

Scottish Child Abuse Inquiry

Witness Statement of

QSF

1. My name is QSF. My date of birth is 1960. My contact details are known to the Inquiry.

Background

Qualifications

2. I qualified at the University of Liverpool in 1981 with a Bachelor of Commerce degree. In 1982 I gained a Post-Graduation Certificate in Education (PGCE) in Economics and Music at Leeds University. In 1992, through the Open University, I qualified as a Master of Arts in Education.

Employment History

3. For the first year of my career in education I was a teacher of economics at St Aloysius College in London. In 1983 I moved to Leeds Grammar School where for the next four years I taught history and economics. In 1987 I became the head of economics at Tunbridge Wells Grammar School for Girls. In 1989 I took up the position of head of business education and marketing at Trent College, Nottingham until 1995 when I became the deputy head of Sunderland High School. I remained in post there until when I became the headmaster of College, in Wales. In I moved to Scotland taking up the post of headmaster at Loretto School, which I held until when I was offered the post of founding principal of two new schools in the Middle East. However the sudden and terminal ill health of my father in law led to me having to decline the offer and take up a post closer to my family. In I became the interim

executive principal of Hull College Group (HCUK) Studio School in Hull and began my search for an international role. In [REDACTED] I became the principal of Regent's International School in Bangkok, Thailand.

Employment at Loretto School, Musselburgh

4. I was the headmaster of Loretto School, Musselburgh from [REDACTED] to [REDACTED].

Recruitment process

5. I saw the post advertised in the Times Education Supplement (TES) which is the largest circulation newspaper and website for teacher recruitment, so requested all the job details. I submitted a written application supported by two named references, one of whom was my employer. I then had two separate rounds of interviews at Loretto school with the Board of Governors. The school clerk, a qualified solicitor, undertook the necessary ratification of my academic certificates and employment history and all safeguarding checks including my undertaking an enhanced Disclosure and Barring Service (DBS) check.

Appraisal / monitoring

6. On being appointed I was subject to a probationary period of one year. My line manager at that time was the late Roy Martin QC who was the Chairman of the Board of Governors. Mr Martin assessed my performance annually and I was in contact with him, typically, weekly. I reported to various sub committees of the school board termly or twice a term and to the full school board three times per year. I was also subject to one 360 degree appraisal by an external consultant after three years as headmaster. In my last year a new chairman was appointed and my meeting cycle continued as before only my annual appraisal did not take place as I was moving to a new role in England.

Training

7. I was allocated an annual training budget that I used to develop my skills and attended courses on topics such as safeguarding children, the legal obligations of the headmaster and school health and safety. It is not unusual for a head to determine their own training and have a budget to do so. The decision on what courses were done was made with agreement from the board.

Responsibilities

8. My responsibilities included leading on promoting the ethos, vision and values of the school, taking overall responsibility for the organisation, management and conduct of the school in accordance with its policies and in consultation with the Governing Body and its scheme of delegation. I worked with staff, governors, parents/carers and wider community to maintain and further improve all aspects of the school's standards and quality. I ensured equality, safety and respect was central to the aims and ethos of the school. I fully understood the requirements, local and national policies and guidance on safeguarding and the promotion of the wellbeing of the children and young people at the school.

Policy

Involvement

9. The school had a senior teacher, Ms Elaine Middlemass, with responsibility for child welfare matters. She was a member of the school senior management team and reported directly to me. The school had a number of boarding houses and the house parents reported to the Vicegerent (Deputy head) who reported to me. All significant safeguarding and child protection matters were reported to me.

Changes to Policy

10. In association with Mr Nigel Bidgood the Vicegerent [REDACTED] who was experienced and well qualified in pastoral and residential care matters, I conducted a full-scale review of all aspects of pastoral care for day pupils and boarders. In my early-day discussions with pupils, parents and staff I learned that many in the school community felt that discipline was too lax, there were instances of bullying that were going unchecked, certain policies were either no longer fit for purpose or were not being implemented.
11. These included policies to do with pupil disciplinary measures, the school drug abuse policy, the role of prefects, the responsibilities of staff when on duty, staff appraisal, a lack of clarity about who should communicate to parents on important issues and inconsistency in the application of rules between different houses and sanctions being applied in a way that was regarded by some parents and pupils as unfair. Also staff responsibilities and lines of communication were unclear. It made me feel uneasy, so in conjunction with the newly appointed Vicegerent, I undertook a process to improve these matters. I felt it was appropriate to tighten up and clarify policies and practices where they seemed out of date or lax.
12. Before taking up the post I had learned that the finances of the school were not as strong as I had anticipated given the size, age and reputation of the school. They were a cause of concern to the Governing Body. I did not gain any sense of them having concerns about any non-financial issues prior to my appointment. These issues became apparent to me after I joined the school and I reported my findings to the board. This meant it was necessary to make improvements in the operation of the school and its policies while at the same time looking for ways to reduce costs and boost revenue.
13. At the time of my appointment staff appraisal was not detailed, searching or of wide enough scope to give me comfort and confidence that we were managing performance properly. In my first terms, with support from the newly appointed Vicegerent, I reorganised and reinvigorated staff training, modernised the staff

recruitment processes, boosted the number of staff involved in and trained in child protection, introduced a new performance management and appraisal system for all academic and pastoral/residential staff, re-wrote and circulated a new complaints procedure accessible to all parents, pupils and staff with all complaints formally recorded, removed confusing rules regarding discipline and wrote new ones after consultation with pupils, parents and staff and systematically checked and where necessary re-wrote all other school policies. This included creating policies to deal with complaints and allegations against staff. Safeguarding and child protection policies were reviewed and improved.

Strategic Planning

14. I had overall responsibility for all school strategic planning but only with the agreement of the Board of Governors. Their ratification was required for all policy changes. I felt that a somewhat easy-going attitude towards safeguarding was prevalent among some staff and some governors. At the time of my appointment boarding staff did not seem to have clear and consistent policies from one house to another, from the comments I heard from some staff I felt that they were not familiar with up to date practices of child protection and the governors did not have safeguarding committee. Some governors were ex-pupils who had boarded at the school many years ago when attitudes towards discipline and methods of discipline were different.
15. This led me to feel that, perhaps, the potential for abuse had featured in the past although I was not aware of any specific instances or examples of abuse other than newspaper reports about Antony Ray-Hills who was accused of abusing boys in the school in the 1950s and 1960s. Listening to staff and looking at the policies at the time of my appointment I did not have the certainty that everything to do with safeguarding was as tight and secure as it could be. My own training in safeguarding led me to always consider that the possibility of abuse exists and so be vigilant.

Recollections of school's strategic approach

16. Prior to my appointment the previous headmaster had wanted to focus on the teaching side of the school and so the board split-off non-teaching responsibilities to Mr Alan Lawson who they appointed as Chief Operating Officer (COO). Both were separately accountable to the Board of Governors. It was not clear to me, on appointment, where responsibility for legal compliance and safeguarding had sat between the headmaster and the COO. I considered it to be the responsibility of the school leadership team in association with the school board.
17. On my appointment in [REDACTED] it seemed to me that many on the governing body wanted the school to move forward, reform and grow. This mission was supported by Roy Martin QC, the chairman who, [REDACTED] the role when I was appointed, had an appetite to make the school a professional, secure, safe and as successful as possible. For example, in my first year I was charged by the board with making significant financial savings as the school was running at a loss. It felt as if the school board knew that change was needed at a strategic level, that my predecessor was not the right person to make such changes but that change should begin soon after my appointment. Hence, my strategic approach was to see about reforming the school so that pupil welfare was safeguarded, that academic standards rose, that roll and revenue increased, that costs were managed, that the campus was improved and that our public image improved.

Other staff

18. On appointment in [REDACTED] I directly or indirectly line-managed all academic staff at the school. The Chief Operating Officer managed the non-academic staff and he reported directly to the Board of Governors. The non-academic staff were the bursarial, estates, cleaning, catering and domestic staff along with any outside, specialist contracted staff. The COO also oversaw the letting of the school campus to outside groups in holiday periods.

19. On appointment, those directly reporting to me were: Vicegerent (Deputy Head), Head of the Junior School, Director of Studies who was responsible for secondary school academic matters, and the Senior Mistress responsible for secondary school pastoral care. The COO also attended meetings of the senior team.
20. All secondary academic staff reported to the Vicegerent and to the Director of Studies on academic matters and Senior Mistress on pastoral ones. The Head of the Junior School had academic and pastoral staff who reported to him.
21. When the Chief Operating Officer retired around [REDACTED] and a Bursar was appointed in his place, responsibilities were similar but the Bursar reported to me in newly configured leadership teams. The new Senior *Leadership* Team comprised of the Headmaster, Vicegerent, Head of the Junior School, COO (and later Bursar).
22. After discussions with the board of governors there was a newly configured Senior *Management* Team comprising the Headmaster, Vicegerent/Deputy Head who dealt with all secondary staff matters, Head of the Junior School who dealt with academic and pastoral matters for primary children, Bursar who dealt with finance, estates, fees and liaison with auditors, Head of Compliance/Safeguarding (child protection lead, police liaison and ensuring the school was fully compliant on safeguarding), Director of Studies (curriculum matters), Director of Academic Progress (assessment, reporting and examinations) and Director of External Affairs (marketing and admissions). The Head of Compliance/Safeguarding was Ms Elaine Middlemass who had been Senior Mistress. She was already experienced in child protection matters and attended various additional training courses to keep her knowledge up to date.

Recruitment of Staff

23. I was involved directly in the recruitment of teaching staff and indirectly in the recruitment of non-teaching staff. The latter was overseen by the Chief Operating Officer and later the Bursar.

School recruitment process

24. All teaching jobs were advertised in the TES. A job description and personal specification was drawn up for each post and posted on the school website. These details outlined the school's commitment to effective safeguarding. Applicants had to complete the school's application form and submit a letter of application. The form specified the need for at least two references including the current/most recent employer, the fact that applicant would undergo an enhanced DBS check and that the school required that applicants declare any criminal convictions. Shortlisted applicants would be invited to the school to be interviewed by a selection of relevant staff including members of the leadership team and would be observed teaching. The successful candidate would then undergo a probationary period and assessment prior to the position being confirmed at the end of their first year at the school.
25. References were asked to give an honest assessment as to whether the applicant was a suitable person to work with children and if they knew of any reason why the applicant should not be given unsupervised access to young people. The reference request included asking the author's assessment of the applicant's teaching ability as well as their wider contribution to school life. The school did not make explicit reference to the Bichard report of 2004 in changing the way references were asked for or recruitment practices improved. However, I was a member of The Headmasters' and Headmistresses' Conference (HMC) and the school was a member of The Scottish Council of Independent Schools (SCIS). Both organisations represent and promote the interests of independent schools and provide valuable guidance on safeguarding and staff recruitment matters. Further, the school was inspected by the Care Inspectorate and was expected to meet or exceed their standards of staff recruitment.
26. I introduced the policy of the current or most recent employer being telephoned by a member of the leadership team after we received the written reference. Safeguarding and child protection were always raised in these calls. I did this as I

was aware it was regarded as good practice in schools and it gave me comfort that the reference was genuine.

Training of staff

27. I was involved in the training of teaching staff and part of the team determining and monitoring the continuous professional development programme for staff. New staff had a full induction training programme and I would monitor the training programme as well as take some of the sessions. Whole staff training was undertaken at the start of every term and individual staff had specific training opportunities as part of their performance, appraisal and development. All teaching staff were included in this process and all training was recorded in staff files. The performance, appraisal and development process was introduced in my first year. It became an annual exercise and I was kept informed of all training. Implementation was a matter for the management teams and line managers.

Supervision/staff appraisal/staff evaluation

28. I was involved in the supervision/staff appraisal/staff evaluation of staff. I revised the teaching staff appraisal system and was the final link in the chain of annual appraisals. The bulk of the work was undertaken by the team with the final interviews being with me once a year. All appraisals and a description of the entire process was kept in the school records.
29. All teachers were given a supervisor, typically their line manager, who oversaw the programme. Teaching was observed and the observations recorded in their appraisal documentation. Contribution to extra-curricular activities and pastoral responsibilities were likewise assessed. Teachers were interviewed by their line manager and a form completed containing all details of these assessments plus their reflections on the last year and ambitions for the year ahead. I would receive copies.

30. The completed form was then sent to a member of the leadership team who would meet with them to assess the content and accompany the teacher to their annual meeting with me. This meeting was an opportunity to discuss and confirm targets for the year ahead, to thank, to encourage and/or identify issues as appropriate and sign off the process.
31. The document would be 'live' for the year and targets would then form part of the appraisal in the year ahead. Training and development targets were set for every teacher every year. I would be given a copy of the completed targets and, when appropriate, would add in new targets for individuals or groups. Implementation was a matter for the management teams and line managers.

Living arrangements

32. I lived on campus in Pinkie House, which was the house set aside for the headmaster and their family. On the same campus there were three boarding houses for boys aged twelve to eighteen. Two were separate buildings and one was joined to Pinkie House. The boarding houses for girls were on a separate campus.
33. Each boarding house had a mixed gender couple resident and most of these were married couples, along with a single assistant the same gender as the children in the house. Hence a boys' boarding house had a male housemaster living in with his wife/partner and a male assistant also resident while a girls' boarding house had a female housemistress living in with her husband/partner and a female assistant also resident. The design of all boarding houses was such that there was easy transit from the staff accommodation to the pupil's residential accommodation. However this accommodation was separate. Elsewhere in the school were flats and houses where staff lived. These flats and houses were not connected to the residential accommodation of children.
34. Access to the residential areas was strictly controlled and limited to those teachers with pastoral responsibility for the children along with cleaners and

estate/maintenance staff, all of whom undertook appropriate security and safeguarding checks in advance of appointment and safeguarding training once employed.

Culture within Loretto

35. Over-staffing and insufficient recruitment of pupils in the past and the challenges of [REDACTED] meant the school was facing financial shortfalls at the time of my appointment. In addition, there was recognition at board level that aspects of the school were in decline. Many parts of the estate were looking shabby and worn. Some boarding houses were in need of renovation and repair, the schools technology infrastructure was old and a number of classrooms were old fashioned and poorly maintained. Staffing numbers among teachers and non-teaching staff had become inflated with a wage bill that seemed unsustainable at the existing revenue level. In addition to the high payroll the teaching staff pay policy afforded many staff two guaranteed pay rises per year, one to compensate for inflation and another a "step" on the pay scale, and some staff continued to receive remuneration for posts they no longer held. It was clear that action was needed if the school was to thrive in the years ahead.
36. I was tasked with reducing costs, boosting the roll, improving academic standards, revitalising the culture and thereby restoring the security of the school. This meant some hard choices, a rearrangement of the way of doing things and a realisation in the whole community that if the school was going to thrive in an era post economic crisis, Loretto would have to change.
37. These changes included a teaching staff redundancy process, improvements in teaching, improvements in pastoral care, a new ambitious extra curricula programme, rigorous appraisal of staff, new policies and procedures in many areas, the appointment of a Vicegerent, Mr Nigel Bidgood, who was not a long established teacher at the school, a new Head of the Junior School, the streamlining of the operational structure, better marketing and a rotating renovation plan for all the

buildings. In all areas there was greater accountability, transparency and the inclusion of parents, and at times pupils, in decisions.

38. The appointment of a Vicegerent from outside the school was important because it represented a change in staff accountability. For many years prior [REDACTED] staff had been managed and organised by Vicegerents who had been appointed from the teaching cohort. It felt to me as if the primary loyalty of the Vicegerent was to the staff. At a time of significant change when staff redundancies were to be made and policies affecting staff were changing, I felt the school needed someone in this role with wider experience and less social and other attachment to particular teachers. My proposal was to retain the existing Vicegerent, Mr Hector Maclean, and recruit a second leader from outside the school who was to be called Deputy Head, so we would have a combination of internal and external experience as we made changes. As it was, Mr Maclean chose to retire soon after the appointment of the Deputy and so the school reverted to only one Vicegerent/Deputy.

39. Some staff felt the operational and cultural changes meant the school was being moved too far, too fast. For others it seemed like the right thing to do and overdue. The redundancy of staff was upsetting for many teachers but the overall improvements were welcomed by parents. I would like to think the school remained caring and family-friendly but was more professional, open, accountable, sustainable and dynamic.

40. Fagging or 'scabbing' was defined at Loretto as when one pupil was asked or told to perform a personal service for another. It was not allowed during my time at the school. All forms of fagging or "scabbing" were rejected and seen as bullying even if one pupil were willing to perform such acts for another. Fagging or 'scabbing' was not allowed under the previous Head although there were one practices in place called "parade" whereby older students with responsibility, such as prefects, were allowed to punish younger children unsupervised. This practice stopped in [REDACTED].

Discipline and punishment

41. School rules and the discipline policy were overhauled, improved, made clear and implemented fairly across the school in my first year. From then on the children could only be punished by staff and it was clearly defined as to how and by whom discipline could be imposed. If school prefects felt a pupil should be sanctioned the issue was raised at a meeting with the Vicegerent and, if agreed, managed through a process supervised by staff. This change was introduced so that pupils could not punish other pupils, as had been the practice in previous years. Instead of being autonomous, prefects met with the Vicegerent on a weekly basis to discuss all aspects of their roles including pupil conduct. There was a clear culture change in the role of prefects. In my first year there was some complaining by those prefects in Year 13 who had come into the role thinking it would be as it had been but they were willing to accept the changes. New more rigorous selection and training was introduced. The role remained highly sought and prized by older students.

42. There were clear and formal rules for children and policies for staff. The school rules and discipline policies were included in a published booklet called the Red Book which was given to every child, teacher and parents at the start of every term. The policies were also available to read and download from the school website. Day and boarding houses had their own handbooks and all matters of discipline, sanctions, punishment, safeguarding etc were described here as well and these were circulated to all families. Discipline policies were standard across the houses. Whenever a sanction was imposed a record was kept in house reports and, if more serious, with the Vicegerent and on the pupil's record. These records would be retained on file throughout the time the pupil was at school.

43. When I took up post at Loretto some areas of discipline were the responsibility of the school prefects and house prefects, but this was scrapped in [REDACTED]. From this point it was no longer the case that prefects or other senior pupils could sanction their peers. Referrals about behaviour could be made to teachers but were not handled by pupils.

Day to day running of the school

44. As Head I had overall responsibility for the day to day running of the school, however operational responsibility for particular areas was delegated to members of the leadership team who reported to me and were accountable to me. In practice this meant that I approved the practices that took place and received regular reports as to the implementation of practices, problems, successes etc. I would also be out and about as much as possible so I could see the working of the school first hand. In light of the close monitoring of and regular contact with students along with the training of staff and older pupils in safeguarding matters and the regular reminders to all pupils that any concerns should be reported it was felt that if a child was being abused or ill-treated it would come to light at or around the time it was happening.

45. Pastoral care policies and procedures were very thorough. The school was quite small with a high teacher to pupil ratio and every child was appointed a staff tutor who had specific responsibilities and saw their tutees on a one to one basis every week. Tutors would discuss tutees with house staff and other pastoral leaders frequently. The school staff would follow up on even very small concerns even if these amounted to nothing serious. Part of our wider education programme involved encouraging every child to come forward if in any way unhappy/uncomfortable and for children to talk to staff if they were worried about their friends or anyone they knew.

46. Pupils with leadership roles, including the school and house prefects, were trained by pastoral staff to look out for signs of unhappy children or those behaving in unusual ways and report these to staff. School prefects undertook a week-long residential training programme prior to their appointment and received additional training during their year of office. House prefects were mentored and trained by house staff during their tenure, usually one year, and all students with such responsibilities had safeguarding awareness within this training. Pupils who had been given responsibilities but who fell short in their conduct or who did not adhere to the policies would be warned and if they did not improve, would be removed from their responsibility positions.

Concerns about the school

47. Guy Anthony Ray-Hills, who was a teacher at the school from 1951 to 1967, was accused of abuse but not convicted. The allegations were made 40 years ago and were not seen as a "live" issue in the school. There was a feeling that the school had moved on a very long way since this time. During my period at the school, in keeping with Scottish safeguarding protocols, we contacted the police if we had any concerns about the welfare of any child. Any such contact is a matter of police record.
48. Having left the school [REDACTED] years ago my memory of details of individual cases are not necessarily reliable and I would say that school and police records are a better source of accurate details. However I can recall some incidents. A Loretto parent claimed their child had been assaulted by another Loretto pupil whilst the two families were holidaying abroad together. The police were contacted by the school. In another incident, an international student made an allegation about inappropriate conduct by a fellow boarder. Again the police were contacted by the school. The next incident I recall was when an [REDACTED] was accused of assaulting a female boarder. The police were contacted by the school and the [REDACTED] was arrested although charges were later dropped.
49. In all cases during my period at the school parents were made aware of all/any concerns. The responsibility for reporting to parents was held within the school leadership team, namely the Vicegerent, the Head of the Junior School and the Senior Mistress who was later called Head of Compliance/Safeguarding. Other key pastoral staff would become involved, such as house parents, depending upon the nature of the issue.

Reporting of complains/concerns

50. The school had a widely publicised and circulated complaints procedure. It was open to the entire Loretto community, including all pupils to complain or report a concern.

If a pupil had a grievance or wished to make a complaint about the way they had been treated by an adult, teachers or other pupils within Loretto School they were asked to inform their Housemaster/Housemistress, Assistant Housemaster/Housemistress or Tutor. If they had a complaint about their Housemaster/Housemistress they were asked to raise this with the Vicegerent. If they were not satisfied with the way in which their case had been handled, they were referred to the Senior Mistress/Child Protection Co-ordinator and/or me.

51. At times complaints from pupils, parents and staff would come directly to me or the board and we would encourage the complainants to follow the agreed, established procedures. Pupils were reminded regularly at meetings and informed at induction sessions that any member of staff would listen to a personal problem. From time to time complaints would be made and were formally recorded. These records should still be in the school. Complaints about me were to be directed to the school board.

Trusted adult/confidante

52. There were appointed pastoral staff and an external counsellor who were available to see children. The school introduced a clear communication policy describing how worries should be recorded and channelled to key staff so the pupils gained help. This was linked to a confidentiality policy, an anti-bullying policy and the school's child abuse/safeguarding policy.
53. The confidentiality policy was clear that although matters would be treated in confidence this was subject to three qualifications. The first was that if anything imparted in confidence to one member of staff or person approached as an associate of the school, information may be shared with a restricted number of colleagues if that person felt in need of support and guidance from them. Secondly if serious concerns were raised about the safety or welfare of a child, the person approached would be obliged, in terms of the school's child protection procedures, to pass that information on to the relevant senior member of staff for consideration and as to whether it should be shared with the appropriate authorities. Lastly the school

would pass on information when legally obliged to do so, for example, by a court of law. The change in practice I was aware of was the tightening up of all such policies during my first year to include documentation and policies along the lines of the above.

54. During my tenure the following statement was within the school policies:

'Children must feel able to share concerns with staff. Problems may arise when a child consults a member of staff about a problem and does not want that information to be shared with parents. Whilst staff will try to encourage children to share the information with parents where that is appropriate, there may be circumstances in which any pressure to pass the information on could result in the child keeping it to him or herself or not sharing concerns in the future.'

Confidentiality Statement for Pupils of Loretto.

55. *If you have something important to talk to staff about, if you are worried about things that are happening to you, if you need help or if you need to know how to seek help the staff are there to listen and to help - they will try to do what they can. If you have concerns about confidentiality you are free to talk to any member of staff, it does not have to be a teacher or indeed your Housemaster or Housemistress. Tell the staff - they will understand; they may be concerned about your safety and may need to share this with others, but they would tell you first. If you are still unsure about talking to a member of staff you can phone on 0800 1111; the call is free. Childline will help you work out what to do next.'*
56. Concerns would be raised from time to time and these were managed and recorded in the school.

Definition of Abuse

57. The school had a written description of abuse. The school's handbook, called the Red Book, stated '*There is no single definition but it normally comes into five categories, physical abuse, physical neglect, non-organic failure to thrive, emotional abuse and sexual abuse*'. This definition was included in the widely circulated school handbook and on the school website. Also the school ran safeguarding training for all staff where the definition of abuse and the school policies/police actions associated with it were explained. The new definitions, policies and staff training were introduced in my first year. It did not change during this period.
58. Non-organic failure to thrive is a term used to describe the form of neglect in which the child's growth is inhibited in the home environment and they have been significantly prevented from reaching normal weight and growth milestones - once physical and genetic reasons have been discounted. Typically it is caused by a failure to feed and/or look after a child correctly and/or some form of emotional deprivation. At school, for example, we would be mindful of all child returning to school after a holiday and check if they looking unwell, undernourished, bruised or otherwise injured or if their behavior was different in any way.

Child protection arrangements

59. All teaching and non-teaching staff were given guidance and instruction on how children at the school should be treated at the in-service training at the start of every school year. This ensured all new staff were familiar with policies and existing staff received an annual refresher. The school's child protection/safeguarding training was mandatory for all staff. Policies were written and widely communicated through training sessions run by the senior leadership team. Policies were detailed and advice taken from appropriate bodies including the police.
60. We maintained the commitment that all concerns raised by children about their safety must be investigated and that children's rights to protection and care were

embodied in the Children (Scotland) Act (1995). Autonomy and discretion in the handling of all safeguarding matters was minimised by having widely circulated policies detailing clear communication pathways, staff accountability and regular pastoral meetings. A failure to follow the safeguarding policy would be a disciplinary matter that could constitute gross misconduct.

61. Child protection arrangements were in keeping with our child protection policies and these would come into play in certain circumstances. This could be if a teacher or other member of staff had suspicions arising from observation of a child's behaviour or appearance or comments the child has made. Or if a child told a teacher or member of staff that abuse has taken place or that the child felt unsafe. Or where a third party expressed concern to a member of staff, which could be another pupil, a parent or guardian or member of the public. Or lastly if an anonymous allegation was received.
62. We adhered to the key principles that every child should be treated as an individual and children have the right to express their views about any matter or decision affecting them and to have their views taken into account according to their age, maturity and level of understanding. All actions concerning a child should take full account of the child's best interests and every effort should be made to preserve the child's family home and contacts unless such contact would be harmful to the child.
63. Loretto is a day and boarding school and many boarders would return home frequently. Typically only the international boarders would stay in school for a whole term and many boarders lived locally, going home on occasional weekends. The school also had a half-way arrangement called flexi-boarding whereby children boarded for three nights per week. This meant that for both the day pupils and many of the boarding population the school had a close relationship with families and what went on in family life.
64. In decisions relating to child protection every effort should be made to keep the child in the family home, providing that is consistent with the child's welfare. Children should only be separated from their parents if it is in the child's best interests.

Children, whoever they are and wherever they live, have the right to be protected from all forms of abuse, neglect and exploitation. Every child has the right to a positive sense of identity. At Loretto I can recall only one instance where a child was temporarily not allowed to see their parents and this was at the end of a term. Normally the child, who was a boarder, would have gone straight home but they were the subject of an allegation made by another pupil. Once the statement was made to the police the child was allowed to return home. The police felt there was no case to answer.

65. Any intervention in the life of a child or family should be on formally stated grounds, properly justified and made in close consultation with the parents/guardians and all relevant parties. There may be exceptions to parental involvement where this is not in the best interests of the child. Young people living away from home should be given a clear statement of their rights and responsibilities. They should be involved in decisions affecting them and in the provision for their care, meaning they should have a voice in the decisions made regarding what happens to them and who looks after them. Their rights should be consistently respected. Young people should feel safe and secure in any care setting and have a confidential means of making complaints.
66. In my opinion our policies and practices were fair, widely known and worked.

External monitoring

67. The school was inspected by the Independent Schools Inspectorate who reviewed safeguarding and boarding as part of their review of the school as well as announced and unannounced School Care Accommodation Service inspections by the Scottish Care and Social Work Improvement Scotland. These inspectors would speak to children individually and in groups where staff would not be present. Inspectors would always also speak to me. Feedback was in the form of written, published reports. As Head I would be given oral feedback by a member of the inspection team

prior to the publication of the report. Also when the report was in draft form I was given an opportunity to comment on the factual accuracy of the content.

Record keeping

68. Our leadership team made significant changes in the record keeping processes from [REDACTED] onwards. We made sure there were standardised forms for all important, documented activities, processes and decisions. The Senior Mistress/Child Protection Coordinator maintained all records of child safety incidents and liaised with the authorities when necessary. The Vicegerent and Head of the primary school handled the documentation regarding complaints. Copies were circulated to key staff as was relevant. This was in keeping with our child protection and complaints policies.
69. In my opinion the record keeping prior to [REDACTED] was not up to the standards I expected. I found it difficult to trace documents other than those that were stored in the office of the headmaster. The practice of record keeping throughout other parts of the school was patchy. This was accepted by staff who were willing to move to a more detailed, systematic and coordinated way of recording information.

Investigations into abuse-personal involvement

70. Any matter involving me or my leadership team regarding abuse, ill treatment or inappropriate behaviour would be recorded in the school. I was party to some investigations but cannot recall sufficient detail and dates and would require access to the school's official documents to provide accurate details. In all cases we followed policies that had the approval of our professional associations and the police.

Reports of abuse and civil claims

71. I have not been involved in the handling of reports to, or civil claims made against the school by former pupils, concerning historical abuse.

Police investigations/criminal proceedings

72. I recall the police being involved in two allegations made by pupils and one by a parent during my time at Loretto. One was where a Loretto parent claimed their child had been assaulted by another Loretto pupil whilst the two families were holidaying abroad together. The police were contacted by the school and interviewed the boys in school and, to my best recollection, no further action was taken. The second was where an international student made an allegation about inappropriate conduct by a fellow boarder. The police were contacted by the school who interviewed both boys and to my best recollection, no further action was taken. The last incident was where an exchange student from [REDACTED] was charged with attempting to rape and sexually assault a female pupil on the school grounds in [REDACTED]. The victim reported the matter to pastoral staff and the police were contacted by the school. The Crown Office later decided not to proceed with the case following careful consideration of all the information. The boy was released on bail and allowed to return to [REDACTED].
73. I have not given a statement to the police or given evidence at any trial concerning alleged abuse.

Convicted abusers

74. I do not know of any person who has worked at the school and who has been convicted of the abuse of any children.

Specific alleged abusers

75. I recall BND [REDACTED] who was already employed when I joined the school in September [REDACTED]. He left two or possibly three years later to become [REDACTED]. I do not have access to BND [REDACTED]'s employment file but I would say he was around mid 30s when we worked together. He was the [REDACTED] and he taught [REDACTED] on a very reduced timetable. I was the line manager of the [REDACTED] and BND [REDACTED] reported to me in this role. He was line managed by the Head of [REDACTED] for his class teaching.
76. Soon after my arrival at Loretto I read a file note that BND [REDACTED] had been the subject of a final written warning before I arrived. None of the senior staff at the school at this time admitted to being aware of this and only one letter was on file, that being the letter of warning from the previous headmaster to BND [REDACTED]. I cannot say if the staff I spoke to were being honest or dishonest with regard to knowing about the matter. The previous Head may have kept the incident between himself and BND [REDACTED] or they may have known insufficient to speak with any confidence about the matter. It is possible that any and all complaints about BND [REDACTED] went only to the Head who dealt with it in the strictest of confidence. To the best of my recollection BND [REDACTED] was the subject of a complaint by a girl/some girls at school aged around 16 probably in [REDACTED]. They felt his language in class was, on at least one occasion, highly inappropriate and sexualised and this complaint was supported by one/some parents.
77. After reading the formal warning letter I met with BND [REDACTED] to confirm to him that this final written warning would remain in place for the length of time stated by my predecessor. As I recall matters the period of the warning lasted for two years, [REDACTED] to [REDACTED]. BND [REDACTED] was not in breach of the rules after our meeting and the final notice period expired in [REDACTED]. I felt he was someone who I needed to keep an eye on and based on his past conduct. I knew him as an employee and saw him from time to time as a fellow resident on the school campus. We did not meet socially. Pupils who were appointed as [REDACTED] prefects worked with him in an unsupervised setting in the school [REDACTED] and offices. None of the encounters I saw filled me with

concern and he behaved as one would expect a teacher to behave. I did not see BND discipline children and never saw him nor hear of BND abusing children.

78. I could not state as fact anything I witnessed that would present an obstacle to BND being appointed elsewhere. When, after the written warning had expired, BND informed me that he wanted to return to [REDACTED] and asked me to write a reference in support of his application I was willing to do so.

Lessons learned to protect children in boarding school now and in the future

79. The police checks, meaning the PVG, DBS etc that are mandatory prior to confirming the appointment of teachers, do not seem to identify serious offenders, only those staff who have committed lesser and less relevant offences and may well be reasonably employed. The checks may act as a disincentive to some.
80. School Care Accommodation Service inspections within the Scottish Care and Social Work Improvement Scotland inspected the school, looking at the quality of care and support, the quality of the environment, the quality of staffing and the quality of management and leadership. In the unannounced inspection completed on [REDACTED] all of these were recorded as Level 4-Good. Based on my experience at Loretto, the staff I encountered who were charged with inspections were competent but lacked experience and knowledge of life in boarding schools. They seemed very familiar with residential and care environments such as children's homes but in conversations they had with staff, for example, some struggled to grasp the idea that the children liked boarding away from home and saw living away from home it as a positive choice made by parents and children.
81. School governors have nominal responsibility for safeguarding but regular, specific training is not mandatory. I feel they should be required by regulation to demonstrate that they are knowledgeable, up to date and trained regularly in this vital area.

82. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed..........

Dated..... 21 September 2020