

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 25 February 2022 at 10.00 a.m.

Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, H. Anderson, S. Bell, K. Chapman, C. Cochrane, G. Edgar, J. A. Fullarton, J. Greenwell, C. Hamilton, S. Hamilton, E. Jardine, H. Laing, J. Linehan, W. McAteer, D. Moffat, S. Mountford, D. Paterson, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston

Apologies:- Councillors J. Brown, S. Haslam, S. Marshall, T. Miers.

In Attendance:- Chief Executive, Director Education and Lifelong Learning, Director Finance and Corporate Governance, Director Infrastructure and Environment, Director Resilient Communities, Director Social Work and Practice, Director Strategic Commissioning and Partnerships, Chief Officer Health and Social Care, Chief Legal Officer, Clerk to the Council.

1. FINDINGS OF INDEPENDENT INQUIRY

- 1.1 There had been circulated copies of a report by the Chief Executive together with the report by Andrew Webster QC. This followed the appointment in June 2021 of Andrew Webster QC to carry out an independent investigation into the Council's handling of concerns raised about a former Scottish Borders Council employee who was subsequently charged with five counts of assaulting children and a further charge of abusive behaviour at a school in the Scottish Borders. On 12 February 2022, Mr Webster provided the Chief Executive with his completed investigative report ("the Inquiry Report"). On 17 February 2022, Mr Webster presented to Council his findings and Members approved the publication of the Inquiry Report. The Chief Executive's report invited Members to accept the ten recommendations made by Mr Webster and proposed the preparation of an action plan to address the matters contained within those recommendations.
- 1.2 The Convener invited Mr Webster to present his report. Mr Webster thanked the Council and those who had assisted him in his investigation including the parents, employees of the Council, past and present, and other 3rd parties. Mr Webster's presentation detailed his terms of reference, the rights based approach he took and the two policies he looked at, namely the Scottish Borders Child Protection Procedures and the Scottish Borders Council Disciplinary Procedures. He commented on the timeline and the common threads of failure. He then took Members through his recommendations resulting from his investigation.
- 1.3 Members then asked Mr Webster questions including whether he considered that the Council had tried to cover-up these events. Mr Webster advised that he had found no evidence to suggest that was the case. He confirmed that he had been provided with the required paperwork and although there was evidence of poor record keeping in some areas he did not feel that any other information would have changed the outcome of his report. In response to a query on whether staff had found it difficult to report problems, Mr Webster advised that there was a mixed picture with some more confident than others and there seemed to be confusion as to where such reports should be made rather than them being made directly to the Child Protection team. The report referred to training for staff on child protection but the need for appropriate Member training was also raised. Members welcomed the proposal by the Chief Executive to prepare an action plan and agreed to approve the recommendations. Throughout the debate, Members also offered their profound apologies to the children and parents involved, emphasizing the welfare of children being paramount to the work of the

Council and expressing regret over the failure in this case. The Convener thanked Mr Webster on behalf of the Council for the work he had carried out.

**DECISION
AGREED:-**

- (a) to accept the recommendations contained within the Inquiry Report, as detailed in section six thereof (“the Inquiry Recommendations”); and**
- (b) to note the Chief Executive’s intention to prepare a proposed plan of actions aimed at addressing the Inquiry Recommendations and that this plan will be considered at a meeting of Council to be held on 10 March 2022.**

.

.

The meeting concluded at 11.50 a.m.