

Scottish Child Abuse Inquiry

Witness Statement of

Simon PENGELLEY

1. My name is Simon Pengelley. My date of birth is [REDACTED] 1955. My contact details are known to the Inquiry.

Background

2. I have a BA History from The University of Bristol and a PGCE (Post Graduate Certificate in Education) from London University, Institute of Education. I was a History Teacher in Abingdon School, Oxfordshire from 1979-1985; was Head of History in Strathallan School, Perthshire from 1985-1992; the Deputy Head and Director of studies in Rossall School, Lancashire; 1992-2004; and Rector and Principal of Morrison's Academy, Perthshire from 2004-2015

Morrison's Academy, Perthshire

3. I made an application to Morrison's Academy which included the provision of referees. There then followed interviews at long and short leet stages, the latter which included a presentation to staff and dinner with the governors. GTCS (General Teaching for Scotland) Registration was obtained on taking up the post.
4. My line manager was the Chairman of Governors. During my Rectorship I had Five different Chairmen and the amount of contact varied according to the individual. These were Alistair Mair, Rod Mickel, David Glen, Flora Sharp and Landel Johnston. I can't remember their dates of office; the school will be able to supply them if really necessary. Annual appraisal by the Chairman was introduced during

my time at the school. I also had two external appraisals and a Care and Welfare and a school inspection.

5. The Chairman of Governors oversaw my induction which began before I took up post. In addition I attended the induction courses required by my professional association, HMC (Head Master's Conference). Training thereafter was continuous.

Policy

6. As Rector I had overall responsibility for the welfare of all the children in the school. Boarding ceased in 2007/08. With regards to training, recruitment of staff, child protection, requirement for qualifications, staff appraisal, complaints procedure, discipline and punishment of children, disciplinary process for dealing with complaints and allegations against staff, whistleblowing and record-keeping I would have to say that at this distance I cannot remember specific changes to policy.
7. However, I feel confident in saying that there were changes in relation to most of these matters where day pupils were concerned during my 11 years as Rector.

Strategic planning

8. I was closely involved in strategic planning in conjunction with the Governing Body. The potential for abuse was not considered by the Strategy Committee. As an operational matter it was addressed by the Senior Management Team (SMT). The Strategy Committee met once a term, if my memory serves me correctly, and dealt with the whole gamut of strategic matters as well as checking the progress of the implementation of the Strategic Plan.
9. The Strategy Committee was a sub-committee of the main Board of Governors. I cannot remember the precise number that sat on the committee but there were probably five or six governors, including the Chairman, myself, the Bursar and the Director of Development.

10. The Senior Management Team comprised of Rector, The Depute Rector, Assistant Rector – Academic, Assistant Rector- Pastoral (Child Protection Officer) and The Head of the Primary School.

Other staff

11. As Rector I had overall responsibility for all staff. The Bursar, Alistair Beaton, had day-to-day responsibility for the support staff and I for the academic staff. The Senior Management Team reported directly to me, as did the marketing, recruitment and development officers. The Child Protection Officer was a member of the SMT and we had a weekly meeting to discuss child protection issues. This was Angela McCluskey and, prior to her, Annie Allan

Recruitment of staff

12. I was involved in the recruitment of staff. Candidates would complete an application form including the details of two referees. References would be followed up prior to interview. There would be two interviews and a tour of the school as well as an observed lesson for all candidates for teaching posts after which all people involved in the interview process would meet to discuss the candidates. Once a consensus had been reached an offer of a post would be made.
13. References would be obtained from previous employers and were expected to cover the candidates' qualifications, experience and suitability for the post with a specific question as to whether or not the candidate should be allowed unsupervised access to pupils. Referees were not spoken to as a matter of course, only if some element of the reference required clarification.
14. The peripatetic music teachers were not employed by the School, their contract was directly with the parents of the children they taught. However, they used the premises of the Music School to conduct their teaching and it was the Director of Music who was responsible for their appointment and supervision.

15. During my time at Morrison's we put glass into all the doors of the music practice rooms so that other adults and children could look in. The great majority of instrumental music teaching was one-to-one.

Training of staff

16. I was involved in the personal development of those staff who reported directly to me. The following reported directly to me:-The Depute Rector, The Assistant Rectors, The Head of Primary, The Bursar and The Director of Development. I carried out the appraisals of these colleagues, set their performance targets and supported them through training where this was identified as a need.

Supervision/staff appraisal / staff evaluation

17. I introduced a system of staff appraisal and appraised those staff who reported directly to me. The School had tried more than one type of appraisal before I arrived but there was no settled system in place. I don't remember when I introduced appraisal but I did not do so until I felt I had established myself in the School. Later, I added pupil assessment of teaching and learning into the review process with all the pupils completing an annual questionnaire on each of their subject teachers.

Living arrangements

18. I lived in my own home some four and a half miles from the school premises in Crieff. For the short time we had boarding there were house staff on site and visiting tutors who lived elsewhere. Most staff lived within 20 miles of the school. Residential house staff and visiting tutors had access to the children's residential areas. How can a houseparent or tutor carry out their functions without access to communal house areas? For example a visiting house tutor has to visit studies while on duty in the evening to see that the pupils are doing their homework; a houseparent has to check that all are in bed at the end of the day.

19. Usually, when a tutor was on duty, the houseparent would be in their accommodation which was attached to the house but they were not required to go round checking on the tutors. Tutors, like house parents, were trusted adults.

Culture within Morrison's Academy, Perthshire

20. I stated my expectations of how the staff and children should behave towards one another at the start of every year and reinforced that regularly at Assembly. Respect, toleration, kindness, courtesy etc. I would say that these values became embedded. I wouldn't say that the school had any absence of values when I arrived it's more a case of me wanting to ensure that all members of the school community understood the values I that I held dear and which I felt would lead to a settled and contented school. Fagging did not exist to my knowledge.

Discipline and punishment

21. There wasn't a large amount of punishment. Detention was used as a punishment, and, for serious breaches of school discipline a pupil might be suspended for a short spell. I preferred not to use the latter as it was an interruption to the individual's education but on occasion it was unavoidable. Very rarely, maybe twice during my eleven years at the school, a pupil had to be permanently excluded.
22. All staff set disciplinary standards but the emphasis was on how to behave appropriately and with respect for others. As part of this approach we became a 'Rights Respecting School' and there was a formal policy in relation to discipline and punishment.
23. Rights Respecting School" is an award run by UNICEF and given to a school that has met the criteria for the award that they stipulate. Before the award is made a team from UNICEF visit the school to establish whether or not the school has done enough to merit the award. For me the importance of pursuing RRS status was that it

prompted all the members of the school to think about each other's rights and to foster a deeper respect for one another.

24. Records were kept. I kept records as did the CPO, the Heads of Year and the Heads of Primary and Nursery. Records might consist of notes of telephone calls, emails, letters, Heads of Year reports and so forth. I cannot remember exactly how the discipline policy was disseminated beyond various handbooks, the policies kept on the school's intranet and reinforcement at school assemblies.
25. Discipline was not the responsibility of older pupils. They were, however, expected to model good behaviour and treat all members of the school community with respect.

Day to day running of the school

26. I was involved in the running of the school all day, every day of the term, being a leader and modelling the kinds of behaviours I expected to see in others. Running a school involves a myriad of tasks and duties.
27. Whilst I had overall charge day-to-day responsibility for the running of the two boarding houses was delegated to their respective house parents. We had regular meetings of all the house staff when we monitored the health of house life and staff were encouraged to air any matter relating to boarding which they felt needed to be addressed. Outside of these formal meetings house staff would refer difficult or intractable problems to me. I would visit the houses from time-to-time and participate in those boarders social events to which I was invited. My door was always open to all staff, including house staff, if they wanted to discuss some matter with me
28. Looking back, I am confident that, if any child was being abused or ill-treated, it would have come to light at or around the time it was occurring. I say this because the school had a culture that encouraged the children to talk to somebody if they had any concerns. They were encouraged not to ignore problems and bottle worries up.

Having said this no man-made system is fool proof. My feeling, and it is now over fifteen years since I joined the school, was that they children were a little more reticent when I arrived.

Concerns about the school

29. The school, to my knowledge, was never the subject of concern, in school or to any external body or agency, or any other person, because of the way in which children and young people in the school were treated.

Reporting of complaints/concerns

30. If any child (any person under 18) in the school, or another person on their behalf, wished to make a complaint or report a concern there was a complaints or reporting process in place. At this distance I don't remember the details other than the complaints procedure was held on the Parental Portal. Parents were not backward in coming forward if they felt something was amiss, however small.
31. The Parental Portal was a means of giving the parents access to a good deal of information online that would otherwise have to be printed and distributed to them. The Portal allowed parents to be better informed about the running of the school, if they wanted to be, than in the days of sending home parental handbooks, letters calendars and such like. The Head of IT systems managed the Portal whilst the content was written by a number of colleagues.
32. In addition to following the complaints procedure, parents could air general concerns at one of the two Parental Liaison Committees. Complaints were received and recorded in the parental files in the Rector's office. The meetings of the Senior and Primary School Liaison committees took place once a term in the evening, chaired by a governor, with either myself or the Head of Primary in attendance. Two parents from each year group were asked to volunteer for a period of two years. Any aspect of the operation of the school could be raised at the liaison meetings but not

complaints about individuals; these were dealt with either informally or via the complaints procedure.

Trusted adult/confidante

33. The children were encouraged to talk to their form teacher or head of year if they had concerns of any kind. The Child Protection Officer was also a recognised port of call for the children. Any concern brought to the attention of a Head of Year was recorded in the weekly report. The reports of all 6 Heads of Year were collated and sent to the Rector. Informally the School Nurse also fielded concerns the children might have.
34. Over time, broadly speaking, the system remained the same, albeit the personnel changed from time-to-time. Children did raise concerns in this way on a range of matters. They raised things like the school uniform, concerns about harassment, complaints about the quality of the food in the Refectory, issues to do with the quality of teaching and learning.

Abuse

35. During my period of employment, the school did not have a formal definition of "abuse" that it applied in relation to the treatment of children at the school. We had a definition of bullying and an anti-bullying policy. As far as I remember this was first in the Parents and Pupils handbooks and later on in the Parental Portal. Anti-bullying was reinforced by myself at assemblies and by form teachers and Heads of Year.

Child protection arrangements

36. All staff received training in child protection and this was followed up regularly when the Child Protection Officer met with the Heads of Year who in turn worked with their team of form teachers. Staff were told that any concerns were to be reported

immediately to the Child Protection Officer who would handle the situation from then on. Staff had no autonomy, including discretion, in relation to these matters. Concerns relating to child protection were to be passed on to the CPO without delay.

37. With regards to child protection arrangements that were in place to reduce the likelihood of abuse, ill-treatment, or inappropriate conduct by staff, or other adults, towards children at the school, all staff had a duty to report concerns of the type mentioned to the CPO.
38. I was confident that the system worked through my weekly meeting with the CPO and reading of the weekly report compiled by the Heads of Year which listed any matters that had been brought to their attention by pupils or parents.

External monitoring

39. Inspectors and other officials visited the school. We had a Care and Welfare Inspection whilst boarding was still in operation and an Inspection of Education by HMIE (Her Majesty's Inspectorate of Education). The Nursery was regularly inspected by external agencies who would speak with children, individually or in a group, though I do not know if staff were present during these times. They also spoke to me and HMIE gave extensive feedback while Care and Welfare produced a report.

Record-keeping

40. Records were kept in pupil and parent files in the Rector's Office. Where there was a complaint about bullying this would be followed up and recorded in the weekly report and thereafter in the pupil and parental files. I can only remember us having to consult historical records on a tiny number of occasions and as far as I can recollect they proved adequate.

41. There was no policy on record keeping although I have a recollection that we changed our policy on records to comply with new data protection legislation. I had no occasion to search the records in regard to child abuse.

Investigations into abuse – personal involvement

42. I was never involved in any investigation on behalf of the school into allegations of abuse or ill-treatment of children at the school or into inappropriate behaviour by staff or others towards children.

Reports of abuse and civil claims

43. I was not aware of any such reports.

Police investigations/ criminal proceedings

44. Following the suicide of a girl in S4 in [REDACTED] the police conducted an extensive investigation, assisted, when called upon to do so, by the school. At the time the newspapers implied, without any evidence, that the girl concerned was subject to bullying. At the conclusion of their investigation I was informed by the investigating officer that the death of the pupil had, quote, 'nothing to do with Morrison's Academy'.
45. I have never given a statement to the police/the Crown concerning alleged abuse of children cared for at the school. Nor have I ever given evidence at a trial concerning alleged abuse of children cared for at the school.

Convicted abusers

46. I do not know of any person who worked at the school who was convicted of the abuse of a child or children at the school.

Leaving the school

47. I left Morrison's Academy when I retired. I joined the Loretto Board the autumn after I retired in 2015. Broadly speaking the approach to child protection was and is the same in both schools, namely a desire to ensure that the children are safe and well at all times. Over time guidance on child protection procedures has undergone incremental changes and both schools have endeavoured to adopt and implement best practice as it has emerged through the good offices of government agencies, social work departments and SCIS.

Helping the Inquiry

48. The best way of protecting children in a residential situation is to employ well-trained, well-qualified, experienced and mature adults who have a strong moral compass and work in an environment that has the care and welfare of children at its core with appropriate and clearly understood procedures in place for when and if there are causes for concern. However, procedure of itself does not protect children, good people do.
49. From my experience at Morrison's Academy peripatetic teachers did not represent an increased level of risk because they worked visibly within a busy department. Outward bound training I cannot comment upon as we didn't make use of it when I was at the school. We did use outside providers for Duke of Edinburgh Award Scheme expedition training and final assessments.
50. However, extensive risk assessments were carried out beforehand and the children worked in groups with the instructors and not individually. Likewise exchanges were carefully risk assessed, and generously staffed but could involve a heightened level of risk of something going wrong; for example a young girl on a trip to a school in Malawi contracted malaria in spite of having taken prophylactic medication. On the other hand overseas trips and exchanges did offer some of the most profound learning experiences to those who participated in them.

51. Boarding ceased at Morrison's in 2007, after a steady decline in boarding numbers over the previous twenty years. It's axiomatic that if you remove boarding, and therefore the opportunity for adults to have unsupervised access to children, you reduce the chances of abuse occurring.
52. The cessation of boarding made the school easier to manage; the children, after all, go home at the end of the school day. However, it also diminished the school. Boarders, who could come from all over the world, brought with them a cultural diversity that enriched the entire school; this cannot easily be replaced. When boarding ceased at Morrison's Academy I was conscious of the need to expand our overseas trips and exchanges in order to try, at least to some extent, to make good this loss and to introduce children born and brought up in the ethnically homogeneous environment of rural Perthshire to a wider world.
53. 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..... 03 December 2020