

to seek reassurance from the Principal that all policies had been through a rigorous process and were compliant with legislation. The Child Protection Policy and its implementation would be reviewed annually.

13. An 'away day' would also be arranged for the COM annually, or as need arose, at which the COM review any necessary matters and dictate strategic direction. This away day would be restricted to the COM in the morning session and would include the Principal in the afternoon session. I would also join Senior Leadership Team away days, either for a session or over lunch.
14. In addition to formal meetings, I would have more informal 'catch ups' with the Principal, which would take place regularly, sometimes by phone, and usually weekly in term time.
15. I saw it as an important part of my role to be as active as possible within the School, which went far beyond just turning up for meetings. I would regularly visit the School and would, for example, sit in the Dining Hall with staff and pupils to have a coffee when I was there. I was regularly seen around school and believe most staff and pupils would have known who I was and the role I carried out. Most of the COM were local and very visible both within the School and the local community.
16. My role included oversight of disciplinary matters, where necessary, and this would be in an appeal capacity, usually with another COM member. The COM was advised of all disciplinary matters via the staffing statistics document presented at meetings. The COM, with myself as Chair, would also deal with all concerns raised with them, including formal complaints.
17. All members of the COM were required to undertake NSPCC Level 1 training. I, as Chair, alongside the Principal and another member of the COM undertook Level 3 safeguarding training.
18. I was not aware of any inappropriate messaging between TB and pupil RS-A343, or any significant concerns relating to his conduct as Principal, prior to May 2019.
19. Whilst I and another COM member had dealt with a referral to Denbighshire Social Services ("Denbighshire") by an ex-employee on one occasion, in 2011 (prior to my appointment as Chair of the COM), the Police looked into this and decided not to take any action. A Part 4 Procedure (All Wales Child Protection Procedures) was instigated, a report was submitted and a letter received to confirm that no further action would be taken.
20. The COM at the time of the 2019 allegations were aware that there had been a previous allegation in 2011. Four of the seven COM members had been members at the time of the 2011 allegations. The 2011 allegations were raised for discussion at the emergency COM meeting on 21 May 2019 and the COM reported its understanding of the outcome of the 2011 events to JP on 22 May 2019.
21. The Police also undertook an investigation into a member of staff in 2018, though they did not press any charges. Part 4 procedures were instigated by Denbighshire at this time associated with the investigation and the Principal attended these meetings. Concerns were raised with me by Denbighshire and immediately forwarded to COM.

held on 14 May 2019 which I had not been able to attend in person and where my attendance was limited to an hour.

43. Further concerns were raised at the meeting on 4 June 2019, including:

- (i) the belief that RS-A343 had several hundred additional messages which had not been viewed/shared, which warranted further investigation and enquiries to be made;
- (ii) an anonymous referral had been received from a parent of a pupil, raising concerns in relation to historic communication between TB and another young person from overseas; and
- (iii) an issue had been brought to light by the CAMHS, who believed that TB may have prevented RS-A343 from accessing and taking prescribed medication for health condition

44. This further information meant that the Police would review their position and the School's investigation, which had commenced but not been finalised, would have to be put on hold.

45. It was clear from that Part 4 meeting held on 4 June 2019 that Denbighshire and representatives from other relevant agencies were concerned about the lack of an independent investigation.

46. An emergency COM meeting had been called for 5 June 2019 and the COM was updated on these significant developments. In particular, the COM considered the School's position on parental responsibility, a matter which was raised at the Part 4 meeting and on which a wide variation in views had been expressed. Legal advice was sought to support the COM's response to this issue.

47. On 25 June 2019 notification was received of a further review meeting to be held on 15 July 2019.

48. The COM met on 11 July 2019 and in response to concerns raised, also having received legal advice, it decided that if the matter was handed back to the School it would commission a fully independent investigation. Such investigation could not however proceed until the outcome of Police involvement was known. I confirmed with Estyn and Children Inspectorate Wales ("CIW") on 14 July 2019 the COM's approach in this regard and with representatives from the other agencies at the Part 4 meeting convened on 15 July 2019.

49. Whilst the COM had initially considered it was able to review the evidence and carry out the disciplinary process, in open liaison with JP on this matter, my view is that it promptly took on board the concerns raised within the Part 4 process in this regard and actioned these. The concerns were raised at the meeting on 4 June 2019 and at this time the COM could not instigate an independent investigation owing to Police involvement. I consider that any indication that I or the COM were resistant to an independent investigation is unsupported.

61. I also remained in very regular contact with all members of the COM throughout this period. Many opinions and views were expressed by various individuals at meetings held as part of the Part 4 procedure. I was not armed with sufficient information in my role to confirm or challenge all of these views, nor could I comment on issues which formed the subject of the Investigation, and so I noted and fed back to the COM, responding on behalf of the COM where appropriate. I did not attend the Part 4 meetings in an individual capacity, but a representative capacity for the COM. I would provide updates at Part meetings after liaising with the COM. I also provided updates to CIW/Estyn alongside the Part 4 process.

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62. The Investigation was concluded on 26 August 2019 and the outcome (“the Investigation Report”) was made available to me and another member of the COM on 27 August 2019 [DEN000033]. As set out above, Denbighshire was aware of the organisation that had been instructed by the COM for these purposes and had acknowledged the Terms of Reference for the Investigation.

63. The Investigation Report confirmed that witness evidence did not suggest that TB had harmed a child or presented a risk of harm, or that he would be unsuitable to work with children, but that there was a disciplinary case to answer for Serious Misconduct for inappropriate use of social media and potential damage to the reputation of the School. The Investigation Report also provided a number of recommended actions for the School.

64. Following receipt of the Investigation Report and in accordance with the conclusion that TB had a disciplinary case to answer, the COM sought employment law advice. The COM was aware that this process may lead to dismissal, correspondingly a potential tribunal claim, and considered that it had to obtain advice to support the process and protect the School’s interests.

65. On 27 August 2019 I wrote to TB, informing him that the School was considering dismissing him or taking disciplinary action against him with regard to the following alleged serious misconduct:

- Use of social media, specifically Instagram and Facebook, with pupils of the School;
- The inappropriate nature and content of some of this social media communication with pupils of the School;
- Potential damage to the reputation of the School.

66. I invited TB to attend a disciplinary meeting on 4 September 2019, which was subsequently re-arranged at TB’s request for the afternoon of 2 September 2019. The disciplinary hearing was conducted on this date by two members of the COM. I also attended as Investigating Officer, but did not participate in the proceedings.