

Report To: Education and Communities Committee **Date:** 17 January 2016

Report By: Grant McGovern
Head of Inclusive Education,
Culture and Corporate Policy **Report No:** EDUCOM/02/17/GM

Contact Officer: Grant McGovern **Contact No:** 01475 712828

Subject: Baillie Gwynne Report – Inverclyde Response

1.0 PURPOSE

- 1.1 The purpose of this report is to inform the Committee about the recommendations from the recent published report to Aberdeen Council on the circumstances of the death of Baillie Gwynne in 2015.
- 1.2 The purpose of this report is to advise the Committee on the amended recommendations contained in Appendix 1 to be adopted as policy and practice by Inverclyde Council with regard to weapons in Inverclyde educational establishments.

2.0 SUMMARY

- 2.1 Following the tragic death of Bailey Gwynne at Cults Academy in October 2015 Aberdeen City Council commissioned an independent review to identify any lessons that can be learnt to inform future practice.
- 2.2 In March 2016 it was announced that Andrew Lowe, an independent expert, had been appointed to lead the review, who would also help shape the reporting timescale and terms of reference. The outcomes of the review were published in September 2016 and contained 21 recommendations ranging across curriculum, policy and legislative changes (see Appendix 1).
- 2.3 Following publication of the report, Council Leader Stephen McCabe requested that the recommendations published in the report be reviewed against existing policy and practice in Inverclyde educational establishments.
- 2.4 Inverclyde schools have included a range of programmes in their PSE curriculum to address issues around violence in the community. These include:
- No Knives, Better Lives Campaign;
 - Mentors in Violence Prevention (MVP); and
 - Rights Respecting Schools
- 2.5 The published report was reviewed by representatives from Education SMT, Psychological Services and CLD who subsequently amended the recommendations in light of current Inverclyde policy and practice. These amended recommendations take account of the programmes listed in Section 2.4 above.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Education and Communities Committee acknowledge the contents of this report and the annotated recommendations contained in Appendix 1.
- 3.2 It is recommended that the Education and Communities Committee agree to the formation of a short life strategic implementation group to consult with all stakeholders with a view to implementing the agreed amended recommendations contained in Appendix 1.
- 3.3 It is recommended that the Education and Communities Committee take account of the advice given in this report with regard to changes to policy and practice in Inverclyde educational establishments.

Wilma Bain
Corporate Director
Education, Communities & Organisational Development

4.0	BACKGROUND													
4.1	Following the tragic death at Cults Academy in October 2015 of Bailey Gwynne and the conclusion of the trial in the High Court in Aberdeen, the principal public agencies with an interest in the issues raised by the case announced their intention on 7th March 2016 to commission an independent review.													
4.2	The independent multi-agency review was commissioned by members of a Chief Officers Group comprising Angela Scott, Chief Executive of Aberdeen City Council, Malcolm Wright, Chief Executive of NHS Grampian and Campbell Thomson, Police Scotland's North East Divisional Commander.													
4.3	The overall aim of the review was to provide independent assurance to partners and the public that all circumstances, in relation to the death of Bailey Gwynne, had been reviewed and to make appropriate recommendations which could be applied for future practice													
4.4	The Review conclusions included: <ol style="list-style-type: none"> 1. This was an unplanned, spontaneous conflict that emerged rapidly out of an unexceptional banter. It is not considered that it could have been predicted or averted on the day. 2. The course of the conflict was fatally altered by the possession of a bladed weapon by one of the boys. This was potentially predictable and avoidable. 3. The incident at Cults Academy on 28th October was well managed by all agencies. 													
4.5	Inverclyde Council currently has three representatives on the National MVP Steering Group – two as representatives of separate professional bodies, ASPEP (Association of Principal Psychologists), ADES, and one nominated as Inverclyde's representative on the national development group.													
4.6	Inverclyde Council was one of the early adopters of the MVP programme and is widely regarded at national level as a proponent of excellent practice. The MVP programme is now embedded in all secondary schools.													
4.7	The majority of Inverclyde schools have achieved Rights Respecting School Level 1 accreditation.													
5.0	IMPLICATIONS													
5.1	Financial Implications - One off Costs													
	<table border="1"> <thead> <tr> <th>Cost Centre</th> <th>Budget Heading</th> <th>Budget Year</th> <th>Proposed Spend this Report</th> <th>Virement From</th> <th>Other Comments</th> </tr> </thead> <tbody> <tr> <td>N/A</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments	N/A						
Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments									
N/A														
	Financial Implications - Annually Recurring Costs/ (Savings)													
	<table border="1"> <thead> <tr> <th>Cost Centre</th> <th>Budget Heading</th> <th>With Effect from</th> <th>Annual Net Impact</th> <th>Virement From (if applicable)</th> <th>Other Comments</th> </tr> </thead> <tbody> <tr> <td>N/A</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if applicable)	Other Comments	N/A						
Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if applicable)	Other Comments									
N/A														
5.2	Human Resources: N/A													

Bailey Gwynne – Cults Academy: Summary of Recommendations

Review Recommendations

Recommendation	Inverclyde Response
<p>R1. All parents should receive a letter from school at the beginning of Year S1 each year. The letter will set out the school rules and the expectations of the school with regard to weapons. The letter will be signed and returned to school.</p>	<p>Not recommended.</p> <p>The majority of Inverclyde schools have achieved Rights Respecting Schools status and consequently would not look to a tradition presentation of “schools rules” as described.</p> <p>There would be concern that to implement this recommendation would lead to the perception that there was a significant concern around weapons in Inverclyde schools.</p>
<p>R2. Pupil forums and pupil councils to be encouraged to develop safe processes to enable pupils to share their knowledge of weapons with teaching staff.</p>	<p>Recommended</p> <p>All Inverclyde schools have had input from CLD and other partner agencies in the “No Knives Better Lives” Campaign with a significant number also actively participating in the Mentors in Violence Prevention (MVP) programme.</p> <p>The work in schools by student mentors in the MVP programme would cover the outcomes of this recommendations</p>
<p>R3. Police Scotland shall be notified of each and every incident of weapons possession of which the school become aware.</p>	<p>Recommended</p> <p>This recommendation is in line with current practice.</p> <p>It is further recommended that communication protocols are developed to allow information and annual data be passed to both Safer Communities with an incident report to appropriate HSCP staff, e.g. Social Work.</p>
<p>R4. Every incident will be recorded by the school immediately following an allegation or an incident and notified to Senior Managers.</p>	<p>Recommended</p> <p>While any individual incident of this nature would be recorded in SEEMIS Pastoral Notes for individual students, any significant incident would be recorded by school and Inverclyde Senior Managers using existing Critical Incident Record pro-forma (Appendix 5 – PRPB Policy).</p>

<p>R5. Aberdeen City Council work should work with Police Scotland to establish a clear and effective policy on management of offensive weapons in school with partners.</p>	<p>Recommended</p> <p>Inverclyde Council should look to establishing clear policy and protocols on management of offensive weapons. Development of this protocol should also include input from partner agencies including HSCP and Safer Communities.</p>
<p>R6. In accordance with the law of Scotland searches must be made with pupil's consent. The Head Teacher or his/her nominee should undertake searches of pupils where consent is given. Where no consent is forthcoming, the police should be notified if there are grounds to suggest that the child or young person is carrying a knife or other offensive weapon.</p>	<p>Recommended</p> <p>This recommendation reflects current practice.</p> <p>Advice would be required on:</p> <ul style="list-style-type: none"> • Definition of search – bags, pockets, on person; and • Actions within the context of Children's Rights under European Legislation
<p>R7. A specific search and confiscation protocol should be developed by Aberdeen City Council supported by Police Scotland as part of their weapons/knife crime strategy currently under development.</p>	<p>Not Recommended</p> <p>Search and confiscation protocols should remain an area for Police Scotland intervention.</p>
<p>R8. Individual risk assessments should be completed on all individuals known or suspected to carry offensive weapons.</p>	<p>Recommended</p> <p>Advice would be required as to the scope of risk assessment within context of Information Sharing protocols (advice pending in similar issues arising from implementation of Children and Young People (Scotland) Act, 2014)</p>
<p>R9. Aberdeen City Council to work jointly with Police Scotland to develop and deliver age appropriate training for Primary 7, Secondary 1 and Secondary 5 to support the knife crime strategy.</p>	<p>Not Recommended</p> <p>See R2 above</p> <p>Consideration should be given to development primary school resources in line with Youthlink Scotland strategy</p>
<p>R10. Aberdeen City Council to develop work with Ben Kinsella Trust to develop appropriate teaching resources and lessons plans.</p>	<p>Not Recommended</p> <p>See R2 above</p>
<p>R11. The Scottish Government should improve the resilience of schools to the threat posed by weapons and give consideration to amending the law in relation to searching pupils.</p>	<p>Not Recommended</p> <p>It is not considered necessary to amend existing legislation in terms of extending right to search to Head Teachers.</p>
<p>R12. The Scottish Government should explore the further legislative controls that can be brought to bear on the purchase of weapons online.</p>	<p>Recommended</p> <p>Inverclyde Council should look to review licencing powers under existing legislation to ensure that highest standards are applied.</p>

BULLYING	
R13. Aberdeen City Council 2009 Anti bullying policy to be replaced with a policy developed in conjunction with Respect Me to include the changes following Children and Young People (Scotland) Act 2014.	Inverclyde Council's revised Anti-Bullying Policy (launched 2016) was written in consultation with Respect Me and meets the standard required within this recommendation
R14. School anti bullying policies to be written in terms of the new policy.	School Anti-Bullying Policies are taken directly from Inverclyde's policy (see R13 above) and is currently compliant with the standard require of the changes following the implementation of the Children and Young People (Scotland) Act 2014.
R15. A senior teacher to be trained to respond to the complaints of bullying and agree outcomes with parents.	<p>Inverclyde Council would recommend that the delegated responsibility of complaint handling of bullying incidents is managed and monitored by an identified establishment senior manager.</p> <p>This recommendation should be tested against Inverclyde Council's recently implemented Complaints Handling Policy (2016).</p> <p>Inverclyde councils revised Anti-Bullying policy complaints and appeals procedures should be reviewed to take account of this recommendation.</p>
BUSINESS CONTINUITY PLANNING	
R16. The rigour of the business continuity plans for secondary schools be tested using a live scenario based on the 28th October incident.	<p>Recommended</p> <p>Business Continuity Plans for individual establishments, Education Services and Inverclyde Council should be tested in a live scenario based event.</p>
MEDIA	
R17. The United Kingdom regulatory bodies, Ofcom and IPSO to consider the imposition of a 24 hour bar on reporting and publication of names involved in a fatal incident to allow for the proper and respectful notification to relatives and those intimately effected by the event.	<p>Recommended</p> <p>It is essential that media communication of a near or actual fatal incident that Inverclyde Council allow for the proper and respectful notification to relatives and those intimately effected by the event.</p>
R18. Aberdeen City Council to develop media training for Members and Chief Officers on the management of communications during adverse events.	<p>Recommended</p> <p>Appropriate media training may be required.</p>
GENERAL	

<p>R19. Aberdeen City Council to review the complaints policy to ensure it is responsive and expeditious.</p>	<p>Recommendation Agreed</p> <p>Newly implemented Complaints Policy to be tested to ensure that it is responsive and expeditious.</p>
<p>R20. The review commissioned from the Good Governance Institute by Aberdeen City Council in June 2016 should defer its conclusion until the Scottish Government Child Protection System Review has reported. The national review is underway and is independently chaired by Catherine Dyer. It is due to report by end of December 2016.</p>	<p>Recommendation Agreed.</p> <p>Any final decisions to change policy and operational practice should take account of the forthcoming Scottish Government Child Protection System Review (December 2016)</p>
<p>R21. Aberdeen City Chief Officers Group to develop an implementation plan to deliver these recommendations and keep progress under review.</p>	<p>While Inverclyde is in a strong position to meet the majority of recommendations contained in this report, process and procedures require to be developed and implemented to ensure that the policy and changes resulting from the above recommendations are reviewed and evaluated regularly. The resulting areas for development require to be incorporated into Inverclyde Council's Corporate Development Improvement Plan (CDIP).</p>