conveying the methodology of the review and findings, also outline the steps the school's leadership (including the Headmaster and promoted staff) will take to (a) address any barriers considered as part of the review; (b) foster a culture within the school that is sensitive to care and welfare provision; and (c) bring the school's care and welfare provision into line with best practice. 3(b) The Board of Governors must, by 29 February 2016, provide to the Registrar an interim report that conveys the steps identified to improve the school's current policies and procedures; the methodology of the review; findings made by the review so far; and details of the action taken by the

school to comply with condition 3(a).

4. That the Board of Governors must, by **31 May 2016**, provide to the Registrar a report on the actions taken and outcomes achieved as a result of the review under condition 2.

- to ensure that staff and pupils were aware of their roles and responsibilities in respect of safeguarding matters;
- that young people were informed about the support which the School will provide to them should they make a Child Protection disclosure;
- that the Board of Governors conduct a review of how the School's Safeguarding procedures are implemented by staff and consider any barriers that prevent those procedures being followed appropriately at the School.

All of these conditions were successfully met by the School within the deadlines and this was confirmed in writing on 06 September 2016, revoking any remaining conditions. Education Scotland, in their report following the September 2016 inspection, commented that "the Board of Governors has provided astute and forward-thinking direction in helping the school to continue to improve." The Governors established a new Child Protection and Compliance Committee which meets at least three times a year with a specific remit to provide independent scrutiny and challenge to the Board and School Leadership Team on their approaches to Child Protection and Compliance. Education Scotland commented that "this innovative development demonstrates the school's commitment to continuous improvement in this important area of their work." Another important and effective Governors' committee is the Education and Pastoral Committee which also scrutinizes the School's performance in looking after the all-round wellbeing of the pupils. Since 2014, there has been a significant increase in pupil participation and interaction with this Committee as part of the "very successful steps taken to improve pupil voice." (Education Scotland report, Inspection September 2016) This Committee also carries out regular Learning Walks to boarding houses, meeting groups of pupils and giving formal feedback through the established forms based around the Wellbeing indicators.

There has been a detailed review of policies and procedures with specific reference to Child Wellbeing and Protection, Care in the Boarding Houses and Positive Behaviour Management in the academic year 2015-16. These are all part of the extensive policies in the Staff Handbook to help new and existing staff to understand what is expected of them in key areas.

The School Policies & Guidelines booklet is available on ParentNet and on the school intranet for pupils, parents and staff and it has policies affecting all aspects of pupils' lives. Each House has its own published House Handbook, Code of Conduct and establishes its agreed House

Values every year.

Each House also has a Tutor Handbook and a Prefect Handbook to allow for consistency of care and clarity of expectations of the support offered to individuals. The focus on the wellbeing indicators as the framework for care offered has permitted a close awareness of the National Care Standards.

All staff have received training on GIRFEC, the School's Staged Intervention Model and Child Wellbeing and Protection where the individual's right to dignity is emphasised, for example in the Child Wellbeing and Protection card that all staff and Sixth Form students receive (updated August 2016). The ethos of caring for others is stressed through Whole School assemblies and the Headmaster's 13 words (Look after each other, try your hardest, make the most of your talents) summarise the drive for a caring and respectful community. The boarding houses establish House Values every year with the pupils leading and defining their priorities and the House staff supporting the key principles of care, respect, dignity and equality that are reflected in these values. There is a policy covering Email Etiquette; all staff and pupils sign an Acceptable User Agreement for use of the School's network; Junior Houses sign an Anti-Bullying Charter and are actively involved in Bullying Awareness Weeks where the focus is on promoting an ethos of mutual respect and understanding.

The School has worked closely with Respect Me, an anti-bullying organisation fully funded by the Scottish Government and managed by SAMH (Scottish Association for Mental Health) in partnership with LGBT Youth Scotland. In 2014-15, Respect Me worked with pupils and staff to revise the School's Anti-bullying Policy and this was back up in 2015-16 when they led training sessions for staff.

An Anti-bullying Committee (ABC) led by Wellbeing Prefects and with representatives from all Houses has further developed and refreshed the strategy, for example in January 2017 producing a new poster to promote the group's 5 Pillars for Positive Relationships.

The pupil chair of this Committee updated the Governors' Education and Pastoral Committee on the work of this group at the meeting in February 2017, presenting the poster. The impact of all this work has been demonstrated in improved questionnaire results, both from internal surveys and through Education Scotland's questionnaire in September 2016. In September 2016, 86% of pupils felt staff were good at dealing with bullying behaviour, with only 5% disagreeing. In the School's internal Wellbeing Survey in December 2016, 96% of pupils surveyed felt safe and protected from bullying in school.

Education Scotland, in their report to parents following their September 2016 inspection, found in their pre-inspection survey that all boys felt "safe and that they are well cared for both in school and in the boarding houses." The School is never complacent and sees this as an area for continuous focus and improvement.

Key policies and procedures

There has been a rigorous re-draft of key policies in 2016 with the focus on establishing a more strategic overview which connects all policies and reflects the key drive to ensure an atmosphere of dignity and respect in all areas of the pupils' lives.

- The Child Wellbeing and Protection Policy and Guidelines for Staff and Governors;
- the GIRFEC Guide for Parents;
- the Named Person at Merchiston Guide;
- the Staff in Boarding Houses Guidance; and
- the Behaviour Management Policy (Restorative Approaches)

are all examples of how the School has engaged in a fundamental strengthening of the focus on care and wellbeing.

The reformed Tutor System offers greater continuity of care and gives pupils a stronger level of support and engagement with an identified adult mentor as they move through sections of the School.

The Wellbeing indicators are discussed and form part of the Tutor Booklet.

Pupil Support

The School has strengthened the awareness of the 8 wellbeing indicators across all pupils, staff and parents with the "*Merchiston Wellbeing House*" logo, launched in August 2016, as the visual representation of our shared focus. In all discussions we underline that "Safe" is the most fundamental consideration and it clearly stands out in our logo.

The message is reinforced through Whole School assemblies, sectional assemblies, PSHE lessons, tutorial sessions and House Meetings and it is also a key focus in the training of all Sixth Formers in advance of their role as mentors. We strive to make all pupils feel safe with appropriate freedoms and an understanding of their role and responsibility in keeping themselves and others safe.

The House Forum gives pupils the opportunity to raise concerns and to be valued as key contributors to the focus on feeling safe and protected.

The Pupil Support structure allows the School to ensure that each individual can establish a positive relationship with a trusted adult who can listen and take forward their concerns.

The Housemasters, tutors, Pupil Support Leadership Team, who also lead on Child Protection, and all staff are fully aware of their role in the promotion of safety and protection of young people. This team can establish links with external agencies as appropriate to ensure the best level of care is provided.

The reformed Tutor System is designed to strengthen the relationship between tutor and tutee leading to greater continuity of care. The

Wellbeing prefects in each House also offer a “drop-in” session where any pupil can raise a query and be advised on how they might approach staff too.

The Wellbeing prefects also form the leadership of the Anti-bullying Committee (ABC) with representatives from each House and they contribute to the Bullying Awareness Week, week beginning 26 September 2016, with assemblies and focus group discussion alongside staff.

The School Counsellor is available for any pupil to meet as is the Chaplain who has a specific role in supporting bereaved pupils.

The School’s drive to embed Restorative Practices as the approach to positive behaviour management has led to a sense of engagement from the pupils as seen in responses to the Review into Sanctions, March 2016, leading to more collaborative, open and supportive relationships between pupils and staff.

The system of Learning Walks in Houses allows for different adults, including governors, and pupil leaders to speak to pupils and serve as advocates for their opinions about their safety and wellbeing. Clear procedures are in place for the promotion and monitoring of health, hygiene and infection control, be that through the Medical Department involvement in Hand Hygiene sessions, the PSHE programme or the clear messages shared in House Meetings.

The Housemasters and residential staff have strong systems in place to monitor the travel arrangements of all pupils with written confirmation sought from parents/guardians and details of flights and trains with all timings included. Transfer to airports is also arranged on an age-appropriate basis and the same applies to health appointments out of school. Sixth Form pupils have to complete special forms for travelling alone, for example to a university visit, and this form requires all the information about travel as well as contact numbers and clearly agreed departure and arrival times.

We assess the impact of these structures through the questionnaires which pupils complete and in 2015-16 pupils completed 3 questionnaires; Wellbeing, House and Academic, as well as the Review into Sanctions. The results of the first two are fed into the Wellbeing Improvement Plans for each House whilst the results of the Academic survey are used to identify agreed targets for improvement across all departments.

We also take the privacy of our pupils in guardian accommodation seriously and there is an annual questionnaire (most recently in November 2015) which covers privacy and dignity in these homes. It is important to note that the School has rigorous policies in place to ensure that trips are safely run and, when there is an overnight stay, that the environment is safe, secure and offers the required levels of privacy and respect. The CPC reviews and signs off all residential trips.

Staff

The Staged Intervention Model, from April 2016, has given clarity to pupils, staff and parents about how the School engages in keeping each individual pupil safe and supported. All staff are involved in the promotion of wellbeing and understand their key role as mentors both in the classroom and beyond. All full-time staff are tutors and assist in the boarding houses allowing for an impressive staff-student ratio. The staff are all well trained and have up-to-date Child Protection training, First Aid training and a strong understanding of the House and School procedures for fire, injury, medication and accidents. There are policies covering all aspects of Health and Safety and all tutors have to read and sign the House Risk Assessments at the beginning of each academic year in order to flag any points where they are unclear about the actions required. Staff also have to sign the administration of medication policy in Houses. The Tutor PRD system has a Skills Check List to allow them to discuss areas of strength and development in order to ensure confidence in their ability to keep the pupils safe. The Child Wellbeing and Protection Policy and Guidelines have been updated, August 2016, in order to strengthen the confidence of pupils, staff and parents in the School's focus on individual wellbeing and support.

We have fully integrated Health & Safety policies throughout the School overseen by our Health & Safety Coordinator. We have recently completed an Independent review of all our Health and Safety arrangements and have retained the services of a consultant to help us deliver the improvements identified. Risk Assessments for all activities are in place and are reviewed regularly. Regular day and night fire drills take place. We have good liaison with local Social Services and Police Services. We have a Child Protection Coordinator who is a full time employee of the School (Deputy Head Pupil Support) and regularly leads INSET courses for all staff and briefs pupils as well as leading the Leadership Training for all members of the Sixth Form. The PSHE programme also focuses on safety and all departments are asked to log their engagement with the Whole School PSHE Cycles as well as sharing with the PSLT any topics related to the safety and wellbeing of pupils, for example the safety briefing given in Science, the healthy eating messages linked to nutrition in Biology and P.E..

The Housemasters monitor the environment of the House and liaise directly with the Housekeeper and the Housemother (as relevant) in order to deal with any concerns and they collate a list of works requisitions and submit these to the Works Department, noting those that are urgent if it is a safety issue. Weekly meetings with the prefect and with the Housekeeper as well as half-termly meetings with the House Domestic team also help ensure a safe environment for the pupils.

Safety, Security and the Environment

All boarding residences have coded entry pads, which are changed termly, and all Houses have intruder alarms. CCTV has been installed in Laidlaw House and Rogerson. There is regular PAT testing in Houses of school-owned electrical equipment and Housemasters carry out a termly check of pupil-owned electrical equipment and keep a log. All medication is administered by the Medical Department, with the exception of paracetamol, which can be administered in Houses outside normal Medical Department hours; all House staff attend cyclical first aid courses to ensure they have up-to-date qualifications; on Sundays all medication is administered by appropriately trained House staff and the Housemasters log all medicine administered and inform the Medical Department who audit the records.

All Housemasters and Heads of Department are required to complete a formal annual Risk Assessment, on a rolling programme. An annual Health & Safety talk is given to Junior and Middle School Houses by the Master of Works. Late lock-up is overseen by our domestic staff, with records sent to the Senior Deputy Head. Pupils' cars (Day Boys) are not allowed on School grounds and Housemasters hold a record of the registration details with pupils leaving the keys with the Housemaster during the school day. Laidlaw House (Lower Sixth/Upper Sixth, S5/S6) allows far more personal space for pupils in their last two years, as well as the introduction of many individual study bedrooms in Fifth Form/S4. The town leave map is designed to help protect pupils in their free time from Shell/S3 upwards - the map area expands for Sixth Form (S5/S6), but areas of particular risk are out of bounds. Key risk assessments are printed off for Housemasters.

All boys have some form of lockable space and there is an audited log of thefts, with staff working closely with the police when thefts occur. Web filtering is active across all School and the PSHE programme addresses internet safety as well as the School making this a key focus during safer Internet Week in February as well as through our e-safety app launched in February 2016 to all pupils, staff and parents.

All visitors to the School and external service providers are required to sign in at Reception and read and sign an electronic Safeguarding statement to raise awareness in this area.

We have pupil representation on our Health & Safety and Accessibility committees to ensure the pupil perspective is heard and used to bring about improvement.

The Transport Manager, who is also the Health and Safety Co-ordinator for the School, ensures that all vehicles are safe and that all staff driving minibuses have the correct training and qualifications, testing staff in advance of allowing them to take pupils in school transport. The School has purchased two new minibuses and in order to allow staff to drive these the School oversees the MIDAS training for relevant staff.

The school keeps records of accidents and incidents and these are routinely audited by the Health and Safety Executive Committee, chaired by the Bursar, to check for patterns and to identify measures for

reduction. Rugby injuries are all recorded and audited separately by the Deputy Head Co-curricular who submits a report to the Governors' Education and Pastoral Committee as well as to the Scottish Rugby Union. Adjustments are made to the rugby training programme to take account of any patterns or concerns arising from this process. Information about safety issues is shared across the relevant departments and boarding houses within the school and meetings are held to discuss safety issues and any required action. Health and Safety is a standing agenda point on all departmental meeting agendas, as is Child Wellbeing and Protection.

Following any serious incident pupils are supported by the Housemaster, their tutor with access to the School Counsellor; where a young person has a Support Plan or a Child's Plan then his Lead Support or Lead Professional will coordinate any further support needed. Staff are supported, in the first instance, through their line managers who can request provision of additional support from the SLT and the Chaplain. All staff are also able to access free support through the School's Employee Assistance Programme, Workplace Options.

It is important to note that the School has rigorous policies in place to ensure that trips are safely run and, when there is an overnight stay, that the environment is safe, secure and offers the required level of Child Protection. The CPC reviews and signs off all residential trips.

Recruitment

- All posts are advertised locally, nationally or even internationally, if required.
- The interview process for appointing new staff is rigorous and extensive, and pupils are always involved in the process for recruiting teaching staff.
- PVG checks are made on all staff, volunteers and those living on the campus.
- A self-declaration is now required pre-interview, which always includes safeguarding questions (introduced August 2015).
- Every attempt is made to verify all references by telephone before interview and at least one written reference must be verified in this way. This verification includes specific questions on Child Protection.
- All new teaching staff are either General Teaching Council for Scotland registered, or registered through the Scottish Social Services Council directly or through another affiliated organisation such as GTC Wales. We are working closely with GTC Scotland to ensure that all teaching staff can work towards obtaining the necessary registration.
- All staff are recruited in an extensive and robust procedure, which

includes, as relevant, pupil interview panels and pupil-led tours.

- Careful note is taken of pupil feedback on interviewees.
- Parents were involved in the recruitment process for the new Housemaster of Chalmers East for August 2015.
- Governors are sometimes included in the appointment panels for promoted posts such as Head of Department and Deputy Head.
- External experts are involved in interviews for promoted posts. The HR Administrator oversees the recruitment process of all members of staff. Orientation visits are arranged for newly appointed staff, meeting staff, boys and parents.
- All new staff receive Safeguarding & Child Protection training as part of their induction programme; this is followed by a sustained induction programme including sessions on Health & Safety and Fire Evacuation, Professional Review and Development, GTCS, Tips from Last Year's New Starters, Trips and Co-curricular, Support for Learning, English as an Additional Language, Education of Boys, and a further session on Child Protection. The Senior Deputy Head is responsible for coordinating the induction of new staff through meetings before and during their first half term in post.
- Housemasters also take responsibility for the on-going training of House tutors. A full and detailed handover takes place between outgoing and incoming staff. Each Housemaster formally 'hands over' details of pupils to the next Housemaster at the end of the academic year and these notes are shared with all relevant staff via OneNote. There is a detailed Housemaster's Manual; a detailed Staff Handbook; a Tutoring Manual (all reviewed on an annual basis); a Head of Department Handbook; the annually updated Policies & Guidelines booklet and a programme of INSET throughout each academic year.
- There is a detailed briefing by Housemasters at the start of school year to all staff and throughout the year at the weekly Common Room meeting and termly year group meetings. These all provide opportunities to train staff, in particular to check their understanding of their Child Wellbeing and Protection responsibilities and knowledge of procedures.

A new position of Deputy Head Pupil Support was created and the first incumbent has been in post since September 2015.

A further two Assistant Heads Pupil Support have been appointed with

effect from September 2016.

The Child Protection Liaison Governor was a part of the interview panel and appointing committee.

The newly formed Pupil Support Leadership Team (Deputy Head Pupil Support, 2 Assistant Heads Pupil Support and the Senior Deputy Head) offers greater support to pupils, parents and staff and it mirrors the structure of the effective Academic Leadership Team.

The Child Protection Co-ordinator interviews every adult employed by the School who will work in a boarding house and the CPC sees every new member of staff, throughout the year, for initial Child Protection training before they start at the School.

The School has a thorough Professional Review and Development process, which supports teacher induction and continuing Professional Development.

GTC Scotland commended the Schools work in relation to Professional Update and felt aspects of our submissions were exemplary.

The School has a rigorous approach to staff and volunteer recruitment with a Staff Reference Policy (updated February 2016), Vetting Procedure, Selection of Volunteers Policy, Procedures for the Employment of New Staff Policy and a brochure (online) for all applicants which explains in detail the recruitment process. These policies were reviewed in June 2015 and will be revisited in June 2017 in line with the timetable of policy review.

**Summary of Improvements to Safeguarding and Child Protection
(2015 to February 2017)**

1. Appointment of Deputy Head Pupil Support (DHPS) (see Job Description)
2. OneNote system in place to link all GIRFEC documents to pupil profiles
3. Improved Support and Child's Plans (template and targets, updated September 2015)
4. Wellbeing and Child Protection Team (WCPT) (Senior Deputy Head (SDH), Deputy Head Pupil Support (DHPS), Head of Juniors (HoJ), Head of Middle Years (HoMY), DoSF, Head of Medical Services (HoMS), Head of Support for Learning (HoSfL), Lead Professionals Liasion (LPL) meet once per cycle. This has been replaced/streamlined in August 2016 by the formation of the Pupil Support Leadership Team (PSLT) made up of the Deputy Head Pupil Support, Senior Deputy Head and 2 Assistant Heads Pupil Support.
5. Handbook for WCPT and Lead Professionals (rolled out in October

	<p>2015, written in September)</p> <ol style="list-style-type: none"> 6. Training of Lead Supports/Professionals and importance of Review meetings/dates 7. Separated Child Protection and Wellbeing Concern forms introduced October 2015 8. Care Plan quality assurance by DHPS 9. Updated Safeguarding and Child Protection Policy, October 2015, November 2015, January 2016 and February 2016 10. Induction of New Staff (full programme including interview and feedback by Half Term in October) 11. Staff Training (external) – 2 more staff completed Edinburgh Council Level 4 Child Protection Training, October 2015, 1 staff on Mental Health First Aid course, 1 staff on Named Person Training course 12. Staff Training (INSET) – all staff INSET on Wellbeing and Child Protection followed up by updates for those not fully confident. Training Log kept with signed feedback from all staff (teaching, administration, grounds, works, catering and domestic), all have received the Safeguarding card 13. Respect Me Anti-bullying training for all teaching staff (September 2015) 14. Place 2 Be training for all Sixth Form 15. Child Protection training for all Sixth Formers – Sixth Form safeguarding card issued to all 16. Prefect training within houses 17. CPC is Deputy Head Pupil Support 18. Wellbeing Prefect role is being developed – Anti-bullying Committee formed and led by these pupils with reps from all Houses. 19. Bullying Awareness Week in Chalmers West and Pringle (September 2015 and 2016) with questionnaires for feedback 20. Care Inspectorate Improvement Plan – audit sent to CI by 24 September 2015 – all evidence is listed 21. Education Scotland Improvement Plan (1-60) on-going for the 4 support meetings in Autumn Term 2015 22. School Improvement Plan (based on Education Scotland model) 23. All Departmental meetings have a standing agenda point of Safeguarding as Point 1 – see minutes for examples 24. Whole School PSHE cycles with all teaching staff aware and linking to subject teaching when appropriate 25. All resident adults attended a Start of Year meeting and were asked to sign The Code and be members of the PVG Scheme. 26. Recruitment procedures strengthened 27. Visitors' and Contractors' Policy reviewed and stronger requirements for appropriate supervision put in place
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	<ol style="list-style-type: none"> 28. Updating of Guidelines to Staff Working in Boarding Houses (21 October 2015) 29. Further updates to Child Protection, Safeguarding and Wellbeing Policy (21 October 2015) 30. Update training for any staff who did not answer "Very Confident" in questionnaire in relation to CP Policy and procedures 31. Introduction of a new 'Safe Touch' policy- based on St Aloysius model. 32. Audit and overview of Safeguarding sessions for pupils. 33. Reissue to staff of GTCS guidelines on electronic communication and social media (21 October 2015) 34. Merchiston Guidelines for All Staff for Electronic Communication and Social Media (01 November 2015) 35. Audit and improvement of all toilet facilities to clarify usage and signage 36. One more member of staff completed Mental Health First Aid course 37. Two more members of staff on Child Protection Coordinator update course (05 November 15) 38. "Prevent" Action Plan drafted 39. Working in partnership with St Aloysius, Glasgow, to share best practice 40. Safeguarding App – agreement reached on going ahead and final contract negotiations taking place. Target Date is beginning of Lent Term 2016 for pupils, parents and staff. The incorporated "Digital Safety" certificate is under consideration for Forms 3 and 4 41. Seasons for Growth training for one member of staff to take the lead in Bereavement Support (26/27 November 2015) 42. INSET Training booked for all staff in February with external sector specialist: Marilyn Hawes, Enough Abuse UK (12 February 2016) 43. "Prevent" (WRAP) training booked for January 2016 INSET with Police specialists, delivered to SLT and Governors (11 January 2016) 44. Chalmers West Focus groups with SLT started – to continue with the same group of pupils as they progress through the school 45. Summary of Support offered to pupils who disclose 46. Restorative Approaches staff training (cohort 1, 26 November 2015) 47. Roles and Responsibilities Guidelines for staff and pupils 48. WCBS GIRFEC module in development (led by MCS/ESMS) (April 2016) 49. Rigorous use of Disciplinary Policy where staff in breach of Safeguarding and other policies led by SDH and DHPS 50. INSET for all staff in January with external sector specialist: Heather Smith, Propensity to Protect
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51. Common Room short INSET sessions on GIRFEC, UNCRC, Staged Intervention model
52. Advertisement for Assistant Head Pupil Support - with offer made and plans for second appointment to new Pupil Support Leadership Team.
53. Parent Information Sessions, 3 dates in Lent Term 2016 focusing on GIRFEC, Child Protection and Wellbeing, Restorative Practice
54. Independent reviewers (Universities of Birmingham and Stirling) carrying out a review into policies and staff to identify barriers to communication (31 March 2016)
55. 2nd cohort of staff attended full Restorative Training, led by RPL
56. ES Support Meetings, Paul McWatt and Link Inspector, Elizabeth Montgomery
57. Learning Walks in Houses launched (January 2016)
58. Prevent, WRAP Train the Trainer, DHPS now Home Office accredited WRAP trainer (4 February 2016)
59. Bereavement training- Child Bereavement UK (07 March 2016)
60. Mental first aid training. Scotland's Mental Health First Aid Edinburgh (March 2016)
61. Agree themes for action emerging from Learning Walks in Houses (March 2016)
62. Whole staff: Enough Abuse UK, whole staff INSET on Signs of Grooming/Abuse (12 February 2016)
63. Solutions Oriented Meeting led by Heather Smith (25 February 2016)
64. Named Person Practitioner training- SCIS Dr Sue Hamilton (21 March 2016)
65. Sanctions Questionnaire for staff and pupils (March 2016)
66. Open Forum meetings for parents (Fourth, Fifth and Upper Sixth Forms)
67. Care Inspectorate Requirement report into Sanctions, Staff Monitoring and Overview of Pupil Care (March 2016)
68. Care Inspectorate Requirement report into Care Plans (April 2016)
69. Parent Information sessions on the Named Person and Child's Plans and the Staged Intervention Model at Merchiston: (10 April 2016; 15 May 2016; 27 May 2016)
70. Governors' report to Registrar for Independent School on the Review of the implementation of safeguarding policies and procedures, considering any barriers to appropriate implementation
71. Improved recording of behaviour management events in School's Information management system from March 2016.
72. INSET for all staff: Staged Intervention model - Named Person - Support Plans and Child Plans – with case studies – Child Protection on Educational Visits update, 19 April 2016

73. Staged Intervention Model rolled out - April 2016
74. Support and Child's Plans – new structure and templates developed and adopted, April 2016
75. Pupils with health and support for learning needs incorporated into the Support Plan structure of Staged Intervention Model, May 2016
76. Support meetings with CI and ES for feedback on proposed Staged Intervention Model, Support and Child's Plan (20 April 2016)
77. GIRFEC training- bite sized sessions for staff, 02.05.16, 09.05.16, 16.05.16, 23.05.16
78. INSET training for Support staff - Removing barriers to communicating with pupils and GIRFEC responsibilities - update on staged intervention, Restorative practices and Child's and Support plans - sharing of support information (05 June 2016 and 6 June 2016)
79. Child Protection and Compliance Committee- a new Committee within the Governors - first meeting 26 June 2016
80. 3 new Governors appointed to add breadth of experience and interests to the Board
81. Appointed Assistant Child Protection Liaison Governor
82. Support sessions with Heather Smith, 06 May 2016
83. Review of tutoring to align academic and pupil support roles from September 2016, SELTI to teaching staff, 23 May 2016
84. Meetings with domestic house teams to ensure all teams are aware of pupil support needs (29 April 2016)
85. Pupil House questionnaire - May 2016, including the 8 wellbeing Indicators
86. Follow-up training for staff absent from April INSET of who had requested further training to boost confidence
87. Pupil and staff input to Governors' Educational and Pastoral Committee (12 May 2016)
88. Consultation leading to reform of tutoring system (April/May 2016)
89. Restorative practice training - cohort 3
90. Tutor and Prefect House Handbooks reviewed and updated (April 2016)
91. Prefect Leadership training, including Restorative Approaches overview, June 2016 and September 2016.
92. Care Inspectorate Self-Assessment updated and submitted
93. CSE Policy drafted and put out to consultation, July 2016, fully adopted in January 2017. Pupil version developed and used in PSHE lessons.
94. Knives and Offensive Weapons Policy drafted and put out to consultation, August 2016
95. WRAP training session (Prevent) for all staff, September 2016 –

	<p>those not present required to complete the Home Office online certificate</p> <p>96. INSET – All staff attended Child Wellbeing and Protection update training</p> <p>97. Allegations of Abuse against Staff Guidelines drafted, October 2016</p> <p>98. Disciplinary Policy – under review, consultation and redraft, from October 2016</p> <p>99. HMC Wellbeing Working Group – Headmaster sits on this and Deputy Head Pupil Support has attended meetings to update (2017)</p> <p>100. INSET (January 2017) covering Child Protection update, Whole School Wellbeing Survey results, new policies, The Equalities agenda and Recording pupil support concerns on the Management Information System</p> <p>101. Restorative Practices training – additional cohort Lent 2017</p> <p>102. Parent Information Session, February 2017, on Keeping Young People Safe in the Digital World, led by external expert, Heather Smith.</p> <p>103. Domestic staff training using Child Protection scenarios formulated by Housemasters, February 2017.</p> <p>104. Bereavement training- Child Bereavement UK (06 March 2017)</p> <p>105. Draft Bereavement and Loss Policy underway (March 2017)</p> <p>Appendix: Glossary of initials and positions</p> <p>GIRFEC – Getting it Right for Every Child PSLT Pupil Support Leadership Team</p> <p>WCPT – Wellbeing and Child Protection Team SDH – Senior Deputy Head</p> <p>DHPS – Deputy Head Pupil Support HoMY – Head of Middle Years</p> <p>HoMJ – Head of Merchiston Juniors DoSF – Dean of Sixth Form</p> <p>HoMS – Head of Medical Services CI – Care Inspectorate</p> <p>HoFSfL – Head of the Faculty Support for Learning</p> <p>LPL – Lead Professional Leader CPC – Child Protection Coordinator</p> <p>CP – Child Protection SLT – School Leadership Team</p> <p>PSHE – Personal, Social and Health Education</p> <p>PVG – Protection of Vulnerable Groups MCS – Merchiston Castle School</p> <p>GTCS – General Teaching Council for Scotland</p> <p>WRAP – Workshop to Raise Awareness of Prevent</p>
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