Friday, 4 October 2019

THE CHAIR: Good morning, everyone. Welcome to Day 5 of this public hearing. Ms Nield?

MS NIELD: Good morning, chair and panel. The first witness, please, is Margaret Moore.

MRS MARGARET MOORE (affirmed)

Examination by MS NIELD

MS NIELD: Good morning, Mrs Moore. Just a few things before I begin my questions.

First of all, it is not a test of memory. Please feel free to refer to your notes or witness statement at any time. We can have as many breaks as you like. Just let me know if you wish to take a break at any time, and we will be having a break every one hour and 15 minutes, in any event.

There is a screen in front of you. The evidence handler, this gentleman sitting in front of me, will be bringing up on screen the documents that I refer to, which everybody else will be able to see on their screens in the room.

You also have a paper bundle in front of you, which has the relevant witness statements, your own witness statement at the very front, and any documents that we are going to refer to, so you can use either the screen or the paper bundle, or both, but I will ensure that the documents you need are on the screen.

Your witness statement is at the front of that bundle behind tab A/1. Chair and panel, this is in core bundle D, behind tab D/15.

You have signed it, you have dated it. Is it true, to the best of your knowledge and belief?

A. It is.

Q. Have you had an opportunity of reading it recently?

A. Yes.

Q. You were a teacher at the Purcell School for Young Musicians from 2002 to 2001; is that correct?

A. 2011.

Q. Forgive me, 2011.

A. Yes.

Q. You were head of geography, I think, at the school?

A. Yes.

Q. In a department of one?

A. In a department of one. It is a small school.

Q. It is a small school and I think geography wasn't taught at A level; is that right?

A. That's right.

Q. Before going to the Purcell School, you had previously taught at a number of schools, I think. You had spent seven years teaching at Watford Girls' Grammar prior to there from 1985 until 2002.

Q. Can I ask you to speak up a little bit?

A. That's right.

Q. What did that entail?

A. It was rather a nice job, actually. It was a bit like being a mum. You know, you signed them in in the evening, so that you they'd had supper, you asked where they're going, what they're doing, so that you've got a record of where they are. You wander around, check if they're doing their homework, have a chat with them about anything they're up to. Yeah, just a bit like a mum, really.

Q. Were you responsible for making sure they were in bed at bedtime?

A. No. What happened was, at the end of the evening, I would write down in a log any concerns I might have or anything that the children have told me that, you know, a bit worried about, and I would hand that over to someone else, who would then deal with bedtime, but there was a record kept.

Q. When you were at the Purcell School, what safeguarding training did you undertake?

A. Well, I certainly remember having the basic level 1 training. I'm not quite sure at what point, and I'm not quite sure whether I had any more of those, but I certainly had level 1 basic training.

Q. I'm going to move on now to ask you about concerns that taking up your employment?

A. I think it was much longer than that, because I worked there from 1985 until 2002.

Q. Can I ask you to speak up a little bit?

A. Sorry, I worked at Watford Girls' from probably about 1985 -- no, let's see. How old are you? You were born in '84. So, in fact, probably from 1985 until 2002.

Q. When you were at the Purcell School, what safeguarding training did you undertake?

A. Indeed.

Q. You also served on the health and safety committee of the school?

A. For a while, yes.

Q. I think there was a period of time when you had a pastoral role within the school; is that correct?

A. Yes.

Q. You were the visiting house tutor in the girls' boarding house?

1 (Pages 1 to 4)
A.  That there’d been this meeting in the house, that the boys had described, somewhat vaguely, some of the things that had happened, that they’d seen a video, that there’d been clips from a computer, and some of the language.  They sort of didn’t tell us a lot, but certain enough for us to be concerned.

Q.  What did she tell you that she had heard at that point?
A.  That it was a discussion about masturbation, really, largely.

Q.  In the third paragraph, you say:
A.  That's right.

Q.  So you were saying that you told her she should report it?
A.  Absolutely.

Q.  Who did you tell her to report it to?
A.  Well, I did say that the sequence should be that it goes to the chair of governors, because that's the procedure. If there's a concern about the headmaster, it goes to the chair of governors. But we had a few doubts about whether it might be dealt with properly, and so the other alternative was take it straight out and take it to social services.

Q.  Did she agree to report it?
A.  No, she didn't.  But we very forcefully said, "You should do this".  She was very concerned. You know, she’s a music teacher; it's a good thing to have on your CV that you are a music teacher in a specialist music school.

Q.  Why was she reluctant to report the concerns?
A.  Because of her job.  Yeah, very much because of her job.

Q.  As a result of the conversation that you had with Mrs Sutherland, what did you then decide to do, in relation to those concerns about the PSHE lesson?
A.  Well, because I wasn’t 100 per cent sure that she would, I wrote the anonymous letter to Graham Smallbone.

Q.  Can we get up, please, INQ004382.  That's behind tab B/10 in your bundle.  That's the letter that says, if we can go to the third paragraph:

"There have been whisperings at the Purcell School about an incident that purportedly took place on Sunday, 10 May 2009, that I think you should be aware of."

That's the document that you wrote?

Q.  In the third paragraph, you say:
A.  It is.

Q.  In the third paragraph, you say:
A.  Absolutely.

Q.  You mention the school's code of conduct and child protection policy and also a whistleblowing policy.  You say:
"Despite the whistleblowing policy ... this letter remains unsigned because of a genuine fear of reprisal by the headmaster should he become aware of who has written it ...."
and he'd spoken to both Mrs Young and the girls about their complaint, which he shouldn't have done.

Can I take you, please, to the witness statement of Paul Elliott -- PUR001247 009, paragraph 44. This is behind tab 7 in your bundle. There is reference within this witness statement to Mr Elliott -- he was the designated safeguarding lead:

"I had already visited the chairman of governors at his home following some concerns that had been raised by a member of staff, Sheila Young, who had told me that some girls had felt uncomfortable when Peter Crook, as part of his observation of lessons, had watched the girls playing netball in the gym. The girls had talked to her about their concerns. I cannot remember exactly when that meeting took place, but I think it may have been in 2008. The member of staff felt uncomfortable about going to the chairman of governors, but I felt it was important to let him know what was being said. In discussion with the chairman, we agreed that Peter Crook's actions were more likely to have been thoughtless rather than suspicious. I do not know if the matter was taken any further. I took no further action. I felt I had carried out my responsibilities by reporting to the chairman of governors a concern about the headmaster. This was what was required by the child protection policy at the time."

Does that appear to be the same incident that you're talking about, where Sheila Young had made a concern?

A. Yes.

Q. Your understanding was that she had been spoken to by the headmaster about her complaint and the girls who had made the complaint had also been spoken to?

A. Mmm.

Q. You've told us that you were concerned that if your identity was made known, the head teacher may speak directly to you.

A. We didn't have one because the previous person had left, but there'd been no mention of, "Is there anyone on the staff who would like to take it on?", which is pretty unusual, because the headmaster doesn't write curriculum, he writes policies. So it was just very strange that he decided he was suddenly going to rewrite this.

Q. We will come to the document that you found later on, because I think, subsequently, some time after that staff meeting, you actually found the rewritten policy, and we will come to that in a moment.

There was, in the meantime, another staff meeting on 3 June 2009. Can we get up the minutes from that, please -- INQ004583. You've said in your witness statement to Mr Elliott that you had already visited the chairman of governors at his home following some concerns that had been raised by a member of staff, Sheila Young, who had told me that some girls had felt uncomfortable when Peter Crook, as part of his observation of lessons, had watched the girls playing netball in the gym. The girls had talked to her about their concerns. I cannot remember exactly when that meeting took place, but I think it may have been in 2008. The member of staff felt uncomfortable about going to the chairman of governors, but I felt it was important to let him know what was being said. In discussion with the chairman, we agreed that Peter Crook's actions were more likely to have been thoughtless rather than suspicious. I do not know if the matter was taken any further. I took no further action. I felt I had carried out my responsibilities by reporting to the chairman of governors a concern about the headmaster. This was what was required by the child protection policy at the time.

A. That's correct.

Q. Was that the usual delay for minutes of a staff meeting?

A. No, and someone actually asked where the minutes were, and we were told they were confidential, which seemed strange, because minutes are never confidential. But these were about three weeks later.

Q. We see in there item 1 on the agenda, on a four-point agenda, is PSHE.

A. Mmm-hmm.

Q. The headmaster informed staff that he had given a PSHE anti-bullying session to all in a certain boarding house in year 9 in the presence of TDS -- that's Tom Smith?

A. It is.

Q. "... in an attempt to reduce taunting and teasing and sexualised bullying of a particular lad, and it was a lad that I had been quite concerned about, and so I raised this, and -- because it's just strange that he says "rumours of possible bullying", because we knew this bullying had happened. So it turned -- this all turned into a bit of a bloodbath in this meeting, because we were very concerned that this wasn't PSHE. We have a PSHE curriculum, it's taught in a classroom, there's vetted resources, it's not done in a private house on a Sunday evening. And so we were raising those concerns quite vociferously, I think we can say.

Q. What was the response of the headmaster when those concerns were raised?

A. Yes.

Q. What did he say?

A. He said that he had to rewrite the PSHE scheme of work.

Q. Who was head of PSHE at that time?

A. We didn't have one because the previous person had left, but there'd been no mention of, "Is there anyone on the staff who would like to take it on?", which is pretty unusual, because the headmaster doesn't write curriculum, he writes policies. So it was just very strange that he decided he was suddenly going to rewrite this.

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| 1. A. He said he'd taken advice, which was a common thing he said.  
2. Q. Did he say who he had taken advice from?  
3. A. Yes, Health Promotion Hertfordshire, which I thought was very strange. They were going to give that sort of advice, and also from a person in charge at a previous school, and, again, it didn't add up, because no one would ever use this event as a response to bullying.  
4. Q. What was the demeanour of the head teacher when these questions were being asked of him by his staff?  
5. A. Quite defensive. He thought he'd done nothing wrong.  
6. Q. After that staff meeting, on that same day, when you went home, you contacted both your union and the local authority designated officers, called Mel Leicester-Evans?  
7. A. Yes.  
8. Q. I think you were informed by Ms Leicester-Evans that others had, in fact, already contacted her anonymously about concerns for the PSHE lesson; is that correct?  
9. A. It.  
10. Q. I'd like to come on --  
11. A. Can I just say one other thing? One of the things that the headmaster said -- well, one of the members of staff in the 3 June meeting said, "Could you tell us, if the children ask us about what went on in your house, what should we say?", and he just calmly said, "Well, you tell them it's PSHE", and that's what was, ultimately, the reason why I went to Ofsted, because I thought, this is not PSHE, and you are asking us to potentially lie to the children, and -- because it wasn't PSHE.  
12. Q. The PSHE scheme of work, you subsequently came across that document, I think, in the staff room on the photocopier; is that right?  
13. A. Yes.  |

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| 1. Q. Can we get up, please, INQ004672_007.  
2. A. That's not the right one.  
3. Q. No, I don't think that's correct. We will see if we can obtain that in a moment.  
4. If we can go to paragraph 48 -- INQ004579_007. If we could get that up, please, Ralph, and we will see if we can get the document from which you are quoting subsequently.  
5. You have noted the document that you found. When you found the rewritten scheme of work, did you take a copy of it?  
6. A. Oh, yes.  
7. Q. Did you take it away with you?  
8. A. I did.  
9. Q. You later sent that to the local authority?  
10. A. I did.  
11. Q. In connection with their investigation into the matters around the PSHE lesson?  
12. A. Yes.  
13. Q. Can we have a look, please, at the section in italics:  
14. "In accordance with the spirit of every child's and DCSF guidance on the prevention of bullying ... and the Purcell School anti-bullying policy, it will sometimes be appropriate to deliver tutorials with smaller groups of pupils. If this is done in an informal domestic setting, two adults must be present ..."  
15. Had that previously been in the policy, that it was possible to deliver PSHE lessons in an informal domestic setting?  
16. A. Absolutely not.  
17. Q. What were your concerns when you saw that document?  
18. A. That this was being written in that would give sort of cover for what had happened in the headmaster's house, that it would give it -- it would be an okay thing to do, which, clearly, it wasn't and isn't.  
19. Q. So you said that you were concerned that Mr Crook was retrospectively rewriting the scheme of work?  
20. A. Yes, so that it would then fit in with the story that it was okay to have that session in his house.  
21. Q. What had your understanding been on the school policy on giving lessons or talks or inviting pupils into staff accommodation?  
22. A. Well, when I worked in the boarding house, we had very strict rules. There was a meeting room just on the edge of the boarding house where you would go in if you wanted to talk to a child about anything, but you certainly never had a child in your house, for fairly obvious reasons. If there was abuse, then the child could describe the contents of your house. So very, |
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<td>1. very good reasons for not having children in your house, and that never happened in the boarding house that I worked in.</td>
<td>1. so people were very reluctant, and there had been times in the past where people had reported things to Graham Smallbone and we weren't confident that they were being dealt with properly.</td>
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<td>2. Q. After you'd sent that document to social services, there was also a letter, I think, that you were involved in writing from the Staff Association to the chair of governors?</td>
<td>3. Q. Having contacted social services with your concerns, and being aware that there were others who had contacted social services with those concerns, I don't think you received any feedback directly from social services as to the outcome of those investigations?</td>
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<td>4. A. That's correct.</td>
<td>5. A. No, we were completely in the dark.</td>
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<td>6. Q. That's PUR001145. That's behind tab B/10 in your bundle. The Staff Association, were there any teacher representatives on the school's governing body?</td>
<td>7. Q. You've explained that the chair of governors wrote a letter to all the staff on 15 July 2009. I don't think we need to necessarily get that up. But in that letter, Mr Smallbone told the staff that the multi-agency decision had been that there was no case for them to consider, and that any remaining matters were for the school to resolve through its own internal management procedures, and it went on to say that there would be an independent review.</td>
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<td>9. Q. How many staff members were involved in the decision to write and send that letter?</td>
<td>10. Q. Were you ever given the brief or the terms of reference for the independent review? Were you aware what their questions were?</td>
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<td>11. A. About 25 of us.</td>
<td>12. A. Well, we were told that they were looking at why people had avoided the school system, and any other matters</td>
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<td>12. Q. Mr Smallbone responded to that letter with a letter asking staff with concerns to give their names?</td>
<td>13. A. Absolutely not.</td>
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<td>13. A. Yes.</td>
<td>14. A. That's right. And I know that a lot of my colleagues were going to do the same, because it said, &quot;Any other matters&quot;. So we decided this -- well, individually, people decided they'd tell the reviewers what they knew.</td>
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<td>14. Q. Was anyone from the Staff Association happy to do that?</td>
<td>15. Q. You say in your witness statement that after you had met with the reviewers, you were told by another member of staff that one of the reviewers had told them he was actually known to one of the governing body; is that correct?</td>
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<td>16. A. Absolutely not.</td>
<td>17. A. That's right. I mean, we didn't --</td>
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<td>17. Q. It may seem an obvious question, but why not?</td>
<td>18. Q. How did that affect your perception of the independence of the review?</td>
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<td>18. A. Well, he's ultimately in charge. If we make a complaint and raise it with him, the next thing you know, you might be out of a job. You've got mortgages. So, yeah, we were very concerned. He has that power over us, and</td>
<td>19. A. Well, it went straight out the window. We didn't believe that it was going to be independent at all.</td>
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<td>20. Q. The final report of the independent review wasn't shared with staff, was it?</td>
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<td>20. A. That's right. And we were encouraged to come forward; you know, lay cards on the table, everything was going to be fine, come and tell us all what's going on. So we were fairly confident in going forward.</td>
<td>21. A. No, not at all.</td>
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<td>21. Q. You spoke to the reviewers, and you raised the concerns that you had had around the PSHE lesson and other concerns about the --</td>
<td>22. Q. But there was a staff -- you weren't given copies of it, or anything like that?</td>
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<td>23. A. No, we had no --</td>
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<td>23. Q. -- and had been assured by both of those people that the review would be entirely independent and that the two reviewers were not known to anyone on the board of governors?</td>
<td>24. Q. But there was a staff meeting with all the staff and Mr Smallbone and Mr Smith from the local authority on</td>
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| 1 A. Yes, I did.  
2 Q. You, I think, disagreed with a number of the  
3 conclusions?  
4 A. Certainly.  
5 Q. I'm taking from your witness statement, you had given an  
6 example that in the report it's noted that fire drills  
7 were efficiently managed, and you say that bears no  
8 relation to the reality of fire drills when they were  
9 carried out, which you have described as chaos?  
10 A. Mmm-hmm.  
11 Q. But you noted particularly this statement in the  
12 report -- I don't know that we need to get it up:  
13 "There's been a small but effective element within  
14 the staff team which has actively undermined the head  
15 teacher and the school."  
16 Where did you think that observation had come from?  
17 A. Well, the school had kicked social services into touch,  
18 because, clearly, it wasn't a prosecution. They had  
19 commissioned their own independent review. And that  
20 information from the independent review was passed on to  
21 Ofsted. So that questioned the independent review.  
22 I couldn't work out how they could have come to that  
23 conclusion. So I assumed that somehow that comment had  
24 been engineered into the report by the governors.  
25 Q. Did you think you were included again in that  |
| 1 Q. How did you feel when you read that?  
2 A. I just was in utter disbelief that they could have come  
3 to those sort of conclusions, because all the people  
4 I knew that had had stories about the headmaster, they  
5 were going to tell the stories of what had happened. So  
6 this just seemed to be -- I don't know where they came  
7 up with that conclusion. It just was bizarre.  
8 Q. Did you think that that description of the "small group  
9 of staff using child protection complaints as a vehicle  
10 for their own agenda" was supposed to include you?  
11 A. Oh, yes.  
12 Q. You were also informed, I think, that this independent  
13 review had been made available to Ofsted prior to their  
14 inspection?  
15 A. That's right.  
16 Q. And to the local authority?  
17 A. Yes.  
18 Q. When the Ofsted inspection took place on  
19 11 November 2009, the focus was on boarding and, at that  
20 point, you weren't a member of the boarding staff,  
21 I don't think?  
22 A. No.  
23 Q. So you were not involved in that inspection?  
24 A. I wasn't.  
25 Q. But you saw the report that was published?  |

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<td><strong>A.</strong> He did.</td>
<td><strong>Q.</strong> Is it, &quot;I hope to be able to clear up&quot; --</td>
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<td><strong>Q.</strong> At that point, how did you think he had found out it was</td>
<td><strong>A.</strong> &quot;... at least one misconception.&quot;</td>
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<td>you who had written it?</td>
<td>He's offering to return my copy of the PSHE</td>
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<td><strong>A.</strong> Well, I thought it was probably the independent</td>
<td>document. Obviously, that's the copy that I'd sent to</td>
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<td>reviewers. It could have been social services, because</td>
<td>social services. So he was kind of rubbing it in, that</td>
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<td>I'd been upfront right from the beginning as to what I'd</td>
<td>he knew that I was the person who had sent it off.</td>
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<td>done.</td>
<td><strong>Q.</strong> You have stated in your witness statement that</td>
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<td><strong>Q.</strong> Did you ask Graham Smallbone, during that meeting,</td>
<td>that meeting with the governors in December caused you</td>
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<td>whether he believed you were someone who'd used child</td>
<td>a great deal of anxiety, and you felt it damaged your</td>
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<td>protection concerns as a way of trying to get rid of</td>
<td>reputation within the school?</td>
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<td>the headmaster?</td>
<td><strong>A.</strong> Absolutely. I mean, it was a very strange thing,</td>
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<td><strong>A.</strong> He did -- I did, sorry, yes, I did ask him that.</td>
<td>because, having come in and said, &quot;Some people are going</td>
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<td><strong>Q.</strong> What was his response to that question?</td>
<td>to be answerable to the governors&quot;, and then we get</td>
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<td><strong>A.</strong> He sort of rocked back on his chair and said, &quot;Oh, it's</td>
<td>a letter inviting us to this meeting, everybody assumed</td>
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<td>just a perception&quot;. He'd created the perception.</td>
<td>in the school that those of us who had been invited to</td>
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<td><strong>Q.</strong> Did his answer reassure you in any way?</td>
<td>the meeting were the ones who'd used child protection as</td>
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<td><strong>A.</strong> Absolutely not. It was horrible, because it was like</td>
<td>a vehicle to get rid of the headmaster. We came in, we</td>
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<td>him telling me he knew that I was a whistleblower and he</td>
<td>sat there like naughty schoolchildren outside the</td>
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<td>knew I'd gone outside the school procedures.</td>
<td>headmaster's office, and a number of the admin staff,</td>
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<td><strong>Q.</strong> I think, after that meeting, you received a letter</td>
<td>who had no idea what was going on, were sort of looking</td>
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<td>from -- can we get up, please, INQ004672_009. That's</td>
<td>around corners, walking past, and then it became</td>
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<td>a handwritten letter. It is perhaps not very easy to</td>
<td>a horrible situation in school, where you'd walk into</td>
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<td>read, but it says -- perhaps you might be able to read</td>
<td>the school office and people would stop talking, and you</td>
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<td>it better than I can?</td>
<td>were sort of -- you were made to feel guilty that you</td>
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<td><strong>A.</strong> &quot;Thank you for your time today&quot; -- hold on.</td>
<td>were the ones who'd caused the trouble. It was</td>
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<td>of handed over this code of conduct and said, what did</td>
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<td>I think about this.</td>
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<td><strong>Q.</strong> Can we get up a document at this point, then, please --</td>
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<td>PUR000852. Did you retain the code of conduct?</td>
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<td><strong>A.</strong> No. It was given out to me and then taken back off me.</td>
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<td><strong>Q.</strong> If we can have a look at this code of conduct, I think</td>
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<td>you've seen this document, I think.</td>
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<td><strong>A.</strong> Mmm.</td>
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<td><strong>Q.</strong> It talks about all school staff having to comply with</td>
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<td>the school's child protection policies as published from</td>
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<td>time to time. It talks about disclosures of concerns,</td>
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<td>child protection concerns, having to be made in</td>
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<td>accordance with child protection procedures, the</td>
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<td>school's child protection procedures. It says:</td>
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<td>&quot;School staff should treat with respect other</td>
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<td>members of school staff; that no member of staff or</td>
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<td>pupils should be criticised or subjected to any</td>
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<td>detriment for alerting the school to breaches of child</td>
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<td>protection policies or procedures.&quot;</td>
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<td>It says that no member of staff may send or</td>
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<td>authorise the sending of anonymous complaints, anonymous</td>
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<td>letters, poison pen letters or their equivalent. And</td>
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<td>confidentiality of school, staff and pupil matters must</td>
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<td>be respected and should only be shared on a need-to-know</td>
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<td>basis, and that these principles are essential to the</td>
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1. **horrible.**
2. Q. Can we look at the document that I think Mr Smallbone was offering to return to you. It is INQ004672, which is the document we got up, but _007.  
3. **A. That’s the wrong one.**
4. Q. Can we try _006. No, it's not coming up. There seems to be a problem in bringing that up.  
5. I think later on in that month of December 2009, a recording of the PSHE lesson appeared, and it was a parent who first brought that to the attention of members of staff?  
6. **A. It was.**
7. Q. In your witness statement, you went to listen to that recording -- I think it was a CD, is that right?  
8. **A. Yes.**
9. Q. You went to listen to it at the house of another staff member?  
10. **A. That’s right.**
11. Q. There was a third staff member present?  
12. **A. There was.**
13. Q. The three of you listened to it together?  
14. **A. Yes.**
15. Q. This is paragraph 108 of your witness statement. You said that when you listened to that, it confirmed to you, in your mind, that you had done absolutely the right thing in reporting your concern to social services?  
16. **A. Yes, absolutely.**
17. Q. Were you aware that that recording had been sent to the local authority?  
18. **A. I think we got to find out slightly after it had been sent to the local authority. I think it had gone to the local authority and the police, and whoever else, before we actually got to find out.**
19. Q. Before you heard it?  
20. **A. Oh, before I heard it, yes.**
21. Q. Were you aware that some of the governors had been sent a copy of the recording?  
22. **A. Yes.**
23. Q. Is that your understanding?  
24. **A. It is, because the parent concerned had made it quite clear -- there was some music blog, and he’d written something on this music blog to say that he’d done this, and so I thought, okay, good.**
25. Q. Did you expect some sort of action to be taken against the head teacher at that point?  
26. **A. Absolutely.**
27. Q. Did anything appear to happen?  
28. **A. No. The school just sort of carried on as normal -- well, as normal as it could be. It was bizarre.**

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| 1. Q. Can you tell us, in that time, 2009 to 2010, how was the situation at school? You’ve explained it was a very unpleasant environment to be in. How was that impacting on your health at that point?  
2. **A. Well, I’d started not to sleep very well, I would carry all my things around with me all the time, because I was worried I might forget something. One day I walked out of school and wondered where my car was, and I’d totally forgotten it was down the road having something done to it. I was just getting more and more anxious.**
3. Q. I think in September 2010, you didn’t, in fact, return to the school. You were signed off by your GP due to stress, work-related stress, and, in fact, you didn’t return to teach at Purcell for the rest of that academic year?  
4. **A. Mmm. One of the factors that finally precipitated me leaving was there’d been this awful incident involving one of my tutee group, and it alarmed me so much, there was one particular night, and I didn’t know you could have panic attacks in the middle of the night, but I suddenly was aware -- I woke up, half awake, I was aware my heart was pounding away, and I sort of -- bizarrely, I thought I was having a heart attack. It was so frightening. And so I’d gone to see my GP at that point, and she said, “You’ve just got to leave this school. You have to leave it, because it’s having such a bad effect on your life”, and so that was sort of in my mind, that I might have to do that, that I couldn’t go on working there.**
5. Q. I’d like to ask you about something you said in paragraph 96 of your witness statement. You said: "There may well be policies in place, but policies are just bits of paper. It’s whether people understand policies and how they’re put into action that make sure people are safe." What was your experience of the understanding and implementation of policies relating to safeguarding and whistleblowing in that latter period of your employment at Purcell School?  
6. **A. Well, I just thought that they were words on a piece of paper, that people didn’t really understand what they meant and what value they were and how they should be implemented.**
7. Q. Did those events at the school that you’ve described to us have an impact that you could see on the pupils in terms of the relationship of trust between pupils and staff?  
8. **A. Yes. Some of the children who’d made disclosures were almost hostile to the members of staff, because they couldn’t understand, the children couldn’t understand** | 1. right thing in reporting your concern to social services?  
2. **A. Yes, absolutely.**  
3. Q. Were you aware that that recording had been sent to the local authority?  
4. **A. I think we got to find out slightly after it had been sent to the local authority. I think it had gone to the local authority and the police, and whoever else, before we actually got to find out.**  
5. Q. Before you heard it?  
6. **A. Oh, before I heard it, yes.**  
7. Q. Were you aware that some of the governors had been sent a copy of the recording?  
8. **A. Yes.**  
9. Q. Is that your understanding?  
10. **A. It is, because the parent concerned had made it quite clear -- there was some music blog, and he’d written something on this music blog to say that he’d done this, and so I thought, okay, good.**  
11. Q. Did you expect some sort of action to be taken against the head teacher at that point?  
12. **A. Absolutely.**  
13. Q. Did anything appear to happen?  
14. **A. No. The school just sort of carried on as normal -- well, as normal as it could be. It was bizarre.** | 8 (Pages 29 to 32)  
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why they’d told everybody these things, and yet these 
people were still in the school. The children were 
confused as to what was going on, and their behaviour 
became -- that particular group of boys, their behaviour 
became really very challenging, and they weren’t 
unpleasant boys, they were just teenagers, but they -- 
you know, they’d stay in bed, they wouldn’t get up, they 
wouldn’t come to lessons, I’d have to walk down the 
corridor, they’d be playing pool, they weren’t going to 
early morning practice, which is a requirement for the 

music side of things. They were in a bad way, those 
boys were.

Q. Can you tell the inquiry, Mrs Moore, how your experience 
at the Purcell School affected your faith in the systems 
in place to keep children safe?

A. Well, completely gone. Completely gone. I mean, one of 
the things -- if a child had come to me, for example, 
and said, "Oh, Mrs Moore, the headmaster’s just talked 
to me about whether I’m masturbating or not", what was 
I supposed to say to a child, “Oh, that’s fine. He 
talks like that all the time to everyone. He’s been 
investigated twice, the police have been involved, 
there’s nothing wrong". In fact, one of my colleagues 
saw a young girl crying in the corridor, and it was 
a girl we both taught, and I said, "What’s wrong with 
her?", and she said, "Oh, I don’t know". I said, "Why 
don’t you know?" A crying child: you’d stop and ask 
a crying child what’s wrong with them, and she said, 
"Oh, I don’t want to get involved in case she tells me 
something I might have to report". And you’re thinking 
this was a crazy situation, that we felt we’d been let 
down, that social services had no powers, that the 
independent reviewers weren’t necessarily independent, 
that the governors ultimately, in that independent 
school, were in control, and they could do and say what 
they wanted to. So it was just a crazy situation.

MS NIELD: Thank you very much, Mrs Moore. I haven’t got 
any more questions for you. Chair and panel, do you 
have any questions?

THE CHAIR: No, we don’t have any questions. Thank you very 
much, Mrs Moore.

A. Could I just say one more thing? The one thing that 
distressed me in the whole of this was that there are 
a lot of members of staff that left the school at the 
same time as me for various other reasons, but the thing 
that upset me most of all was that a lot of those 
children probably left Purcell thinking that people like 
us had let them down, and actually it wasn’t us. We’d 
done as best we could. And that’s what I found the 
hardest thing to cope with.

MS NIELD: Thank you.

THE CHAIR: Thank you.

(The witness withdrew)

MS NIELD: The next witness, chair and panel, is 
Mr Paul Bambrough. He's going to be questioned by 
Ms Scolding QC.

MR PAUL BAMBOUGH (sworn)

Examination by MS SCOLDING

MS SCOLDING: Good morning, Mr Bambrough. Just a few things 
before I start my questions. Firstly, as you will have 
heard, this is not a test of memory. Please feel free 
to refer to your notes or a witness statement as often 
as you like and, if you can't remember anything, please 
say so.

Secondly, we can have as many breaks as you like, 
and we are likely to have a break in around 20 minutes, 
in any event. But if you wish to have a break at any 
other time, please just signal, and that can be 
arranged.

Thirdly, there is a screen next to you. The 
evidence handler, Ralph, will bring up on screen some 
documents that I will be referring to, which everybody 
else will be able to see.

Next, you have a bundle in front of you of relevant 

witness statements with your own witness statement
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| 1 Q. You have a degree in music and a PGCE and you had a successful career as a singer, pianist, organist and harpsichordist before specialising in music education for the past 22 years?  
A. And alongside.  
6 Q. And alongside, okay. Prior to arriving at the Purcell School, I understand you were the director of music and senior curriculum manager at the sixth form college Farnborough, which, as I understand, is the UK's largest A level music department, with about 500 young musicians studying there --  
A. It was at the time when I left, yes.  
12 Q. -- and about 20 staff?  
13 A. Yes.  
15 Q. You also ran -- and that's within the state sector; is that right?  
16 A. It is.  
18 Q. You also ran workshops and projects with other primary and secondary schools in the state sector?  
20 A. I did.  
21 Q. Around music and music education?  
22 A. I did, yes.  
23 Q. From 2014 to 2018, you were vice principal at the Birmingham Conservatoire, which is part of Birmingham City University and offers undergraduate and postgraduate courses. As I understand it, you were responsible for the day-to-day management of the conservatoire, so there's around 400 members of staff, over 1,000 students and a very large budget. Is that right?  
A. That's right, yes.  
27 Q. Alongside your role in respect of graduates and undergraduates, you also had oversight of the Junior Conservatoire, which is a Saturday school for children aged 3 to 18; is that right?  
A. That's right. It was an oversight role. It had a separate head of the Junior Conservatoire, but I was responsible for overseeing the day-to-day running of that under his auspice.  
27 Q. I understand in this role you had a number of responsibilities in respect of safeguarding children, including devising policies, practices and protocols; is that right?  
A. Yes. I worked with the head of the Junior Conservatoire to review the child protection policies that were in place and the practices that were in place and then to rereview them when the conservatoires relocated into a new building and facility.  
Q. So let's now turn to hear a little bit about the Purcell School. We have heard a lot about some particular incidents, but not very much about the school in general. As I understand, it is the oldest of the specialist music schools, and currently has around 180 students?  
A. 180 students, yes.  
5 Q. It is also both day and boarding. What's the split between day and boarding?  
8 A. Of the 180, we have, in rough figures, about 40 day students.  
10 Q. Around 80 per cent of students are funded through the Music and Dance scheme; is that right?  
12 A. That's right, yes.  
13 Q. So you only have a very small number of students who would be paying the full fees?  
15 A. Yes, that's right.  
16 Q. As well, like the other music schools we have heard from, you are quite top heavy, in that you have a number of students who come to you in the sixth form?  
19 A. Yes, that's right. I mean, again, in round figures, about half the school is sixth form.  
21 Q. So from what age are children admitted to the school and from when can they board?  
23 A. From the age of 10, and they can board from the age of 10, although they tend not to. They tend to board from 11 onwards.  
25 | 1 Q. As I understand it, boarding in years 6 to 8, which would be 11 to 13, in effect, is mixed, but from year 9, so from 14 onwards, boys and girls are accommodated in separate blocks; is that right?  
2 A. That's right, yes.  
6 Q. You also have a significant number of overseas students -- well, you have 36 students, as I understand it --  
9 A. Yes, that's right.  
10 Q. -- out of 180?  
11 A. Mmm-hmm.  
12 Q. So that is a significant minority of your school. Can you tell us about any particular issues that dealing with students from overseas brings out in respect of safeguarding?  
A. Well, I think the first thing that has struck me is that they often come with varying degrees of linguistic skills, which enables them, to different degrees, to be able to access the curriculum or the well-being programmes, and we need to make sure that there's adequate and sufficient support in place for them to meet them at whatever level they arrive at, so that that's possible. Clearly, they come with different, often, cultural expectations about the relationships between themselves.  

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| and staff, how they might behave, acceptable behaviour. An example is we have some students for whom, you know, smoking with families and in schools in their countries is perfectly acceptable, and they arrive with us and, of course, we are saying this is no longer acceptable. So we have to reeducate and help them to appreciate the environment into which they have come. Integrating students so that they feel welcomed and a full part of the community requires a particular investment of time on the part of house and pastoral staff, to ensure that those linguistic skills, those cultural barriers, don't prevent them from becoming full participatory members of the school community. Q. You, like other schools, would have an Independent Listener service? A. That's right, yes. Q. Who is your Independent Listener? A. Our Independent Listener is Kelly. I won't try to pronounce the surname. Kelly's contact details are published in the front of the student handbook, are also published in boarding houses, published in boarding houses. I haven't met Kelly, and Kelly hasn't visited the school in the year that I've been in, but has been invited to come and speak to students in the course of this first term. Q. Do you think Kelly should come in more often? I'm going to use "Kelly" as the substitute for "Independent Listener" generally. Do you think an Independent Listener should be in more often? You have said that you haven't met her -- A. Him. Q. Him. And Kelly hasn't been in for the entirety of the year that you have been there. Do you think that's good enough? A. No, I think -- and that's one of the reasons why we have invited him to come in at the beginning of this year. I mean, the -- obviously, the point of an Independent Listener is that there is a degree of independence and that they're not seen as part of the cultural fabric of the school. Q. Yes. A. That's the point of having them. So their contact with the school is necessarily limited. But I do think that people should be able to have -- be able to put a face to the name, because obviously that makes somebody much more approachable. They're much more likely to pick up the phone and speak to somebody that they have seen in person and heard in person and is not just a name on a piece of paper. So I think that there should be more opportunities for the Independent Listener, and Independent Listeners generally, to engage with schools without compromising the independence of their status. Q. Can I ask in particular whether or not international students -- given the issues that you have identified, given their particular difficulties, possibly linguistic, possibly cultural, whether or not they need either the Independent Listener to be more involved with them or they need some kind of bespoke service to try and manage and address some of the difficulties that they might feel? A. I think that is probably fair comment. I don't -- I'm not aware of any -- because the Independent Listener hasn't been consulted, to our knowledge, during the course of this year, it's hard to see whether there's a pattern that would evidence that. I think that it's a fair assumption. I think it's something that one would need to be mindful of as we help them to adjust to new cultural surroundings, certainly. Q. Can I also ask, given the number of overseas students you have, do you have a particular policy on educational guardians, or do you have any students who use the services of guardians at the moment? A. Yes, we do. Along with many schools, we require overseas students to have appointed a guardian as a part of the conditions -- Q. I think it is usually a condition of any immigration requirement as well? A. Yes, exactly. So they need to have done that, in order to be able to uptake their place. We don't get involved in the placement of students with guardians. That is a parental responsibility. We do issue a guide which points parents to the kind of qualities that one needs to have in a guardian and in terms of proximity to the school and a willingness to support the student in the school at the necessary times. Where parents don't have a family friend or member of the family in the UK that they wish to place their children with, then we point them in the direction of an agency who can then advise and fix up guardians for them. Q. Do you think that your oversight of guardians is at the moment, which is sort of non-existent, because you have no responsibility for them, do you think that that's good enough, or do you think that you should have some oversight over who they are and what they're doing with the students out of term? A. I think, if I can answer that in two ways: simply, yes, it's my belief that I think that guardians are currently...
a little arms-length from the school in terms of their place, and I think, you know, if there were a move that enabled schools to more actively be involved in the choice and the selection of guardians, then, despite the managerial nightmare that might become, you know, I think it would be welcomed. However, I will say that where we have in the last year had some concerns about the effectiveness of a guardian, be they either an agency guardian or a family friend, then we haven't hesitated to either -- to pass that concern on to either the agent at the agency involved or to the parent, and to say, "Actually, we're trying to liaise with the guardian and they're not responding" or, "They haven't turned up to pick up a student at a particular time and this is not good enough". Q. Are you aware -- so you have had some problems in the past year or so with guardians? A. We have had a handful of problems, yes. Q. Are you aware that that's quite common over a pattern of years, or has this been an unusual problem? A. I can't answer that, I'm afraid. It's my experience of the past year that there have been a handful of occasions where we found it necessary, particularly with the agencies, to raise some concerns. Q. So, for example, one that's been given to us is

out. How has that turnover of senior staff impacted upon safeguarding at the school? A. Well, it's exhausted the school as well. I mean, that's clear. The turnover in senior leadership of that kind of any institution is going to leave an impression on the institution, of course. That's going to manifest itself in a number of ways. There has been a certain amount of -- in response, there has been a certain amount of self-sufficiency within different divisions of the school, you know, in order to be able to manage their areas of work. I call it sort of silo working. And people have sort of put their heads down a bit and just got on with their bit. There's been a lack of co-ordinated strategy about -- of the school's identity, what it needs to be. One of the things that struck me when I first visited the school and prior to my final interview and spoke to various staff was, I thought walking into a school like the Purcell, there would be a very clear and unified idea about what the school was there to do and who it was to serve and what its function was. In fact, every person I talked to had a different view of what the school was there to do. I think that's a clear symptom of that turnover of leadership. I'm also very aware that an institution which has
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<td>Q. Secondly, a head of pastoral and safeguarding, who is also the designated safeguarding lead?</td>
<td>Q. That's right, yes.</td>
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<td>A. Yes.</td>
<td>Q. Who are the safeguarding team now, then?</td>
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<td>A. Well, the safeguarding team, led by the DSL. Another thing -- when I arrived, there was a DSL and a part-time deputy, which seemed utterly unsatisfactory. This was raised, in fact, at my very first governors' meeting. The governors said, &quot;This is unsatisfactory&quot;. So we -- this is prior to the review, in fact. We trained up a number of other members of staff, myself included, with DSL training, to form a safeguarding team of five, led by the DSL. In fact, another member of staff is about to be trained, so it will be six. They comprise the DSL, who is currently the head of pastoral and safeguarding, myself, the director of music, the head of learning support and one of the staff coordinators in the music department, and the head of sixth form is about to undergo that training.</td>
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<td>A. That's right.</td>
<td>Q. As I understand it, you, personally, have undergone some training, both before becoming principal and afterwards --</td>
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<td>Q. -- including NSPCC training, EduCare training to level 3, which I understand is the senior level?</td>
<td>A. Yes.</td>
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<td>A. Yes.</td>
<td>culture, but particularly a safeguarding culture.</td>
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<td>Q. And also the Boarding Schools Association induction to boarding training and safer recruitment training. Because obviously, as I understand it, this is your first experience of managing boarding students?</td>
<td>Now, if we want to break that down, obviously, I have ultimate responsibility to ensure that all of the safeguarding obligations within the school are met, both in terms of compliance, in terms of practice and monitoring that practice.</td>
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<td>A. Absolutely. I was very aware of that and I was very open about that throughout the whole interview process, and one of the things I undertook with the governors was that if I were to be appointed, then I would take the BSA induction course prior to arriving at the school, which I did, I think in August, before I arrived.</td>
<td>Do I do that personally on a day-to-day basis? No. It's delegated to clear members of staff under my oversight, such as the head of pastoral and safeguarding, the head of boarding, other staff. It is a collective responsibility.</td>
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<tr>
<td>Q. So you are part of the safeguarding team. What responsibilities do you think you have in developing the safeguarding culture and ethos within the school?</td>
<td>It is my job to ensure that the infrastructure and the time and the support is available for those staff who are going to lead on a day-to-day basis in this agenda, so there in that they have had sufficient training. It was one of the reasons we split the roles, to ensure that the person acting as DSL had time to act as DSL and respond to issues as they arose, and it is another reason that we decided that the DSL would not be in a teaching capacity. In fact, I think she's doing a small amount of PSHE teaching.</td>
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<tr>
<td>A. Well, I think that -- I have always been very clear that my first priority, my overriding priority, is to ensure that all students in the school are safe, happy and healthy, and I have been consistent in that message from interview right through.</td>
<td>Q. So her allocation is largely to deal with safeguarding --</td>
</tr>
<tr>
<td>I really passionately believe that, unless you get those things right, there's always going to be a ceiling on everything that an individual can achieve, and I've been consistent with that message, and consistency is really important. Consistency of those kind of simple messages is really important in facilitating any</td>
<td>A. Absolutely, yes.</td>
</tr>
<tr>
<td>Q. -- rather than being a teacher and doing a little bit of</td>
<td></td>
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<tbody>
<tr>
<td>1</td>
<td>safeguarding on the side?</td>
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<tr>
<td>2</td>
<td>A. That's absolutely right, yes. Absolutely right. So,</td>
</tr>
<tr>
<td>3</td>
<td>through those things, we exercise our collective</td>
</tr>
<tr>
<td>4</td>
<td>responsibility to ensure that we all look out for our</td>
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<td>5</td>
<td>students at all times. It's a community-wide</td>
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<tr>
<td>6</td>
<td>responsibility, which, yes, I lead and others lead, in</td>
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<tr>
<td>7</td>
<td>terms of its sort of operational and procedural aspects,</td>
</tr>
<tr>
<td>8</td>
<td>but it is a shared and collective responsibility of all</td>
</tr>
<tr>
<td>9</td>
<td>members of the school community.</td>
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<td>10</td>
<td>MS SCOLDING: I think this might be a convenient point,</td>
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<tr>
<td>11</td>
<td>chair, with your permission, to break, to have the</td>
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<tr>
<td>12</td>
<td>morning break, if that's acceptable.</td>
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<td>13</td>
<td>THE CHAIR: Yes. We will return at 11.30 am.</td>
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<tr>
<td>14</td>
<td>MS SCOLDING: Just to remind you, Mr Bambrough, you are</td>
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<tr>
<td>15</td>
<td>under oath. You may chitchat, but not speak about your</td>
</tr>
<tr>
<td>16</td>
<td>evidence.</td>
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<tr>
<td>17</td>
<td>A. Thank you.</td>
</tr>
<tr>
<td>18</td>
<td>(11.15 am)</td>
</tr>
<tr>
<td>19</td>
<td>(A short break)</td>
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<tr>
<td>20</td>
<td>MS SCOLDING: Mr Bambrough, just before the break, you were</td>
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<td>21</td>
<td>talking about safeguarding and your safeguarding team.</td>
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<tr>
<td>22</td>
<td>I noted that one of the members of your team is seen to</td>
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<tr>
<td>23</td>
<td>be the director of music. Now, I know you've been</td>
</tr>
<tr>
<td>24</td>
<td>listening to the evidence this week, and have heard</td>
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<tbody>
<tr>
<td>1</td>
<td>about the divide that sometimes happens in specialist</td>
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<tr>
<td>2</td>
<td>music schools between musicians and the academic staff</td>
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<tr>
<td>3</td>
<td>and the pastoral side of things. Can you tell us</td>
</tr>
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<td>4</td>
<td>a little about how the director of music and the music</td>
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<td>5</td>
<td>department work within the safeguarding structure that</td>
</tr>
<tr>
<td>6</td>
<td>you have now set up?</td>
</tr>
<tr>
<td>7</td>
<td>A. Well, we all work within one structure, which is</td>
</tr>
<tr>
<td>8</td>
<td>the school structure. That's the simple answer.</td>
</tr>
<tr>
<td>9</td>
<td>I have always been slightly uncomfortable with the</td>
</tr>
<tr>
<td>10</td>
<td>term &quot;specialist music school&quot;, something else I said to</td>
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<tr>
<td>11</td>
<td>staff in my very first presentation, because it gives</td>
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<tr>
<td>12</td>
<td>the implication that you do the music really well and</td>
</tr>
<tr>
<td>13</td>
<td>you leave everything else to look after itself.</td>
</tr>
<tr>
<td>14</td>
<td>I'm much more comfortable with what we call</td>
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<tr>
<td>15</td>
<td>ourselves, which is the Purcell School for Young</td>
</tr>
<tr>
<td>16</td>
<td>Musicians, a school for young musicians, and, therefore,</td>
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<tr>
<td>17</td>
<td>everybody who is in that institution in whatever</td>
</tr>
<tr>
<td>18</td>
<td>capacity and whatever function -- be that musical,</td>
</tr>
<tr>
<td>19</td>
<td>academic, pastoral support -- is there for the support</td>
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<tr>
<td>20</td>
<td>of, and the well-being of, all students in the school.</td>
</tr>
<tr>
<td>21</td>
<td>There is always a danger in a school such as ours</td>
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<tr>
<td>22</td>
<td>of, if you like, the kind of two-track outcomes that you</td>
</tr>
<tr>
<td>23</td>
<td>describe and we have heard described here. I can't</td>
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<tr>
<td>24</td>
<td>speak for the Purcell School in terms of its history and</td>
</tr>
<tr>
<td>25</td>
<td>whether that is true of its history.</td>
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<tr>
<td>1</td>
<td>What I found, in terms of musical colleagues at the</td>
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<td>2</td>
<td>school, is that there is no lesser commitment to the</td>
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<tr>
<td>3</td>
<td>importance of this than there is in other parts of</td>
</tr>
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<td>4</td>
<td>the school. There are difficulties, of course, in</td>
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<td>5</td>
<td>managing the visiting staff, and we have taken steps</td>
</tr>
<tr>
<td>6</td>
<td>during the course of this year to try to manage that</td>
</tr>
<tr>
<td>7</td>
<td>much more effectively in terms of training and</td>
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<tr>
<td>8</td>
<td>engagement than has been done historically, which, if</td>
</tr>
<tr>
<td>9</td>
<td>there is a potential for a divide, I hope that we can</td>
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<tr>
<td>10</td>
<td>take steps to mitigate that through the initiatives that</td>
</tr>
<tr>
<td>11</td>
<td>we are putting in place.</td>
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<tr>
<td>12</td>
<td>Q. I'd like to hear a little bit about the initiatives that</td>
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<tr>
<td>13</td>
<td>you're putting in place now, so can I just get a feel:</td>
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<tr>
<td>14</td>
<td>how many tutors do you have who teach instruments who</td>
</tr>
<tr>
<td>15</td>
<td>come into the school on a visiting basis?</td>
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<tr>
<td>16</td>
<td>A. In round numbers, about 60.</td>
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<tr>
<td>17</td>
<td>Q. So you have about 60 members of staff who teach</td>
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<td>18</td>
<td>instruments. And how many academic staff do you have,</td>
</tr>
<tr>
<td>19</td>
<td>or pastoral staff?</td>
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<tr>
<td>20</td>
<td>A. Around 40 or 50.</td>
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<tr>
<td>21</td>
<td>Q. So, in fact, the instrumental staff are the majority of</td>
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<tr>
<td>22</td>
<td>staff at your school. I'm assuming that they are the</td>
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<tr>
<td>23</td>
<td>individuals who come in and teach on one-to-one basis?</td>
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<tr>
<td>24</td>
<td>A. That's right, yes.</td>
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<tr>
<td>25</td>
<td>Q. Where does the one-to-one tuition take place in your</td>
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<thead>
<tr>
<th>Line</th>
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<tbody>
<tr>
<td>1</td>
<td>school?</td>
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<tr>
<td>2</td>
<td>A. The vast majority of it takes place on the school</td>
</tr>
<tr>
<td>3</td>
<td>premises, in practice rooms and teaching rooms in the</td>
</tr>
<tr>
<td>4</td>
<td>new music centre and around the main school building.</td>
</tr>
<tr>
<td>5</td>
<td>Some of our students receive their principal study</td>
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<tr>
<td>6</td>
<td>instrumental tuition through junior departments at the</td>
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<tr>
<td>7</td>
<td>London colleges, so particularly the Royal College of</td>
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<tr>
<td>8</td>
<td>Music, the Royal Academy of Music and the Guildhall.</td>
</tr>
<tr>
<td>9</td>
<td>Q. Just to explain for whose who aren't so familiar with</td>
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<td>10</td>
<td>music education, those three colleges -- so that's the</td>
</tr>
<tr>
<td>11</td>
<td>Royal Academy of Music, the Guildhall School of Music</td>
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<tr>
<td>12</td>
<td>and Drama and --</td>
</tr>
<tr>
<td>13</td>
<td>A. And the Royal College of Music.</td>
</tr>
<tr>
<td>14</td>
<td>Q. -- the Royal College of Music, all run junior</td>
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<tr>
<td>15</td>
<td>departments on a Saturday morning, or all day</td>
</tr>
<tr>
<td>16</td>
<td>Saturday --</td>
</tr>
<tr>
<td>17</td>
<td>A. They do.</td>
</tr>
<tr>
<td>18</td>
<td>Q. -- where young people can go and have specialist music</td>
</tr>
<tr>
<td>19</td>
<td>tuition during that time?</td>
</tr>
<tr>
<td>20</td>
<td>A. That's right. So a number of our students attend those</td>
</tr>
<tr>
<td>21</td>
<td>on a Saturday morning. Then a very small number of</td>
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<tr>
<td>22</td>
<td>students have lessons external to either of those two.</td>
</tr>
<tr>
<td>23</td>
<td>I think we have six students that have lessons external</td>
</tr>
<tr>
<td>24</td>
<td>to either of those two places.</td>
</tr>
<tr>
<td>25</td>
<td>So that's the overview of where lessons take place.</td>
</tr>
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</table>
Q. So can I ask, just from a physical design perspective, can you see into the practice rooms?

A. You can.

Q. And can people see out of them?

A. You can see into practice rooms, yes. Yes.

Q. Does any supervision take place of music teachers when they're undertaking instrumental or voice tuition on a one-to-one basis?

A. There is -- currently, there is informal supervision, in the sense that heads of department -- that's the instrumental heads of department, so heads of keyboard, heads of woodwind, heads of --

Q. So you would have what, what, heads of strings --

A. Heads of keyboard, heads of woodwind --

Q. -- heads of keyboard, heads of woodwind, heads of brass, heads of singing?

A. Yes. Essentially, yes. They will manage their teams.

They are located in the buildings in which the lessons are taking place. They are often present in those buildings when those lessons are taking place.

Q. Are the heads of all those separate little teams all full-time employees of the school?

A. No, they're not. No, they're not. Some are part time, some are part time. Of course, the director of music is full time --

Q. Does any supervision take place of music teachers when they're undertaking instrumental or voice tuition on a one-to-one basis?

A. Yes. -- and he is always present. Members of the senior leadership team have taken it upon themselves across the last sort of term and a half, really, to navigate the school via some of the practice rooms on a regular basis. So when moving from A to B, you might go via a circuitous route so that you take in one of the practice room corridors. So students are used to seeing people in and around.

Q. Is there -- are there practice assistants who supervise evening or weekend practice?

A. There are.

Q. Are those individuals employees of the school?

A. Yes, they are.

Q. So you've talked about the fact that a number of your children have lessons at the conservatoire. So I'm assuming you have to get the children out from Bushey in to, I think, South Kensington, Regent's Park and the Barbican on a Saturday morning and back again?

A. Yes.

Q. Are they chaperoned? Are they accompanied?

A. There's a variety of different arrangements in place, depending on the age of the student, and this is negotiated between house parents and the families of the children. Younger children tend to be accompanied by parents or tend to be met by parents. We have one example of a younger student who travels with a sixth form student, with the permission of the parent. We have good relationships with the colleges at the other end. So if, for example, it were the case that they were expecting a student to appear and they hadn't, then we would be informed immediately, just as they would with any other student that was attending there.

Q. I am assuming that there are safeguarding requirements in place for all those conservatoires?

A. There are.

Q. But do you check that?

A. Absolutely. I review the safeguarding policies of all of those institutions and have recently reviewed them to ensure that they are -- they meet our expectations.

Furthermore, both myself and the director of music have good personal relationships with the heads of those departments and can pick up the phone at any time and talk to them about concerns regarding progress or safeguarding or any aspect of that provision.

Q. Now, as I understand it, you have said that there were a very small number of children who have private lessons with teachers, either at the teacher's home or at a studio away from your premises?

A. Yes.
with the code of conduct. So everything that we would issue to one of our own instrumental staff we issue to those external teachers now.

It is a legacy arrangement which, I would imagine, when -- you know, during the course of the natural passage of time -- because one doesn’t want to upset a teaching relationship that’s working well, that we will not see it in future years.

Q. As I understand it, when you arrived at the school, the school’s policy was that all private lessons were, in effect, not part of the school and, therefore, parents had to sign a disclaimer to say that they would be -- in effect, that you would not act in loco parentis and they were responsible for the child's welfare?

A. Yes, and that's what I found unsatisfactory.

Q. Yes. Can I just check, is everybody who is employed as an instrument tutor at your school employed --

A. Yes.

Q. -- or are some of them self-employed?

A. No, they are all employed and we have moved recently to employ those people who are regularly used as deputies -- there's been some talk of deputies this week -- to ensure that they are also employed on our books as well.

Q. Can I just check so I understand: most of these people

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are not teachers, they are professional musicians who teach either to earn money or to give something back. Is that right?

A. Yes. I think that many of them would take, if I may say this, exception to the notion that they’re doing it just in order to earn money. I think most musicians, professional musicians, will see it as part of their portfolio of work, which has equal importance and significance to them as their performance work does.

Q. But, however, their performance schedule may well mean that they are away for periods of time and, therefore, they have people called deputies?

A. Yes, we don't have many of those in the Purcell School; I mean literally a handful. They don't visit the school regularly at all. It's worth acknowledging that the commitment of the instrumental staff to the school is considerable, and they will often work their performance schedules around their commitments at the school.

Q. Can I also ask about -- the current child protection policy of the school includes specific guidance both on one-to-one tuition and on touching --

A. Indeed.

Q. -- as I understand it. Can you just tell us a little bit about that and whether or not that applies to all staff, including those who are teaching offsite or even

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at the conservatoire?

A. Yes, it's the same guidance and we have rewritten the Instrumental Teachers' Handbook this year, which in fact the inquiry hasn’t seen because we wrote it in August for distribution this September. That goes to everybody involved, and there's a very clear section in that about the school's position on physicality and touch.

Q. What is the school's position on physicality?

A. It is to avoid it, in the first instance, and to find all other ways of being able to enable a young person to understand and move forward without it. However, it also recognises that there may be some occasions where, actually, it is more effective, and indeed more efficient, to adjust a finger position or to check the weight of an arm on a bow, or whatever it might be.

In those cases, the guidance is that one must seek consent, and by "consent", we don’t just mean that the student says, "Yes, it is okay", but their body language suggests otherwise; it is being much more sensitive to the situation. That they consent that you explain why you are going to do, you explain what you are going to do, why it is necessary. You do it without embarrassment and then you move away, and that you're very conscious always of the body space relationship between you and the young person.

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Q. Now, there is some debate about whether or not there should or shouldn't be a "no touch" policy. You obviously don't have a "no touch" policy?

A. We don't.

Q. You have what I would describe as a "least touch" policy?

A. Yes.

Q. Do you think a "no touch" policy is practicable for specialist music tuition?

A. If I’m absolutely honest, if you ask me on one day, I would say yes; if you ask me on another, I might say no. I think that crystallises, in many ways, the debate. There will be some teachers who say you cannot do this without touch, there will be others who say you absolutely can. What our heads of department in school have said, when we have discussed this, is that, in 95 per cent of cases, it is possible to achieve the same end without touch.

Q. You also identify in your witness statement that the heads of the nine specialist music and dance schools meet together to discuss issues and that there is also a music and dance safeguarding network which was set up in January 2018. Does anybody from Purcell School attend this network?

A. It hasn’t met during the course of my first year, but

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| 1 I know that the former DSL has attended those meetings in the past. In fact, it was, I believe, as a result of those meetings that we first learnt of the “My concern” package that we then implemented this year — 2 Q. Which we are going to talk about in a bit. 3 A. -- and some other training materials that have been used with staff since then. 4 Q. So have the heads of the music and dance schools got together and talked about some of the welfare and safeguarding -- 5 A. Absolutely. 6 Q. -- issues which have arisen? In particular, I'm thinking about the issues which have arisen during the course of this week and which have been identified by various people, including the weight of the children's own expectation, the intense nature of the relationship, the power imbalance between, maybe, instrumental teacher and the fact that the instrumental teacher may well have some impact upon a child's career, and pressure by parents, what some people might call sort of the pushy parent. Is that something which has been the subject of explicit discussion since you've been a head of the school? 7 A. Well, in the year that I've been head of the school, I've attended two out of the three heads' meetings, and those discussions in and around those topics have always featured. Now, not explicitly in those terms that you express them there, necessarily, but particularly, I remember discussions about parental expectation and parental pressure, which we all experience from time to time in our schools, and how we best manage that. At the spring meeting, directors of music also attended, and they had a separate parallel meeting that was running to the heads', and these were issues that were discussed, again, perhaps not explicitly in exactly those terms, but in essence whilst heads were also meeting. 8 Q. Have you had any dialogue with the Department for Education about these issues? 9 A. Not that I'm aware of. 10 Q. Can I turn now to safeguarding at Purcell and both some past practice and current practice. Now, obviously you're in a relatively unique position, certainly I think in comparison to a number of other staff, in that you've taught in the state sector largely -- 11 A. I have. 12 Q. -- and then you've come into both the independent sector and the specialist music sector. Do you think that the safeguarding challenges of specialist music education are specific to it or different from the safeguarding challenges in other sectors of schooling? 13 A. In a word, no, but there are additionalities. 14 Q. Right. What are those additionalities? 15 A. Well, they are exactly the things that you've just described, that we need to be mindful of. I think that managing young people's expectations of themselves and about what is realistic for them to achieve at any particular point of their development is one of the significant challenges of a school such as ours. I think it relies very heavily on the relationship between the one-to-one teacher, but also the relationship between the one-to-one teacher, the head of the department, and then, by extension, the director of music and, by extension, myself, to make sure that those relationships are being managed healthily and those expectations are healthy. But I should say, because I think this is important, that it is absolutely right for any teacher, be they a one-to-one music teacher teaching the piano or the strings or be they a physics teacher or whatever, to have high expectations of their students. I think any parent would be rightly concerned if teachers didn’t have high expectations for their students. That's absolutely healthy. Where it becomes unhealthy and a problem is when those expectations are unrealistic from the point of the development of that individual child, but also if there is an absence of a support scaffolding in order to enable them to achieve those expectations. I always think, if I'm allowed to use a rather crass analogy, my experience has always been that, actually, the higher you raise the bar for a young person, then the higher they will jump. But our job, as teachers, is to provide the trampoline on which they can bounce from and a sort of safety net at the halfway point, in case they don't quite meet the bar, that we can catch them in and then get them back to where they want to be. 16 Q. Because, for example, the chair and panel have heard evidence, and I think you were here when that evidence from some individuals who were at Chetham's 30 years ago now, but they were talking about practising sort of ten hours a day and getting up at 5 o'clock in the morning and practising in the toilets and things like that. I mean, are those the sorts of things that you have seen go on at Purcell? 17 A. No. No student can practise at 5 o'clock in the morning at Purcell, no student can practise before 7 o'clock in the morning. We find — myself, the director of music, in particular, and a number of pastoral staff have, on
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<tr>
<td>68</td>
<td>Q. What's their role? That sounds like a bouncer? A. Yes. I think he'd rather like that description. No, one of the things that struck me was that the</td>
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<td>69</td>
<td>Q. What is your current relationship like with the LADO? A. Yes, we do. I mean, obviously the DSL very regularly has contact with the hub and members of the hub who are always very helpful. I've had cause to take advice from the LADO on a number of occasions during the course of this year which -- both in terms of making referrals but also in terms of seeking advice. My default position is always, if unsure, to seek advice. So that relationship, those personal relationships, which we have built up -- the former DSL over a number of years; myself over the last year; and the new DSL is starting to build up now -- I think are good. We can pick up the phone to members of the safeguarding hub, we can talk to them, we have met them personally, we know who they are, and we get -- there is a strong sense of working together on those cases where we need to work together.</td>
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<td>70</td>
<td>Q. Yes. I think that -- the feedback we have had from students recently is that they have found that helpful. Obviously, not all -- it is not universally welcomed by all, as you might imagine. But it gives us another layer of confidence and assurance that there is a member of staff available at those times who is not confined to a particular duty point that some of the house staff might well be. A. Yes. Does the evening security supervisor feed back, so, you know, &quot;X is always in the practice room not really doing any practice. He smells a bit of cigarettes&quot;, that kind of thing? Q. But you say in your witness statement, however, that by the beginning of your second term in post, that would be</td>
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| 1 | numerous occasions now during the course of my year at the school, found ourselves saying to students, "Look, you need to do less. You need to step back. You don't need to do this", and we have had those conversations with parents. Actually, often we find ourselves having conversations with parents that say, "No, look, actually, this competition that you say they must do, we don't think is in their interests to do. They must step back from it". The welfare of the individual is absolutely paramount. We have 180 or so students in the school. I like to think that we are working towards having 180 individual programmes of study. |
| 2 | Q. What is your current relationship like with the LADO? A. We obviously have a witness statement from Mr Smith and there has been a degree of engagement with the LADO over the past decade and a half. Do you have regular contact with them and with the Hertfordshire safeguarding hub more generally? |
| 3 | Q. What's their role? That sounds like a bouncer? A. Yes. I think he'd rather like that description. No, one of the things that struck me was that the Purecell School site is not large, but it does contain a number of disparate buildings. They're not far from each other, but they are separate from each other. It occurred to me that, particularly during the evenings, we would benefit from having more regular and fluid supervision of where students are in some of the times where they are more free to move around the school buildings. So I'm thinking about between, really, 6.30 and 10.30, when everybody is required to be back in boarding houses -- younger students obviously earlier than that. So he helps and enables students to be where they should be. He will challenge students who are not where they should be. He will wander around the practice rooms. If he finds students in practice rooms who are not practising, then he will move them on or remind them to practise. |
| 4 | Q. Have you found that helpful? A. Yes. I think that -- the feedback we have had from students recently is that they have found that helpful. Obviously, not all -- it is not universally welcomed by all, as you might imagine. But it gives us another layer of confidence and assurance that there is a member of staff available at those times who is not confined to a particular duty point that some of the house staff might well be. |
| 5 | Q. Does the evening security supervisor feed back, so, you know, "X is always in the practice room not really doing any practice. He smells a bit of cigarettes", that kind of thing? |
| 6 | A. There have been occasions where that has happened, yes. |

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| 1 | It hasn't happened very often, but there have been occasions where it has happened. |
| 2 | Q. You also, as I understand it, organised a full day's face-to-face training for all instrumental staff rather than the online courses which are sometimes used. Why did you do that and what do you think the advantages are of physical, face-to-face training? |
| 3 | A. This is, of course, about the cultural aspect of managing a diverse and disparate workforce. We want to have very clear safeguarding messages that safeguarding is everybody's responsibility. We want to ensure that everybody has had the statutory training that they require and need. But, more than that, there is a tremendous benefit to the institutions, to the school, to bring everybody together in one room at one time to discuss the well-being of our young people, which is our first commitment. I just need to correct one, perhaps, slight misconception. It was a day-long safeguarding training. The instrumental staff were required to attend in the morning, which was the level 1. They were then invited to stay for the afternoon, if they wished to. Some did, some didn't. |
| 4 | Q. But you say in your witness statement, however, that by the beginning of your second term in post, that would |
A. No, sort of around --
Q. January this year, really?
A. Yes, a little before, but January, yes.
Q. That your concerns about the day-to-day management of safeguarding were such that you commissioned a comprehensive independent review of the school from a safeguarding perspective. Now, we have a copy of that safeguarding review at PUR001260_001. I will possibly be referring to bits of it, but can I just identify, who conducted this review and what relationship, if any, they had with the school?
A. Well, there was no relationship with the school. It was conducted by Jane Cooper and Jane Melville.
Q. Who are they?
A. Former HMI inspectors with considerable experience of both boarding environment and of, obviously, you know, quality review processes. And Jane Cooper in particular has particular expertise in safeguarding.
They had no relationship with the school. I didn't meet them until they -- I had never met them until they arrived at the school for the first day of the review.
Q. The brief was to examine a selection of past safeguarding cases, and then also look at current cases as well. As I understand it, you gave the reviewers safeguarding concerns and issues that were raised. In fact, if I look, if one goes to PUR001260_004-005, in boxes, it identifies the concerns -- if we can go down to 11, please, Ralph. If you could get up 11 and also the top of the next page. So this is the first half.
The way that this review is written is that they go through, explain the factual situation and then say they raise the following questions. We have here that it raises concerns about recruitment of the head teacher, staff training and induction in respect of PSHE, why the head of PSHE was vacant, whether or not -- why the issue hadn't been indicated in respect of bullying, how a session could be legitimately identified as a PSHE lesson, how that worked into the SRE of the school, what the safeguarding culture was, the fact that there wasn't any staff code of conduct, and something about ICT use.
So they raise a number of concerns and issues, shall we say.
One then has a very extensive discussion that they have about the investigations and the staff code of conduct, and then they deal with some concerns that they have about the governors at PUR001260_010-011. Right at the bottom, you see there is a little box again, and another box, which says that "It raises the following issues", so that's the handling of allegations and referrals, including a partisan approach to objective investigation. Then on the next page:
"Failure of governors to issue a formal warning ..."
The fact that there wasn't a code of conduct and the effectiveness of the one that was issued; issues of equality between boys and girls, or young men and young women; liaison with others; lack of whistleblowing; data protection; ICT; communications appraisal; and mechanisms for managing staff, monitoring and reviewing school policies.
So I see there is quite a long list of concerns, as they put it, and identification.
Can I just identify, particularly in respect of the PSHE lesson, how it would be responded to in the context of current policies. Now, I think you have seen the full transcript, as I understand it, but it might be useful for us to just look at it briefly. It is DFE001039.
The first question I want to ask is, obviously, this talk took place in the head teacher's accommodation and office. In 2019, would students be allowed in to staff accommodation?
A. No. There was a policy prior to September 2019 that said that, on occasion, they could and there was a particular form that house staff would fill in to say...
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| **Q.** Who currently delivers PSHE and SRE at the school?  
**A.** It is co-ordinated by a member of house staff, and it is delivered partly by her, partly by the new head of safeguarding and pastoral and some other staff, and it's supported by the tutorial programme, which is collectively delivered via a wide variety of staff who have tutorial responsibility. | **Q.** I'd specifically like to ask you about the passage which involves masturbation. Could we go to this document, please, DFE001039_012, Ralph, if you wouldn't mind enlarging that. At the bottom, it says: "Occasionally, and please don't be horrified about this, I have found, or I know, that boys quite like to masturbate with one another, you have got to be a little bit careful about that, it happens, or you might be, say, watching a film or something like that and have a go. You've got to be pretty sure that the other person, if you ask them, they might be rather horrified."

**A.** Absolutely.

**Q.** Can I ask you, Mr Leverton, who, I believe, still teaches at your school, has provided a witness statement to this inquiry at INQ004580, please, Ralph. And we need page 3. I think it is paragraphs 10 and 11. In fact, I think I need the page before that. Could you enlarge paragraphs 10 and 11, please, Ralph. So these are two issues that also arose during the course of Mr Crook's headship. Mr Leverton says that a student had spoken to him and said that Peter Crook had offered to buy her a purple, sequinned thong:

> "I wrote this down and immediately spoke to the DSP about it. He said he had already heard this. He did not indicate if any action was being taken."

Again, that may well have been said in jest or as a jocular identity. If this came to your attention these days, what would you do about it?

**A.** Well, it would be investigated to establish the circumstances around which the comment was made and a judgment would be made about if there had been a breach of the code of conduct and a sanction, if appropriate, would be applied.

**Q.** How about -- again, what we have understood, and we have already raised this with Mrs Moore this morning, but, separately, some of the girls had indicated that they were uncomfortable about Mr Crook observing their exercise class, reporting that he kept coming back to watch it. Again, what would happen under your headship, as far as those sorts of things are concerned?

**A.** As I have just described, with the addition that if we...
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<td>A. The school's policy is that, if an allegation or concern is raised about -- against a member of staff, that would come to me. I would record that. If it is a low-level concern which doesn't meet any threshold for any immediate action, that is held in a secure filing cabinet that's in my office. The DSL knows of that, as does the deputy head, and know how to access it. Everything is indexed and catalogued. What it means is that, if I'm not around, or my successor or whomever receives a complaint against a member of staff and they go to that filing cabinet, they will see immediately if there is anything else in that cabinet relating to that member of staff.</td>
<td>A. I would also like to ask you about a situation which involved a staff member who we are calling F20. I'd like to ask you about the current policy relationship. Purposely, there was a written record of that. There were no records of what had happened five years earlier, he had to rely on his memory. Now, he was still there. However, you were obviously working in the state sector in 2009. Would you have expected to have been kept of an incident like this by the school?</td>
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<td>Q. Mr Elliott also says that, although he had delivered safeguarding training following the incident which involved F20, F20's contact with students wasn't monitored in any way. In 2019, if there had been this issue, even if it hadn't resulted in any formal action, would there have been an increased -- would there be an increased level of supervision or monitoring?</td>
<td>A. Yes, I would have imagined so. Although I should clarify that by saying that I wasn't involved in that level of record keeping because that wasn't part of my position at the time.</td>
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<td>Q. I would also like to ask you about a situation which involved a staff member who we are calling F20. I'd like to ask you about the current policy relationship. Purposely, there was a written record of that. There were no records of what had happened five years earlier, he had to rely on his memory. Now, he was still there. However, you were obviously working in the state sector in 2009. Would you have expected to have been kept of an incident like this by the school?</td>
<td>Q. What would the school do now? What's the school's position at the time.</td>
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<td>A. Almost certainly. It's quite possible to be in a situation where the local authority hands something back to the school to continue to process under its own disciplinary procedures. It would then have its own investigation, it would follow its own disciplinary procedures, and that would lead to whatever the appropriate outcome might be in those circumstances.</td>
<td>Q. When deciding whether to invoke a disciplinary procedure, do you think that it's something which a LADO should provide you with some -- at the very least, some advice or guidance about, or do you think it is something which is solely the matter for a school?</td>
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<td>but the staff appear to have breached the code of conduct -- for example, hugging, kissing, those sorts of matters. Is there a policy on this? Would there be any disciplinary or other action, capability action, that would be taken?</td>
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<td>A. Almost certainly. It's quite possible to be in a situation where the local authority hands something back to the school to continue to process under its own disciplinary procedures. It would then have its own investigation, it would follow its own disciplinary procedures, and that would lead to whatever the appropriate outcome might be in those circumstances.</td>
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<td>demonstrated some good safeguarding practice. Ralph, if you wouldn't mind just having a look at PUR001260_018. I think one can see in the box, whereas we have a number of, shall we say, less positive comments, here we have: “This incident demonstrates: “The effectiveness of the school's safeguarding system ... “The effectiveness of record keeping (so that a clear picture ... “Effectiveness in pastoral and learning support. “Effective liaison with the GP and ...” “Effective liaison with parents ...” However, it does raise the need for a comprehensive PSHE programme and it caused some issues about CAMHS and issues around parents disclosing or not disclosing mental health issues before children are arriving as boarders at the school. So one can then see that at paragraph 46 of their conclusions -- this is page 19, please, Ralph -- it says: “By contrast, case 5 shows that, in 2016, there was some good safeguarding practice in the school. The school had the mechanisms and infrastructure in place ...&quot;, et cetera, et cetera. But what it said prior to that, in paragraph 45, is: “The historical cases [as they call them] indicate that the Purcell School did not have a culture of safeguarding. There were many gaps in the school's policies and procedures ... the head teacher did not provide a good role model. The attitude of senior leaders was complacent.” Taking that on board, what recommendations did the reviewers make to improve the current arrangements? A. Well, they were quite -- when they visited in March, they concluded there were a number of areas that the school could do better, in some cases significantly better, particularly around the leadership and management of boarding. Q. Yes. A. And the way in which the senior team were monitoring the implementation of the policies, procedures and practices. What they were clear about was that the school had fit-for-purpose policies, procedures and guidance. Their issue was that it didn't seem always to be implemented consistently and that senior leadership were not monitoring that effectively enough.</td>
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<td>So, as a result of their recommendations, we constructed the action plan and the resulting strategic plan which encapsulated all of their recommendations at that point, and was shared with them at that point, and they were asked if it, in their opinion, was sufficient to address all of the areas that they had raised. They said that it did. Q. Can we have a quick look at that strategic plan. It is behind tab 12 of your bundle, but it is PUR001256_005-009. These are your priorities for the strategic plan. A. Yes. Q. There are eight of them that you go through. So the first one is to improve the management of safeguarding. So have you -- I'm just going to take you through every single one of these and just for you to summarise what you have done, when did you do it? A. Okay. Well, the review of the composition and responsibilities of SLT has been implemented. We have changed the constitution of the SLT to have better reporting lines and accountability. The single central register is now in a completely different format and contains the correct information. Staff files for those staff that we have appointed since the March review are now as they should be and complete of information. We still have a job of work to do to retrospectively work backwards through all existing files. We now have a system for managing external contractors and their employment information, and all of those records are now in place. We now have all staff -- we do have a valid DBS for all staff. Not all of them is less than three years old necessarily. That's an aspiration. The first task was to ensure that all had one. We had a number of members of staff who didn't have one because they had been appointed prior to the requirement to have one, and that had never been plugged, that gap. But that gap is now plugged. The recruitment processes are now absolutely fit for purpose and capture all of the necessary information that's required, including safeguarding questions and including a checking of gaps in employment records. We are in the process of establishing a rolling review of policies. We have now engaged professional HR support. Q. Now, we have priority 2, &quot;to improve attendance monitoring and supervision&quot;, and that seems largely to be about making sure that children are where they should</td>
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We now have a system where I receive a report on a daily basis of registers which are incomplete and, initially, I was following those up each day, so going back to teachers and saying, you know, "There are gaps in these registers. Please ensure that they are completed". We are not talking about statutory registration, we are talking about lesson-by-lesson registration.

Q. I was thinking, if it was statutory registration, there are some significant worries if that was the case?

A. No, we are not talking about statutory registration. We have clarified the action we want, both — well, all staff to take if somebody doesn’t appear, which is to inform the house staff in the first instance and the house staff will look to locate those students, and there's much evidence to demonstrate that that's working particularly well with instrumental colleagues who were unsure sometimes of what to do if a student didn't appear.

The music department have a more effective way of tracking students during music blocks. Music blocks — this is a tricky thing, because the music block, to explain, is where all of the rehearsals, orchestras, ensembles, will rehearse, and of course the personnel for those will change often on a weekly basis, who is required when and where. So for those ensembles which are pretty fixed and are fixed for a length of time, they are now registrable through SIMS in the usual way, but we now have a tighter system for informing house staff of who won’t be involved in a music block activity so that they can ensure that they’re either in-house or that they are practising.

We have still got some work to do on that, to make sure that that — I mean, this is an action plan which is still in operation.

Q. I think we have dealt with all those other issues.

A. — all of those other issues.

Q. If we can skip on to priorities 3 and 4, which is the next page. So this is basically to improve practice and procedures. So you have done all of this, as far as I can see.

A. Yes.

Q. So there's creating a head of boarding role, having lanyards, sign in and out ports, room booking system, better registration, et cetera, et cetera. If we go to priority 4, we have also got improving discipline and sanctions. You have said the review was critical of a lack of consistency in dealing with poor behaviour between houses?

A. Yes.

Q. Could you just explain to me what the problems were?

A. Well, the perceptions of students were that different houses would implement different sanctions at house level for the same indiscretions. There's a perception that some houses were stricter than others, and the review found that there was substance in that perception.

It pointed to two houses in particular where it felt that the application of the policies could be more consistent. So the head of boarding, along with myself and the head of pastoral and safeguarding, have been working to ensure that there is greater consistency there, partly through monitoring how the sanctions are applied and also by being present, particularly in the out-of-hours time.

Q. Can I ask in particular, there is recommendations about students who attempt to access pornographic material?

A. Yes.

Q. Is this quite a regular thing? I'm not suggesting your school is different from any others, but obviously the chair and panel are interested in what actually happens on a practical level. So is it the case that, on an almost weekly basis, somebody is trying to access pornography through one portal or another, shall we say?

A. The report would suggest that, yes. What tends to happen is, when the report is investigated, we find that things are not always as they might first appear.

Q. Right.

A. Because the firewall tools are so vociferous that a student researching something quite sort of legitimate might provoke — you know, prompt the firewall to enact, which would then register on the report that they have been trying to access pornographic material. It might have been just that they were — well, a good example of that is that you can’t stream this inquiry on the computer systems because of the words "abuse", "child" and "sexual". So that would be an example.

Q. Yes.
A. However, there are occasions where it is clear that --
when the conversation is had that a student has tried to
access such material, that conversation --
Q. You can usually tell from the IP address, can't you?
A. Yes, exactly. And that leads to a conversation first at
house level and then it is escalated if the attempts to
access that material are repeated.
Q. We have got four more priorities, all of which have
either been implemented or are in train. I'm not sure
we need to go through those in as much detail as we have
identified the rest of them?
A. No, that's fine.
Q. What are we interested in is, you have implemented
something called the "My concern" package. We would
like you to tell us about this and what its aims are?
A. Well, what it does, it's a secure online package which
is accessible from any computer, any web-enabled
computer or device from anywhere. Staff can log into
it, and there's a very simple process by which they can
report a concern that they might have.
Q. When you mean "concern", is that something ter rible has
happened --
A. No.
Q. -- or is that just --
A. Any concern from, "This doesn't feel quite right",
I don't think, particularly at this stage, if things are
recorded there and recorded elsewhere as well. So it's
a very simple tool for people to -- it has the benefit
of giving immediate notification to the DSL, who can
then triage and assign tasks to either members of
the safeguarding team or, indeed, to other members of
staff. So the DSL can then make a decision about
whether to reveal that information to other members of
staff -- it might be a house parent, it might be medical
staff -- so that the information is easily shared.
Q. How are concerns recorded?
A. Well, they're recorded in the system.
Q. Are they recorded by child name or by staff name?
A. They are recorded by child name, and then you -- the
information is searchable either by child name or by
type of concern, nature of concern.
Q. How are concerns to yourself recorded? Because you've
identified that concerns involving a member of staff
wouldn't necessarily go via "My concern". How are they
recorded? Who records those and where are they kept?
A. Well, the current policy is that if a member of staff
has a concern about my conduct, then they are to report
that to the chair of governors and the chair of
governors would record that.
Q. Let's assume it's not about you. How about other
members of staff?
A. Sorry, I don't ...
Q. Other members of -- you have identified that people
would come to you to talk about members of staff --
A. Yes.
Q. -- and problems and concerns around members of staff?
A. Mmm-hmm.
Q. So they wouldn't necessarily use the "My concern" --
A. No, and they're recorded -- as I said earlier, I will
record those. I record them against the staff name.
They will be not held in the staff file, but they will
be held in a separate file facility, which is accessible
by myself, by the DSL, by the deputy head, so that if
I were unavailable or I had moved on, or whatever it
might be, then somebody can see immediately if there
have been previous concerns relating to a member of
staff.
Q. Do you think that the "My concern" package has helped
with creating more transparency about what's going on
with the school?
A. It's very, very early days yet. This is the first
academic year that we have been employing it across the
whole structure, we phased it in during the course of
the last academic year. So it is perhaps a little too
early to be able to assess its actual impact.
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<td><strong>Q.</strong> Do the governors scrutinise or does the safeguarding governor scrutinise individual cases?</td>
<td><strong>Q.</strong> -- or report to the police, depending on the nature of the contact?</td>
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<td><strong>A.</strong> Yes. Usually in a meeting either with myself or with the DSL.</td>
<td><strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> You mentioned earlier that if there are any concerns about yourself, there should be a referral and a report to the chair of governors?</td>
<td><strong>Q.</strong> Do governors receive safeguarding training at your school?</td>
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<td><strong>A.</strong> Yes.</td>
<td><strong>A.</strong> Yes, they do, annually, the same update training as members of staff.</td>
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<td><strong>Q.</strong> What would happen if the chair of governors decided to do nothing about that?</td>
<td><strong>Q.</strong> Is that a compulsory element for governors?</td>
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<td><strong>A.</strong> I would hope -- my hope would be that the safeguarding governor or -- well, let's think backwards. If somebody reported it directly to the chair of governors and nothing appeared to happen, I would hope that that member of staff would make another report to the safeguarding governor. That's what's outlined in the child protection policy, that you report to the chair of governors. If the chair of governors is unavailable or unresponsive, then the safeguarding officer. If a member of staff felt that they were getting nowhere with either of those, then the advice, of course, is always to report directly to an external agency.</td>
<td><strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> Report to the LADO --</td>
<td><strong>Q.</strong> What challenge do the governors provide you on safeguarding? Because they, under the statutory guidance, are ultimately responsible for the safeguarding policies and practices. Do they provide you with sufficient challenge as to what's going on with safeguarding?</td>
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<td><strong>A.</strong> Yes. The last topic I want to deal with with you is governance. Now, obviously the independent review was critical about the role that the governors played in the incident in 2009/2010. Is there currently a safeguarding governor and a Safeguarding Subcommittee on the governing body?</td>
<td><strong>A.</strong> Yes, certainly the safeguarding governor does, and then there are the formal agenda items, safeguarding agenda items, in various full governors' meetings and committee meetings, where particularly the annual safeguarding report that we present to the governors, which is the summation of the various incidents and concerns across the course of a year, that will always lead to a scrutiny discussion.</td>
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<td><strong>Q.</strong> So drug taking, accessing pornography, smoking, mental health problems?</td>
<td><strong>Q.</strong> Now, a teacher at the school, Mr Leverton, who has given witness evidence to this inquiry, which I spoke of</td>
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<td><strong>A.</strong> There is certainly a safeguarding governor, yes. There isn't currently a Safeguarding Subcommittee, although that has been discussed and it's been discussed several times during the course of this last year. But a decision has yet to be taken about whether to implement that. Certainly there is a safeguarding governor. She's extremely knowledgeable. She's received good levels of training. She engages really very well and regularly with the school, and with me in particular, and with the DSL. So, yes, that is in place.</td>
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<td><strong>Q.</strong> How often does the safeguarding governor come in to the school? Does she come into the school to speak to staff? Is it just during governing body meetings that there's any discussion?</td>
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<td><strong>A.</strong> No, I did a tally, she visited the school on eight occasions last year, which were not connected to governing body meetings.</td>
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<td><strong>A.</strong> There is certainly a safeguarding governor, yes. There isn't currently a Safeguarding Subcommittee, although that has been discussed and it's been discussed several times during the course of this last year. But a decision has yet to be taken about whether to implement that. Certainly there is a safeguarding governor. She's extremely knowledgeable. She's received good levels of training. She engages really very well and regularly with the school, and with me in particular, and with the DSL. So, yes, that is in place.</td>
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<td><strong>Q.</strong> How often does the safeguarding governor come in to the school? Does she come into the school to speak to staff? Is it just during governing body meetings that there's any discussion?</td>
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<tr>
<td><strong>A.</strong> No, I did a tally, she visited the school on eight occasions last year, which were not connected to governing body meetings.</td>
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I haven't, rightly or wrongly, enquired in any detail about why heads have not stayed for a long period.

21 Q. -- you only choose the people who aren't going to say anything or provide any challenge?

22 A. That would be fair to say.

23 Q. -- you only choose the people who aren't going to say anything or provide any challenge?

24 A. I don't think that like to speculate. I don't know the reasons why those staff turned around in the way that they did.

25 My view is that it's much more important about where we are going and moving forward in a spirit of positivity and optimism and, whilst recognising the wounds that that turnaround has caused, that we seek to heal those as we move forward.

26 I haven't, rightly or wrongly, enquired in any detail about why heads have not stayed for a long period.

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From a cross-section of the staff, both house staff, music staff, academic and housekeeping, estate, support attended that meeting.

But I suspect that it may be the case that a successive chair might want to find more opportunities to meet face to face in a more open and self-selecting way for members of staff.

Q. Are there any parent governors?

A. There are no parent governors in the sense of an elected parent governor. There are governors who have been current or recent parents of the school. My understanding is that a decision was taken some time ago not to actively have an elected parent governor but, rather, to rely on a parent to be recommended or to --

Q. Doesn't that always give rise to concerns that --

A. Of course.

Q. -- you only choose the people who aren't going to say anything or provide any challenge?

A. Of course, that's absolute fair criticism. I'm just stating the facts as I understand them to be, without any judgment.

I haven't worked in an environment where there hasn't been a parent governor, and indeed a staff governor, on the governing body. It would be my personal view that the governing body would be strengthened by both of those things. But, ultimately, it is not my decision to decide on the composition of the governing body. I can only recommend.

MS SCOLDING: I have no further questions, thank you very much.

Chair and panel, do you have any questions?

Questions from THE PANEL

THE CHAIR: Could I begin and take you back to the beginning of your evidence, Mr Bambrough. You told us, and we have this in writing as well, that from 2011, when Peter Crook left and when you took up post last year, there were six principals in seven years. Have you any explanation for why that might have been? Because it must have been very disruptive?

A. It has undeniably been very disruptive. I don't think that -- I don't think that like to speculate. I don't know the reasons why those staff turned around in the way that they did.

My view is that it's much more important about where we are going and moving forward in a spirit of positivity and optimism and, whilst recognising the wounds that that turnaround has caused, that we seek to heal those as we move forward.

I haven't, rightly or wrongly, enquired in any detail about why heads have not stayed for a long period.

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of time at the Purcell School. It doesn't influence my commitment to the school, and I've made a commitment to the school to stay in post to create stability, and so that is my focus.

THE CHAIR: Yes, but you will appreciate we are interested in what has happened at the school and try to understand what impact various events may or may not have had on that period of time.

A. Yes, but I can't comment with any clarity -- it would be mere speculation -- on events I haven't witnessed and people I've never met. I would feel very uncomfortable.

THE CHAIR: And nobody amongst your staff ever refers to that period?

A. Not often.

THE CHAIR: Okay. Thank you. Thank you very much, Mr Bambrough.

(The witness withdrew)

MS SCOLDING: Chair, one of the afternoon witnesses has got an urgent need to get away and I haven't had an opportunity to speak with her yet. With your permission, would it be appropriate for us to break for an early lunch so I can consult with her, and then reconvene earlier this afternoon?

THE CHAIR: Yes. We will return at 1.45 pm.

MS SCOLDING: Thank you very much.

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26 (Pages 101 to 104)
A. Yes.

25 Q. Is it true, to the best of your knowledge and belief?

23 Q. Can we turn to the process of registration and then accreditation. I would just quite like to discuss with you how that works in practice. I'd firstly like to get up your handbook, because I think that's probably the most useful place to start. This is guardianship organisation minimum standards January 2009. Ralph, please, AEG000002_001.

22 Q. So you provide a system of accreditation. I would just quite like to discuss with you how that works in practice. I'd firstly like to get up your handbook, because I think that's probably the most useful place to start. This is guardianship organisation minimum standards January 2009. Ralph, please, AEG000002_001.

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Q. So they will look at the documents and policies. What will they be looking for, roughly?

A. That's right. The lead inspector is appointed at this stage.

Q. Who would that lead inspector be?

A. So all of our inspectors are either -- are independent school-experienced inspectors.

Q. So they're people who would have worked for the ISI or for Ofsted?

A. Or for Ofsted, that's right, and they are contracted, so they still carry out their inspection work for schools and for us. So we have a pool of inspectors and we have a head of inspection also.

Q. So they still will look at the documents and policies. What will they be looking for, roughly?

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then there's a stage 2 accreditation process, and that is really when an organisation is already up and running, and then, as I understand it, an inspector visits, sees everything, sees both the school and the home stay arrangements, and says, "Yes, this seems to be working to our satisfaction or to the standards that we have imposed", or not. Is that right?

A. Yes.

Q. Only once that stage is passed will the organisation be accredited with AEGIS?

A. That's right.

Q. As I understand it, accreditation takes -- re-accreditation takes place once every four years?

A. Yes.

Q. Can we turn now just to have a quick look at your minimum standards? I don't think we need to go through all of them, but if we could go to .015 onwards, please, Ralph, of the same document. As I understand it, most of these are mandatory; a couple of them are not. But the first four are all mandatory. So this is the statement -- so there has to be a statement of aims and that it works in daily practice. So if we could go to 2, which is also mandatory, on the next page, please, Ralph. In effect, there are clear job descriptions, there's proper induction procedures, there's a clear set of procedures, and there's a scrutiny of -- it's a sort of paper-based scrutiny; is that right?

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A. Well, they are scrutinising all their documentation, so all their paperwork and their policies as well. We ask for a huge range of policies. And they're really looking to check that, for instance, safer recruitment procedures have been followed, that DBS -- for example, we insist that every member of a home stay family is DBS checked aged 16 and over; ensuring that there is appropriate insurance in place, such as professional indemnity insurance, public liability insurance; contracts, they check the parent/guardian contract. We also ask guardianship companies to provide handbooks to a home stay which outline their hosting duties, and it would contain information such as e-safety monitoring and cyber bullying, online grooming, how to behave with a student, what is acceptable behaviour if a student is homesick, for example.

And then a student is provided with a student handbook, so we always want to ensure that there are the contact details of the local authority safeguarding partnership, so the child knows who to contact if they have a concern.

Q. Is that okay?

A. That's right.

Q. If we go to page 2, once they pass that paper stage, as I understand, on stage 2, they contact the office and of requirements, and there's relevant DBS checking, in effect, as well as in Scotland they have to pay due regard to the requirements of the Scottish Care Inspectorates, where I understand there has to be registration in Scotland of guardians?

A. That's right.

Q. One then turns as well to -- there is then further information about handbooks, contracts and insurance, so there has to be a suitable -- can we have a quick look at handbooks, please, Ralph, the next page. We have got a handbook for students which should be written in age-appropriate style, and there's a set of specific details which have to be included -- I'm assuming about where they're staying, who they can contact if they have got problems, what's going on -- and also a suitable handbook for those who are hosting the children and possibly a separate handbook for schools, and there also needs to be relevant insurance.

If one then goes to record keeping, at 2.5, there is then a whole lot of records which have to be kept, including a file for each home stay, including all correspondence, safeguarding training records, safer recruitment training records, safeguarding case notes, checks. In addition, record of any correspondence between the guardianship organisation and any parent, so
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<tr>
<td>1 accident books, all the things that you would expect to</td>
<td>1 you know, &quot;You've never been ...&quot;?</td>
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<td>2 see in an organisation dedicated to the welfare of</td>
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<td>3 children. I think that's fair to say.</td>
<td>A. Criminal convictions, yeah, and also, during that --</td>
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<td></td>
<td>that home stay check is quite stringent, because they</td>
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<td>A. Yes.</td>
<td>will also ask questions about any other adults that</td>
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<td>6 Q. We have then got 2.8, if we could go to the next page</td>
<td>might be visiting the home stay on a regular basis and</td>
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<td>6 but one, please, Ralph, _020, it is then -- they have to</td>
<td>whether they would require a DBS check as well.</td>
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<td>7 comply with the safer recruitment guidance as set out in</td>
<td>7 Q. So if, for example, somebody had a partner who didn't</td>
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<td>8 Keeping Children Safe in Education and they have to have</td>
<td>live with them but came to visit every weekend, that</td>
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<td>9 undergone relevant training and they have to have the</td>
<td>9 person would also have to be subject to an enhanced DBS</td>
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<td>10 relevant policy.</td>
<td>check?</td>
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<td>11 Then, as far as induction, if we could go to the</td>
<td>A. Yes.</td>
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<td>12 next page, please, Ralph, _021, there has to be</td>
<td>12 Q. Or any other individuals. Then could we go to the</td>
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<td>13 induction programmes which should, importantly, be</td>
<td>next page, which is student accommodation. One can see the</td>
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<td>14 suitable to their age and language needs.</td>
<td>home stay profile. But the accommodation, which goes on</td>
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<tr>
<td>A. Yes.</td>
<td>to the next page, is, there are various minimum</td>
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<td>16 Q. And the organisation has to show that students have been</td>
<td>16 standards, in effect, of what should be expected, which</td>
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<td>17 given an opportunity to ask about anything which they're</td>
<td>17 is, you know, suitable bedroom in good repair, natural</td>
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<td>18 unsure?</td>
<td>18 light, not share the same bedroom if they're of opposite</td>
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<tr>
<td>A. That's right.</td>
<td>19 sex, may share the bedroom if they're of the same sex,</td>
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<td>20 Q. If we then go to 6, which is _023, there has to be quite</td>
<td>20 only one student in a double bed, suitable heating and</td>
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<td>21 extensive checks of all members of their household. So</td>
<td>21 lighting, access to private space, access to appropriate</td>
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<td>22 that's passport checks, birth certificates, that they</td>
<td>22 hanging space, bathroom with a lock on the door, and be</td>
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<td>23 have got the right to work in the UK, enhanced DBS for</td>
<td>23 able to opt for no smoking and to make sure there is no</td>
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<td>24 all persons aged 16 and over, and two written references</td>
<td>24 more than three students at any one time.</td>
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<tr>
<td>25 and self-declarations. Would the self-declaration be,</td>
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<tr>
<td>1 when students are under the age of 16 and are in the</td>
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<td>2 care, no students over the age of 20 are being hosted.</td>
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<td>3 I'm assuming that's for safeguarding reasons as well?</td>
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<tr>
<td>A. Yes.</td>
<td>A. Absolutely, yes.</td>
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<tr>
<td>5 Q. I could take you through the rest of it, but</td>
<td>7 Q. You also, as I understand it, provide guidance for</td>
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<td>6 fundamentally what happens is, they also have to</td>
<td>schools, which is at AEG0000003, if we could just get</td>
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<td>7 undertake annual training, health and safety</td>
<td>9 that up. So this is just a quick guide for the aims of</td>
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<td>8 assessments, they have to keep folders with relevant</td>
<td>10 the guardianship policy. If we could go down to 2.</td>
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<td>9 records for the home stay organisations, and they have</td>
<td>12 Basically, what it does is, it sets out the educational</td>
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<td>10 to have a safeguarding policy which complies with</td>
<td>13 guardian requirements and then private foster care and</td>
</tr>
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<td>11 Keeping Children Safe in Education, and the student</td>
<td>14 the fact that there should be registration with private</td>
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<td>12 folder is quite extensive, in that it's likes, dislikes,</td>
<td>15 foster care. Who does this policy get circulated to?</td>
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<td>13 dietary requirements, religious requirements, cultural</td>
<td>A. Our member schools. So it's a member school benefit.</td>
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<tr>
<td>14 requirements?</td>
<td>15 Q. Who are your member schools?</td>
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<tr>
<td>A. Yes.</td>
<td>A. We have around 80 schools who support us and our work.</td>
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<td>16 Q. There is quite an extensive range of matters which have</td>
<td>In return for their membership -- they pay a small</td>
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<td>17 to be undertaken.</td>
<td>annual membership fee, and we provide guidelines for</td>
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<tr>
<td>18 Now, can I ask you, how many of your guardians or</td>
<td>a school guardianship policy and a legal framework which</td>
</tr>
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<td>19 organisations register as private foster carers, because</td>
<td>outlines the legal responsibilities of a school,</td>
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<tr>
<td>20 I'm assuming -- as we know, the law says if you look</td>
<td>guardian, parent and home stay, and they receive</td>
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<td>21 after a child for more than 28 days in a row, you have</td>
<td>discounted member rates at our events as well.</td>
</tr>
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<td>22 to register with the local authority as private foster</td>
<td></td>
</tr>
<tr>
<td>23 care?</td>
<td>Q. So the guidance at schools also sets out the</td>
</tr>
<tr>
<td>24 A. We have 47 accredited guardianship companies. The</td>
<td>expectations of the guardian, the fact that a school has</td>
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<td>25 majority will be looking after boarding school students,</td>
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29 (Pages 113 to 116)
a right to reject guardian arrangements if they are not happy with them, and that the guardians must be of a minimum age?

A. That's right, yes.

Q. Can I just identify, our understanding as an inquiry -- I might be wrong -- is that the Home Office will only give you a visa if you have an educational guardian in place?

A. Yes.

Q. Is that right?

A. Yes.

Q. In order to get what's known as a tier 4 visa, which is the student visa for access to the UK?

A. Yes.

Q. Do you know whether or not the Home Office have any requirements regarding safeguarding in respect of guardians?

A. Not that I know of, but I'm not 100 per cent sure.

Q. What obligations are there on a school at the moment to check the guardianship arrangements? Obviously your schools will have the checking operating through you or, in effect, you work in partnership with all the various organisations to make sure that all the rules and regulations are followed. Is there any obligation on a school at the moment to check guardian arrangements?

-- no

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Independent person if they have any concerns.

Q. Obviously, you're a voluntary organisation -- you're a charity. Signing up to your organisation is currently voluntary. Do you think that the sort of checking that we have described here should be something that should be compulsory and, if so, why?

A. Yes. At the moment, due to the lack of regulations and legislation around guardianship, unaccredited guardians and guardianship companies fall under the radar.

Q. Do you have any examples that you can tell us about?

A. Yes. So, for example, due to the fact that a parent can appoint anyone as guardian -- so if they appoint an unaccredited guardian, for example, who doesn't have any procedures to follow, we have evidence of students being placed in unsupervised Airbnb accommodation during holidays, with inappropriate home stays and also home stays where the host might not be present very often.

Q. You give some examples of this at paragraph 36 of your witness statement, such as you've had situations where people owned a vicious dog that would threaten to attack the students, the students were placed in places where there wasn't any heating in the house, they were placed in Airbnb accommodation when they were under 16. I also understand that there are some concerns that some children are being trafficked and then going missing.

A. No. Currently, the national minimum standards state that if a parent appoints a guardian, then the school doesn't have any obligation to do any checks on the guardian.

Q. As far as you're aware, do schools do checks on guardians if they're not part and parcel of an organisation like yours? I think you're the only organisation that provides these services in the United Kingdom; is that right?

A. Yes, that's right. As far as I understand, because of the national minimum standard, if a parent appoints the guardian, as I understand it, the schools don't get involved with the guardianship arrangement. I think the confusion comes in due to the tier 4 visa sponsor responsibilities, where the school does have responsibility for the child in and out of school grounds.

Q. What do you think about -- we have had some occasions in this hearing this week where individuals who are school staff have been identified as acting as educational guardians for children. Does AEGIS have any views about this?

A. Yes. AEGIS' best practice dictates that it's preferable for a guardian to be independent of the school, due to conflicts of interest and the fact that a child needs an independent person if they have any concerns.

using the regime as it currently operates. Is that right?

A. Yes.

Q. Would you like to tell us a little bit about that?

A. We do know of cases where a student has a legitimate place at school and has used an AEGIS-accredited guardian, for example, and all the paperwork, everything, was absolutely fine and then the children did disappear once they arrived.

Q. You have also identified other situations whereby unaccredited agencies are using somewhat unorthodox, methods, shall we say, to attract families to undertake home stays. Could you give us an example of where this has happened?

A. There was one case, for example, where an overseas pupil who was under the age of 16 had an unregulated guardian, and he produced a flyer with personal details of the student and her photo and leafleted an area of houses near the school and recruited a family in that way, and no safer recruitment checks were carried out, so no DBS checks, and that's how the family was recruited.

Q. Is that something which is very unusual and a one-off, or do you suspect that that sort of behaviour is quite common? Maybe not as extreme as that, but that there is...
A. We have had meetings with the DfE around our concerns of the unregulated nature of guardianship and, as we understand, they are going to introduce — planning to introduce a new minimum standard around guardianship. With regard to the Boarding Schools Association, we partnered with them in June 2018 and the whole reason is to raise awareness of best practice in guardianship amongst schools and raise standards in general, so they have been very supportive of our work.

Q. Have you had any meetings with the Independent Schools Council, the Department for Education or the Boarding Schools Association to discuss the creation of some sort of regulation around home stays and guardians? When I've spoken to agents, for example, they have automatically presumed that there would be DBS checks as a minimum for home stay.

A. Sorry, agents recruit students — it is like a placement service they offer. They are often the go-between between the parent and the school.

Q. Perhaps you'd like to explain a little bit -- members of the general public who aren't familiar with the recruitment of international students might not understand this. Perhaps you'd like to explain to us what do you mean by "agents"?

A. Yes, that's right. My experience is that when there has been a case that's of concern, LADOs will contact us for advice about guardianship, and then they will be amazed that there's no regulation, and they're completely supportive of the work we do, and we've worked very well together, but they are wanting regulation also, the ones who we've worked with.

Q. What do you mean by that? Are you talking about places where there might be a lot of language schools — for example, yes.

A. That's right.

Q. -- alongside boarding schools who would be dealing with children under the age of 18 and teaching them for a summer, for example?

A. I think that some parents automatically assume, as do a lot of people in the UK, that there is some sort of regulation around home stays and guardians. When I've spoken to agents, for example, they have automatically presumed that -- some have automatically presumed that there would be DBS checks as a minimum for home stay.

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A. I think that some parents automatically assume, as do a lot of people in the UK, that there is some sort of regulation around home stays and guardians. When I've spoken to agents, for example, they have automatically presumed that there would be DBS checks as a minimum for home stay.

Q. What do you mean by "agents"?

A. A. I would imagine so, because there is absolutely no law that requires a home stay to have to have a DBS check when hosting, aside from the private fostering arrangements.

Q. I suppose the question really is, why does there need to be a licensing and registration system? This is something that parents enter into with their eyes wide open. It should be their responsibility to check these matters. Why should the state become engaged?

A. I think that some parents automatically assume, as do a lot of people in the UK, that there is some sort of regulation around home stays and guardians. When I've spoken to agents, for example, they have automatically presumed that -- some have automatically presumed that there would be DBS checks as a minimum for home stay.

Q. What do you mean by "agents"?

A. Sorry, agents recruit students — it is like a placement service they offer. They are often the go-between between the parent and the school.

Q. Perhaps you'd like to explain a little bit -- members of the general public who aren't familiar with the recruitment of international students might not understand this. Perhaps you'd like to explain to us what do you mean by "agents"?

A. I think that some parents automatically assume, as do a lot of people in the UK, that there is some sort of regulation around home stays and guardians. When I've spoken to agents, for example, they have automatically presumed that there would be DBS checks as a minimum for home stay.
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<td>1</td>
<td>NCSC, which was the successor body to the CSCI which was then -- then became Ofsted, as an inspector of boarding welfare provision. Is that right?</td>
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<td>A. Yes. The NCSC came first in 2002 --</td>
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<td>Q. Oh, sorry --</td>
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<td>A. -- and then CSCI and then Ofsted, and I was, I think I recall, boarding sector professional inspectors in the first instance and then boarding sector additional inspectors later on.</td>
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<td>Q. You have also undertaken safeguarding and been involved with Dudley Local Children's Safeguarding Board between 2001 and 2017; is that right?</td>
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<td>A. It was around about 2011. I haven't got the date when I officially started, but my first certificate was 2011 and I finished in 2017 when I took on the BSA role.</td>
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<td>Q. That was as a safeguarding trainer?</td>
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<td>7</td>
<td>A. Yes, I was a multi-agency safeguarding trainer training up to what was -- at that time, the parlance was a level 3 advanced safeguarding with multi-agency local authority partners.</td>
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<td>Q. Perhaps you'd just like to explain briefly what the Boarding Schools Association is and what it does?</td>
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<td>A. It's a member association. We have, at the moment, approximately 600 members, of whom around about 100 are outside the UK. We have members in Scotland, we have</td>
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<td>Can I ask you to turn to tab A/1 of the bundle,</td>
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1. Q. So you run -- at the moment, you run something called the certificate of professional practice in boarding education?
   A. Yes, we do.

2. Q. And a diploma course in boarding education. Can you describe -- I don't think we need to know in any great detail, but can you describe roughly who does them and what the components of those qualifications are?
   A. So the certificate courses are run over two years. The first year there are four training days spread over the course of the year. The same in year 2. Participants are expected to undertake some personal reflection, they're expected to write assignments. Those assignments are marked and moderated by the course tutors. And those who attend those courses range from right the way across the boarding sector, and we tailor the material so that it's suitable both for those who have a degree and those who are nongraduates, and also --

3. Q. So both -- not to typify or stereotype, so both for those who might be undertaking a teaching role and those who might be undertaking a more cape-type role?
   A. Yes, so we have specific modules for nurses and matrons, for health and pastoral care staff, but also for those who are working in boarding with an aspiration to become boarding leaders, which then leads on to the diploma course, which is a one-year course with three training days and a lengthy 4,500-word assignment at the end where participants are asked to reflect on an element of boarding practice, they are expected to do an action research, a piece of research into a change they are undergoing within their boarding environment. Those are people who are either current or aspirational senior leaders in boarding.

4. This year, we have just launched, as of September, the very first small cohort of an MA in residential education with the University of Buckingham, but that's a very fledgling thing that's just taken off this year.

5. Q. Is it a requirement of some schools that the individuals within them undertake your certificate or diploma before they can reach senior leadership level?
   A. Yes. We can't insist that schools do that, but some schools certainly make it a requirement that members of staff moving into senior leadership positions or into boarding responsibilities should undertake our certificate and diploma courses and we have regular cohorts from particular schools where this is a regular thing as part of their training package.

6. Q. Roughly how many people do you train per year in these courses?

---

1. Q. You've got the numbers at paragraphs 10 and 12 of your witness statement, which is BSA000012_003. I think you say 459 delegates who attended the certificate course and 76 have been engaged in the higher level diploma course?
   A. That sounds right. That's absolutely right, yes.

2. Q. You then identify -- on at paragraph 13 -- that significantly larger numbers have attended -- the next page, please, Ralph -- have attended shorter courses?
   A. Yes.

3. Q. Can I ask, what element is there of that of child protection/safeguarding?
   A. So child protection, in the initial days of our certificate and diploma programme, was seen, I think, by schools as being the preserve of local authorities because, in those days, it was very much the expectation that the local authority would deliver the safeguarding training. In more recent times, that's been less the case.

4. Q. When you say "more recent times", is that over the past decade --
   A. It is over the past decade, yes. I think in particular in relation to matters of budget cuts, a lot of the -- the impetus for training has been pushed back onto schools. So in terms of the child protection element, we have started to do more and more of that as part of our courses. But in terms of the broader safeguarding element, we have always had elements of safeguarding as part of our courses, with mental health experts, experts in bereavement -- loss and bereavement, experts in matters such as eating disorders and various other areas of safeguarding, online safety experts. So we pull in a wide range of experts who we use either on our certificate and diploma course, as part of the output there, but also on bespoke elements of our day seminar courses.

5. Q. Other than that, I understand at paragraph 14 that you undertake -- there is an annual safeguarding conference?
   A. Yes, correct.

6. Q. As well as regional events which take place?
   A. Yes.

7. Q. You have identified you also provide training materials about signs and symptoms of abuse, child sexual exploitation, harmful sexual behaviours and guidance on the most recent DfE guidance on sexual harassment between others; is that right?
   A. Yes, so some schools commission us to undertake training in their schools, and those elements are always included, but those elements are always included if
we're delivering one-day training courses as part of our
certificate and diploma courses and also we disseminate
some of that advice through our weekly newsletter and
also through our safeguarding newsletters, which I try
and get out a couple of times a term.

Q. I think you've described at paragraph 15 the recent
contents of those newsletters --
A. Yes.
Q. -- and, having looked at them, they include, for
example, coverage of the various hearings that we have
had which might have some relevance, issues around
sexting, issues around peer-on-peer abuse, various kind
of -- relevant and relatively up to date?
A. Yes, and, additionally, things that pop up from time to
time. There was a discussion at one point around
concerns around the drug Xanax, issues around online
content that was very disturbing. What I try and do is
distil what's going on at the moment for practitioners
and, generally speaking, it is a short piece which will
then refer them to, in the case of the inquiry, the
inquiry website, refer them to particular pages,
particular transcripts, and in terms of other matters,
refer them to particular items of guidance. In
particular, things like the work of the contextual
safeguarding network and also the sexual violence and
sexual harassment guidance.

Q. When was this first issued, this document?
A. It was first issued -- so this was the revised
version in May 2019. From memory, it was issued in
2018, in the middle of 2018.
The genesis of it was last year's BSA chair, who is
Martin Reader, head at Cranleigh School, wrote the bulk
of this, and it was in response to a number of
situations.
We'd had contact with NAPAC, the National
Association for People Abused in Childhood, and had done
some work with them. We'd also been contacted by some
of the victims and survivors, some of whom have been in
contact with the inquiry, who made contact with the BSA
and, you know, wanted to know what our position was and
what we were going to do about it, which led to our
safeguarding statement in the light of the Alex Renton
documentary on ITN and, as the year moved on, we felt
that we really needed to get some advice and guidance
out there from four schools that spelled out really what
we felt the position was and also gave them, I think,
the wherewithal to be able to find support for
themselves and for their staff so that they knew of
the kinds of things that they should have been thinking
of.

So one of the pieces of advice in the guidance, for
example, is to make sure that they've had those
conversations with their front-line staff who will pick
up the telephone so they know, you know, how to handle
that.
Q. Shall we have a quick look through some of it? Can we
go to _006, please, Ralph. It says:
"Responding to an allegation can be very complex.
Different levels of responsibility."
The example you give is it will often be a school
receptionist who receives the school and will have
somebody tell them their story. So that's where we pick
up with the front-line staff?
A. Yes, absolutely. If it is the case that that person has
never had a call of that sort before -- I think it is
from two perspectives. Firstly, it is about making sure
there's the right level of support there for the
receptionist, but, also, we are very conscious of
the fact that victims and survivors tell us that the
first -- you know, taking the courageous step to contact
a school, which can sometimes be many years after the
abuse has happened, as the inquiry knows only too well,
is a real step for some people and to get an immediate
knockback from the person who answers the phone, because
they don't know how to handle it, can be very
distressing, so it is trying to make people aware of how
1. It is important to try and get those initial conversations right.

Q. If we go to _008-009, we have got advanced planning here. If we look at _008. It is:

"Review the processes; make sure that you have identified all key staff; include victim response training for key staff; consider the different scenarios; have guidance in place to respond."

In fact, the point you just made is there on that page:

"Remember that a phone call is the end of a long process. The victim is therefore very vulnerable at this point."

And draw up a checklist for what you could say to a victim. Ralph, could you go further down that page, so we can have a look. Say that you are very sorry, show belief, ask whether or not it's been passed to authorities, ask them that and let them know that you have to inform the appropriate people?

A. Yes.

Q. I think we can see you're attempting to introduce a degree of standardisation of response and a response which takes into account the needs of victims and survivors; is that right?

A. Yes. I think -- I actually characterise it more as the longer page:

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| important it is to try and get those initial conversations right. | a sensitivity of response, in terms of being responsive to the needs of victims and survivors. We know that not every victim and survivor will find any solace whatsoever in what BSA or the schools have to say, but we have found that by engaging actively with those who wish to come forward and speak to us, or speak to the schools, we have actually found that that's been a very important experience for us as a sector as well, and we have had, as I think I've alluded to in my witness statement, you know, one victim -- one survivor that the chair and I went to visit last summer. We are obviously in touch with people such as Alex Renton. And another survivor who has actually done some training for us. He did some training at one of our safeguarding workshops talking about his experiences and trying to put into words for the audience exactly what it felt like and how it's impacted on his life. I think bringing those things into the conversations within schools are really important so that people understand that it may well be that the abuse happened 30 or 40 years ago, but, for the individual survivor, it is very live and very current and it is very important that we take that seriously. I think that's something that the schools have to grasp on to. Also, the schools need to be very sensitive about the experience is that when survivors -- and all of the ones who have spoken to me have already been through the legal process, so there's been nothing that's needed referring, but once you get them started, it's very important they should be able to say whatever they feel. But also we have highlighted in there as well sensitivity around words such as "historic" and "historical", which is something the inquiry itself has highlighted and making sure those sorts of terms are kept out of the agenda.

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| acceptable language, and I was particularly interested: "Schools need to be very sensitive about the language they use and to avoid using the word 'closure' as victims and survivors say they do not have closure." But also making sure you don't get drawn into the detail as you want to make sure you're not contaminating any potential police investigation there might be? | area, and also supporting the wider community, so ensuring that there's counselling for teachers, and ongoing engagement with victims and survivors if they wish to do so. Then there's some various bits and pieces. |
| A. Yes, and on the back of that, we were asked, and have since done so, to produce a similar version for Scotland, where the legal situation is slightly different. So we have a now bespoke guidance document for Scotland as well. Q. Following on from this, or at the same time as this, the Boarding Schools Association launched a Commitment to Care Charter on 1 February 2016, I believe it was? A. That's right, yes. Q. Ralph, would you mind putting this up on screen, please? It is BSA000003. This is the Commitment to Care Charter. A. Yes. Q. So what is this and what is it meant to do? A. When it was first set up in 2016, it was effectively wanting to ensure that our schools felt that it was an absolute condition of membership that they should take safeguarding seriously. Q. Ralph, would you mind enlarging it a bit? Because it is red, I can barely see it. Sorry, middle-aged lady here. |
| Q. The last page I would like to look at is _011. Ralph, could you get the whole page up? So this is the longer term. So this identifies, firstly, potentially offering counselling, potentially offering -- and you have a central list or you are starting to compile a central list of people who might have some expertise in this |  |
Right, that's better. Please, carry on.

A. The key points are the five points in bold with then explanations in smaller type.

Q. Yes.

A. So, you know, our key view is that all schools that are in membership of BSA should have those as absolute commitments, that they should have the highest duty of care in safeguarding; that anyone working in a school will raise concerns immediately; that schools will follow all statutory safeguarding guidance and laws and report to the relevant authority, and to let us know as well -- I will come back to that in a moment; support any present pupils affected by abuse and offer support to past pupils; and BSA, in return, will support member schools which responsibly follow the charter, to the best of our ability.

Q. Can we go -- I think there is some information on the rear of that.

A. Yes, there is.

Q. Could we turn to the rear, please, Ralph. So that would be _002. In other words, you have instituted a regime whereby schools should inform. Is that "must" or "may"?

A. In 2016 to 2017, it was, we wished them to; and from September 2017, it was "must".

Q. So the BSA is then told of all incidents where statutory compliance is available, but, generally speaking, the log is kept entirely by me, although they have access to it if they need to.

Q. How long is this information kept for and for what purpose is it kept?

A. It's kept for the purpose of trying to establish and trying to find out what the current situation is with regard to abuse situations in boarding schools. For example, although the requirement had been introduced before the ITN documentary, I think what was key -- the key moment for me was listening to Alex Renton in the programme talking about the number of cases he had been aware of and the awareness he had from Freedom of Information requests of what was going on in the sector, although it was noteworthy that not every local authority responded to his FOI.

Before the charter, we would have had absolutely no idea about any of that, and our feeling, as an association, is that, if we want to be seen and want to be viewed as taking the safeguarding of students in boarding schools as seriously as we possibly can, it can't be the situation that we have no idea about what's going on in our member schools.

Q. Who receives that information? That's you?

A. Generally me. The authority lies with me, the chief executive and the chief operating officer. We are the ones who have access to the log and to the detail. One of them will often receive things if I am away or unavailable, but, generally speaking, the log is kept entirely by me, although they have access to it if they need to.

Q. How long is this information kept for and for what purpose is it kept?

A. That's the expectation, yes. Obviously, the clarification is, we never know what we're not told, but the expectation is that schools must tell us if there is an ongoing case in their school.

Q. Who is meant to be reporting this to you?

A. Generally speaking, it is heads or pastoral deputies or DSLs; whoever the school chooses to get to do that.

Q. What sort of information is meant to be given?

A. The absolute key -- this one of the issues we had to explore in detail with schools when we first introduced it -- is that we absolutely don't want to cut across any requirements or obligations the schools have in regard to statutory agencies. So this is not meant to be a replacement for picking up the phone and talking to the LADO. It is meant to be that, at a certain point in time, when a case has reached a point where they feel they can contact us, they let us know simply that they have a live case or have a case, and that they give us simply the information -- the barest of information -- effectively, I ask for whether it is current case or a case of non-recent abuse and whether it affects a staff member or whether it is a case of peer-on-peer abuse.
2017, we had quite a lot of what I might call catch-up notifications, where schools were letting us know of situations that they had been dealing with over the previous time.

In addition, there were 14 reports which were made to me where, actually, what the staff were telling me was that they had passed something on to the LADO but the LADO had said, "Actually, this doesn't meet the threshold", or, after an initial investigation, it was referred back to the school to be dealt with. So I categorised those separately so we could see that.

Then, of course, as is seen in paragraph 30, we have also been notified of 55 cases of peer-on-peer abuse, of which 41 were current pupils and 12 were of non-recent peer-on-peer abuse, some of which actually went back quite a long way.

Q. Has the Independent Schools Council supported your attempt to try and gather some data about what's going on on the ground?

A. Yes, they have, yes.

Q. Other than reporting the data, what else can they come to you for, in terms of support and advice and guidance?

A. Well, in effect -- so the minimum expectation is that they should tell me there's a case and that it's been dealt with and referred to all of the relevant authorities. But, obviously, in a confidential manner, I'm also able to give advice, to be a bit of a sounding board, if you like. We have informed -- a school might say, for example, "We have informed a variety of people. These are all the people we have told. Is there anything we have forgotten?", and I might -- two examples from practice that's actually happened: the first would be a school that had completely forgotten that they might have a duty to report to the Charity Commission; and another case where they were telling me of abuse where the alleged abuser had worked in more than one school, and I asked them to go back and clarify with the LADO that that was known to the LADO and that the LADO had therefore been able to follow up with another authority.

Clearly, I don't know the outcome of that, because then that went back through to the LADO.

Q. Do you think that the Commitment to Care Charter has helped change the way or sharpen the way that schools are approaching safeguarding, both current issues but also non-recent issues?

A. I'd like to think it has. I mean, certainly, in the early days, it wasn't entirely straightforward, and you'll notice that we issued additional guidance to try and explain to schools what it was we were trying to achieve.

Q. Yes.

A. I think what I would characterise --

Q. If we can get that guidance up briefly, that's BSA000009. So this is further guidance.

A. Yes.

Q. It says:

"Why are we issuing further guidance?"

There's been some questions and queries about what should be reported when, why, so then you identify, "Why should cases be reported?", and you identify that, really, it is to try and provide some data in order to feed into safeguarding training and best practice; is that right?

A. That's absolutely right. I think the -- if I can just clarify what some of the concerns were at the very beginning, essentially it was around schools wanting to be reassured about two things: firstly, that by disclosing anything to BSA, that we were going to be absolutely watertight with what we did about that information and that it couldn't possibly go anywhere else; and also making absolutely sure, I think, in the case of schools, that they weren't in conflict with any of their statutory obligations by telling us anything at all, which is why it's framed worked in the way that it is, so they're not -- so we don't ask for any details of names of anybody. And the only time, effectively, I will be told the name of the people involved is where the case has gone to court and the information is in the public domain.

Q. Now, what happens if you find out that schools don't abide by the charter and how do you find that out?

A. Well, we can find that out by a number of ways, and by cases coming -- cases being reported in the media that we don't feel we know anything about. What we would do about that is, I would be asked to interact with the school, to find out from the school what the situation is, to see if I can get more information about where the school stands, and to date -- again, with that initial caveat, that I only know what I know and what's been disclosed to us, we had one school, which I think I've mentioned in my statement, where we had serious concerns that they weren't engaging with us, they weren't engaging with any authorities, they were in dispute with Ofsted, and we were -- or the board were on the verge of putting proceedings in place whereby they were looking at terminating that school's membership. The school, at that point, stopped boarding and withdrew from membership, in any case, although I think it was inevitable that the board would have taken that step had
they had to.

In more recent times, it's been the case that I have been asked to go into the schools concerned, I have consulted with them, I have consulted with the staff. In at least two cases, I have been given the opportunity of conducting a little review of my own within the school, and then been able to report back to the board on my findings, and on the assurances from the schools and the leadership teams, that they are in full support of the charter and of what the BSA aims for.

Q. How do you monitor the effectiveness of this charter?

A. I produce a report for the board on an annual basis. I have just completed a report for the academic year 2018/19, which goes to our board meeting in November. Because this is sort of the second year, really, of the more formal cycle, we have now got for the first time data where we can look at levels of reporting, how are levels of reporting this year compared to last year, are we getting a full buy-in in terms of the proportions from the different associations with regard to all their schools supporting the charter, and the evidence indicates that we very much are.

Of course, the other aspect of the charter which was something you highlighted in your questions to me before the inquiry is, why was the wording changed in 2017, and to the Freedom of Information thing, we actually have to trawl through and dig that information out. There is no formal process for us to find it. I think possibly, also, with regards to the charter, it is worth clarifying, for the panel in particular, that a safeguarding failure or an inspection failure is not in itself a breach of the charter. The charter is clear that it's the failure to respond to those kinds of issues which is potentially a breach of the charter, and we feel that, actually, it is precisely at that moment when a school has an inspection failing or has a safeguarding failure where actually the value of the membership of the BSA is at its most acute, because we can then offer assistance and we can offer to either send our own people in or send myself in or put them in touch with relevant experts who can help them to get back to compliance.

I think, as you know from the evidence of Ms Richards and Ms Humphreys over this part of the inquiry and other parts, that safeguarding failures come in a number of different guises. So I think some of them are relatively quickly and easily fixed, although they are failings --

Q. Some of them could be administrative or regulatory --

A. Yes, things, for example, where something has been missed off the single central register, there hasn't been a barred list check for a particular individual, and, as soon as that is put right and those who uninspect are satisfied, then the matter is dealt with.

Whereas, if it is more cultural and more endemic that the safeguarding failure is part of the fabric of what's going on, I think that's when we see more in-depth action plans from ISI or -- for ISI or for Ofsted. We have on occasion been asked to work with schools on helping them to comply with their action plans and, in fact, both with member schools and with non-member schools with Ofsted, we have done that work for them.

Q. Obviously this charter is a form of mandatory reporting, really, isn't it?

A. Yes, it is.

Q. You identify in your witness statement that you consider that mandatory reporting of allegations -- does this -- is this allegations, suspicious or disclosures? Is it all of those three or just one part of those three, that there should be some form of disciplinary, regulatory or criminal offence created of failing to report child sexual abuse; is that right?

A. Yes. I think it is a very -- I mean, I attended both of the seminars on mandatory reporting, and it is a very complex picture. I think what -- if I go back to my
But around the particular issues of mandatory reporting, the issues for me are things like mandatory reporting of what? It is not always immediately apparent what you’re dealing with is a case of sexual abuse. Physical abuse could actually turn out to have been sexual abuse. Should we be including emotional abuse? Where does neglect fit in all this? There is a big question about exactly what it is we should be asking for reporting of. By whom? So who should be covered?

I know that Mandate Now, for example, with whom we have -- I would like to say a good working relationship, we speak to them and they speak to us, their view, if I’m not wrong on this, is that it should be all those who are in regulated activity to whom the duty should exist in any of our schools -- you know, would technically be under regulated activity in a boarding school because they have unsupervised access to children -- could be under a mandatory duty to report and yet a member of the governing body may not be. So there are some areas of confusion there about exactly to whom that duty should apply.

Q. Do you have any views about to whom that duty should apply?

A. I think our view, as an association, is that the primary duty should be the responsibility of the school --

Q. -- in that --

A. Yes.

Q. -- or the trustees, whoever is the proprietor?

A. And the leadership team. So, if a member of staff has not reported because they had not been trained properly as to what to do, then clearly that has to be the responsibility of those who failed to train them, in my opinion.

Whereas, if a member of staff has wilfully chosen not to disclose something that they know they have a duty to disclose, I think that is a different matter.

Q. It would be mandatory reporting to whom -- the police or the local authority?

A. I think, again, this is a huge issue for me. I think whatever system we bring in -- you will know from our statement, and ISC is in exactly the same position -- we are in favour of any form of mandatory reporting that improves outcomes for young people, and by that I think we mean any system that makes it easier for matters around abuse and abuse cases to be reported swiftly and without delay and without obfuscation.

I think the issue for me is that what I absolutely don’t want to see, having been a practitioner on the ground, is for there to be an additional layer of reporting duty that in any way conflicts with what’s already there. We have noticed, I think, in the inquiry, it already exists to a degree in the fact that, within school, the duty to report a matter relating to a child is with the DSL, but the duty to report an allegation against a member of staff is with the head, and there’s absolutely the hope and expectation that those two people -- in fact, it is in the guidance, in Keeping Children Safe in Education, that they should be communicating with each other.

But I think what I would hate to see under mandatory reporting is any element whereby we are adding to the difficulty and confusion for members of staff trying to...
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| **Q.** You also identify in your statement something which others have also suggested to this inquiry, particularly, I think, the NSPCC and the Children's Commissioner, which is, irrespective of whether or not mandatory reporting is made a duty, a criminal offence, or some form of regulatory offence, that concealment of abuse, ie, deliberate withholding of information, should become a criminal offence. Is that right? Is that the Boarding Schools Association position or your position personally?  
A. I think it would certainly be my personal position.  
I don't know that the association has taken a particular view on that beyond our previous statement on mandatory reporting, but I can't believe, knowing them as I do, that any of the board would be against that concept.  
**MS SCOLDING:** Chair and panel, I know we started slightly earlier, so I'm going to suggest that now might be an appropriate moment for a brief afternoon break.  
**THE CHAIR:** Yes. We will return at 3.15 pm.  
**MS SCOLDING:** Mr Wilkins, just to remind you, you are under oath.  
(3.00 pm)  
(A short break)  
(3.15 pm)  
**Q.** You also identify in your statement something which to BSA, I put together a sort of toolkit that schools could use to audit themselves against those standards and I have updated that ever since and will do so again when the next standards are issued, we think sometime in 2020.  
**Q.** So there are some minimum standards which are currently, I understand, being redrafted?  
A. Yes.  
**Q.** Do you think those standards should be minimum? We have had some evidence to this inquiry, which we will hear about next week, that there should be a move from minimum standards to what are sometimes identified as quality standards?  
A. **Quality standards.**  
**Q.** In order to raise the bar, in terms of what's expected of schools?  
A. Yes. I think it's a very complex issue, and I think if they do go down the route of quality standards, they need to be really very, very careful about how they framework the grade descriptors, so that it is clear what the criteria are for reaching a particular level and what the criteria are for being considered to be good as opposed to a minimum --  
Q. A satisfactory or a floor standard?  
A. Yes. There are certain things which, for example, are | **MS SCOLDING:** Thank you very much, chair and panel.  
Mr Wilkins, if we can move on to another topic, which is the national minimum standards.  
A. Yes.  
**Q.** Now, I understand that the Boarding Schools Association assisted in their introduction, or at the very least was one of the bodies consulted by the Department for Education before they were introduced in 2002; is that right?  
A. Yes. I think it might have been the Department of Health for the original standards, but, yes, it was the National Boarding Standards Committee and, at the time, it was the chief executive or the national director, as he was called in these days, Adrian Underwood, and our director of training, Tim Holgate. We worked very closely in conjunction with people such as, for example, Dr Roger Morgan, who became the children's rights director, and as a result of that, we were also involved -- BSA at the time, but also myself professionally were involved -- in the first phase of appointing and training the first cohort of boarding sector professional inspectors. So it was all part of the same continuous piece of work.  
So BSA has been involved in that right from the start, and as a school practitioner at the time linked very much a case of compliant or not. So, for example, if, under standard 2, you have the number for the Office of the Children's Commissioner displayed, you are compliant. If you haven't, you are not. So some matters are very straightforward. Some matters are far more complex. I just question how quality standards would apply to standards such as, for example, standard 11, which is --  
**Q.** Can you tell us -- we did talk about standard 11 the other day with the ISI, but perhaps you would like to tell us a little bit about it?  
A. **Standard 11 is the one which, I think in five lines, is very succinct around child protection and safeguarding but effectively refers practitioners to meet all of the requirements of Keeping Children Safe in Education, and any other guidance, which is 100-and-something pages.** How you would effectively put a quality descriptor in against that standard -- it is certainly not impossible, but I think one needs to be really careful about how that was drafted.  
**Q.** If I remember rightly, and I think my understanding is imperfect -- roughly accurate but not totally accurate, it says something like, "must ensure the adequate welfare and safety of children and promote their safeguard -- promote their welfare" -- |
A. Yes.

Q. -- "and must have regard to the relevant guidance"?

A. Yes. I think what would be unfortunate in a quality standard, if, then, by means of measuring the quality, you then had alongside Keeping Children Safe in Education a whole list of other requirements that were part of the quality standard side as opposed to -- so I think there's a real conversation about how that would work and how it would work at a practical level for schools, but also for inspectors trying to inspect against those kinds of standards.

Q. As someone who has been involved in the system since its inception, some people have said to us they preferred the more prescriptive level of the 2002 standards. There were 50 standards. Each of these -- you could almost tick a number of them off, "Met this, met this", whereas the standards now are much slimmer but they're much broader in terms of their interpretation. Do you have any particular view about which style you think is better for the protection of children?

A. I think there is a degree to which some schools would like to be just, you know, "Just tell us what we need to do and we will do it", and I think there is some merit in that. I think if I go back, really, to the development of that, partly it was naturally of course like to be just, you know, "Just tell us what we need to do and we will do it", and I think there is some merit in that. I think if I go back, really, to the development of that, partly it was naturally of course necessary by ISI -- as to how --

Q. Shall we get standard 5 up?

A. Yes.

Q. I think, Ralph, standard 5 is going to be -- it is behind my tab 10. This is the one about boarding accommodation; is that right?

A. Yes.

Q. Can we have a look at ISI001555_006. I'm not entirely sure whether this is the 2011 version or the 2015 version, but I suspect it matters not.

A. So it is not really there in the wording, but it's interpreted by Ofsted in particular that the suitability of the accommodation includes the suitability of the boarders to share with each other and that schools are expected to undertake risk assessments of how a particular boarder is suited to share a room with another particular boarder. So if a child has particular needs, how a school assesses that. I think just greater clarity about how -- what that means and how that's interpreted within the standard would be very helpful. In fact, many of the things I have in mind we have already fed back to DfE and I know they have one or two of them in mind for the revision of the standards that's coming up.

Q. Can I now turn to a slightly different subject, which is international students and where parents are abroad?
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<td>Q. Yes.</td>
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<td>A. I think deciding where, has the school appointed the guardian, has the school not appointed the guardian, is very difficult. But if a school becomes aware -- for example, in our guidance enquiries we have occasionally questions on this matter, and schools will contact me and say, &quot;Look, you know, we've got a situation where the child is with a person appointed by the parents. We don't think the arrangement is safe. We have no jurisdiction because it is the parents' call. We haven't appointed the guardian. The parent refuses to do anything about it&quot;. In those cases, I always -- and I think schools don't need an awful lot of nudging in this direction -- advise that they go through their normal safeguarding procedures, and if they feel it is unsafe, that they must contact children's social care and ask them for an opinion.</td>
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<td>Q. Do you think -- one of the things that I discussed with Mr Bambrough this morning is that schools should routinely do basic things, like maybe welfare checks, on anybody who has a guardian just to make sure that where they are going in the holidays is appropriate.</td>
<td>A. I think many schools do, in terms of finding out exactly where the young people are. It may well be that although the guardians have made the arrangements, the</td>
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<td>A. Or appointed by anybody on behalf of the school --</td>
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<td>A. -- such as if the school gets an agency to appoint them on its behalf.</td>
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<td>Q. You also mention in your witness statement concerns that schools have come to you about, about children who are attending in the UK but where there are concerns about their welfare when they are at home. How well do boarding schools currently understand that they should refer that to local authorities and local authorities have a power to act, because they would be considered to be, at the very least, habitually resident in the UK for these purposes?</td>
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<td>A. I think how I would characterise it is that schools try very hard to establish good relationships with local authorities and with local authority designated officers, and in a huge number of cases, it's very, very successful. But we do have cases where schools come to us because they have tried to report the fact that they have concerns about a child who is resident overseas and actually have had kickback from local safeguarding partners that, actually, it is nothing -- either it is nothing to do with them or there is nothing they can do or they have investigated and they can't take it any further, which puts the onus back on the school.</td>
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<td>I had one school that contacted me and said their local authority were telling them that because they were an independent school, they had no access at all for their pupils to any mental health services locally, et cetera, et cetera. Now, those are only small examples, and against that is a huge amount of very, very good practice, and I know we have heard earlier this week that some LADOs would consider that, actually, it is quite difficult to get the schools to work with them.</td>
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<td>A. So I would certainly advocate that a closer relationship between local authorities and independent schools would be very favourable in terms of dealing with exactly these sorts of issues. But I can tell you that I have had cases where schools have come to me for that advice, I have told them, &quot;Yes, absolutely, you must go to the local authority&quot;, and the local authority have taken that on and have really gone to town with it and have</td>
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worked very, very hard to get the right outcome for the child and, in at least one case I know of, the child, at least in the short term, did not go home because the conditions back in the home were considered to be so unsafe that they didn’t want to allow them to leave.

Q. So, I mean, maybe something like a memorandum of understanding or a code of conduct, so that everybody is clear about what everybody’s rights and responsibilities are between local authorities and particularly the independent sector, which tends to be a little more arm’s length from the day-to-day running of a local authority practice?

A. I would certainly agree on behalf of the independent sector, but having worked in a state boarding school for many years, I think some of the issues also arise with state boarding schools, which may be slightly removed from their local state networks, although they work very hard to maintain them.

Yes, I think one has to understand that, from the local authority point of view — and the local authority where I lived and worked for many years — or still live and work for many years, there were three — there were two boarding schools, there are now three, and they are as different as you can possibly imagine. There is a small independent school which just does home stay, a sixth form college with residential provision. You know, those are very much lone operators within the local authority. So getting the local authority to understand how that works can sometimes be quite difficult, and the relationship — working on the relationship, you know, takes both sides, and I think in many cases — for my part, my relationship with the local authority was always very, very good. But of course, particularly where you’re dealing with children — less so when you’re talking about relationships with the LADO — I worked in an area where there were five metropolitan boroughs and four counties within half an hour’s drive even for the day pupils, let alone the boarders, who may be, you know, flung to the four winds.

I think one of the big issues that schools would want me to say, and DSLs in particular, is that there is still too much — it is still too much the case that one gets a different experience from different local authorities, particularly in terms of record keeping and filling in forms. I think I alluded in my witness statement to, you know, the fact that I have on occasion had to complete multiple forms because each local authority needs it on their own paperwork for the same case with the same children.

So I think there is a lot of work to be done.

I think there is a huge willingness and I would say the willingness is increasingly on both sides. I know there are real concerns about how the new safeguarding partnership arrangements will work and where independent schools in particular will fit into that.

Q. What are the concerns about that and where independent schools will fit in?

A. I think one of the biggest concerns — when I went to the Working Together to Safeguard Children consultation discussion, one of the big discussions was, who is going to pay for all this and how does the funding model work and where do independent schools fit in?

Q. Just to clarify, so we can work back a bit, under the Children and Social Work Act the local children safeguarding bodies no longer exist?

A. That’s right.

Q. There are partner agencies, which are the local authority, health and the police?

A. Yes.

Q. They can, in effect, co-opt — I think it says that they can nominate people who then shall co-operate with them in the discharge of safeguarding functions?

A. Yes. And I would imagine all independent schools would want to be cooperated with, and co-operating, in that regard. I think there is no doubt in my mind that that’s what’s best for the children, what’s best for the school, but also best for local authority arrangements as well.

Q. Now, the Independent Schools Inspectorate have raised an issue with the inquiry about introducing something called the duty of candour arising, really, from situations they have had where, you know, you only know what you know. There is some sort of Donald Rumsfeld conversation about that. But do you think that introducing a duty of candour so that schools are under an obligation to provide information rather than it being something which should happen is something which should be introduced?

A. I am certainly in favour, and I think BSA would be in favour, of the transparency that such an arrangement would bring in. I think I refer back to my previous comments about mandatory reporting, that any such duty has to work in conjunction with what's already there. But, as will be clear from my statement, we very much feel that we would want our member schools to be telling us when there are safeguarding failures, to be telling us when they are not compliant at inspections. So I don’t think I could sit here and say that it is not
appropriate for ISI to be doing the same thing and asking the same questions.

Q. The last topic I have for you is about regulated activity. Can you tell me about any gaps that the Boarding Schools Association have identified or any concerns they have about the way that the concept of regulated activity works in respect of schools?

A. Yes, and I'm not an expert on regulated activity, and wouldn't pretend to be, but I think there are — one of the issues, and I know this doesn't relate specifically just to regulated activity. One of the issues I think is an awful lot of guidance and legislation is written on the education side with day schools in mind and doesn't always take into account the quirks of the residential side, and I think that's true of many aspects.

With residential activity, I think some aspects of the definition of "regulated activity" can cause schools problems. If I, as a resident member of staff, have someone come to visit, does that trigger the aspect of regulated activity that that person is there and present between 2.00 am and 6.00 am and, therefore, in regulated activity? Because if I'm asleep, I can't be deemed to be supervising my visitor, et cetera, et cetera. These are things that schools have raised with us.

So lots of work, I think, in that area in terms of streamlining and clarifying exactly who it covers and who it doesn't.

Q. That's very helpful, Mr Wilkins. I have no further questions for you.

A. Could I raise just one issue which might be helpful, and I hope it is?

Q. Of course.

A. This may be something that the inquiry would want to take away and perhaps look at in phase 2. But one of the things we do in our guidance work is refer people to relative guidance when we need it. So, for example, if we have peer-on-peer enquiries, we refer them immediately to the sexual violence and sexual harassment guidance. You were talking this morning about the issue of touch or non-touch. There is, again, for the day sector rather than the boarding sector, some guidance for safer working practice. It's got a very easy, trip-off-the-tongue name. I think it is "Guidance for Safer Working Practice for Adults Who Work with Children and Young People", which is published by the Safer Recruitment Consortium, which, for many years, was a document that schools were meant to adopt and governing bodies were meant to endorse. It's become less standard than it was a few years ago, but it has recently been relaunched by the Safer Recruitment Consortium, and it does cover issues such as safe touch and physical contact and one-to-one situations and dealing with issues around personal care, et cetera, et cetera. But it's one of the other concerns I have as a practitioner, that in the world where adults working in boarding are becoming more and more concerned about making sure they behave appropriately and properly towards children, what we can't allow that to do is to create a space where, because the adults don't want to go anywhere near the bathroom areas or anywhere near the changing areas, those become areas where bullying can take place and we're actually creating the very problems we are trying to remove, and I think looking at that guidance in advance of phase 2 and perhaps considering how that might apply more broadly to residential schools would possibly be a helpful thing for the inquiry.

MS SCOLDING: That's very helpful. Thank you very much. Please wait there. The chair and panel may have questions for you.

THE CHAIR: No, we have no questions. Thank you very much, Mr Wilkins.

(The witness withdrew)

MS SCOLDING: Chair and panel, we have no further witnesses today. May I ask that we adjourn now to Monday morning, when we will hear from Dame Christine Lenehan as our first witness?

THE CHAIR: Yes, thank you very much.

(3.38 pm)

(The hearing was adjourned to Monday, 7 October 2019 at 10.00 am)
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