

## **Update Meeting with The New School Butterstone on 28 September 2018**

Attendees – [redacted], [redacted], [redacted], [redacted], [redacted], [redacted]

Discussion took place with representatives from [redacted], the prospective new provider. Discussion included the following information:

- Application has been made for change of entity to Care Inspectorate.
- The registration could take up to six months.
- The School will in the future be named Duchrey Hill
- The existing board will continue to have legal responsibility until the registration is complete.
- In the interim, the [redacted] will support the school, providing new IT and Management information systems
- The current staff will remain with the school; however the staffing levels will be increased in due course.
- [redacted] will remain as Head of School.
- [redacted] will provide external oversight and advice
- [redacted] will provide bespoke training in relation to child and adult protection.

The purpose of the meeting was to identify progress in meeting the requirements and recommendations made at the inspection in May 2018. The school provided an update of their actions to date and paperwork to support this. We did not triangulate evidence at this visit.

We were reassured that the school is making progress to meet the requirements and recommendations made at the inspection in May. The Care Inspectorate and Education Scotland will carry out a shared follow up inspection in February 2019.

Before the inspection in February 2019, [redacted] will provide one day of support to the school in relation to curriculum and teaching. [redacted] will provide support to the school on a one day visit to look at care planning.

The school presented the following evidence of progress.

### **Requirement 1**

Young people should experience high quality support and protection through effective protection practices.

In order to achieve this, the provider must:

- Review the child protection policy to ensure it takes account of national guidance.

- Review protection processes and recording systems and be satisfied that robust processes are in place to report protection concerns, leading to the identification of key information which then informs recorded decision making and eventual outcomes.
- Develop an effective adult protection policy.
- Provide adult protection training for staff and ensure that staff are clear about the circumstances in which an adult protection concern should be raised and their role and responsibilities.

### **Actions to date**

The school has reviewed the adult and child protection policies. These are now with the Care Inspectorate for consideration.

The school has reviewed the child protection procedure and created new paperwork to support this which identifies key information, the decision making process and outcomes.

Plans are in place to provide adult protection training for staff.

[redacted] have been supporting the school throughout this process

### **Requirement 2**

Young people should experience high quality care, support and protection through effective care planning that addresses their individual needs.

In order to achieve this, the provider must:

- Ensure that all care plans include all identified needs and how these will be met.
- Ensure that systems are in place to evaluate progress for all young people and that this results in next steps or changes to strategy.
- Ensure that, whenever possible, parents, carers and young people are involved in care planning.
- Ensure that all documentation evidencing statutory obligations, such as reviews, is available in respect of all pupils.

### **Actions to date**

We did not look at care plans at this visit.

We were told that each young person now has an assessment to identify needs resulting in care plans which reflect strategies to meet those needs.

Care plans for residential pupils have all been reviewed and updated.

Additional monitoring of care plans has been introduced through the supervision process.

Statutory annual reviews are carried out along with the placing authority. Additional reviews are carried out by the school to increase this to six monthly. Minutes of these reviews will be available in young people's files.

The school has also introduced a 'wellbeing faculty' which includes representation from residential staff. This group is tasked with enhancing a holistic approach to wellbeing throughout the school

### **Requirement 3**

Young people should experience quality care, support and protection through effective management and leadership practices.

In order to achieve this, the provider must:

Ensure that the Care Inspectorate and Scottish Social Services Council are notified about staff disciplinary matters and the action being taken

### **Actions to date**

A process is now in place to ensure SSSC and the Care Inspectorate are informed of staff disciplinary matters. The Care Inspectorate has received appropriate information since the inspection.

### **Recommendation 1**

The provider should ensure that administration of medication meets current best practice guidelines.

Specifically:

- Recorded instructions and dosage must reflect the pharmacy label.
- A record should be made of when a parent last gave the child medication.
- A copy of the prescription should be kept.
- Proper attention is paid to the disposal of all medication.

### **Actions to date**

The medication policy has been updated to reflect these expectations.

Audit of practice has increased to identify gaps or errors.

### **Recommendation 2**

The provider should ensure that each young person has an individualised information technology risk assessment.

### **Actions to date**

We were told that each residential young person now has an individualised technology assessment in their individual risk assessment and identified strategies to minimise risk.

Random audit checks are carried out to ensure these are up to date

### **Recommendation 3**

The provider should ensure that recording of premises risk assessments, maintenance, health and safety and action plans are systematic and regularly overviewed and audited by managers.

#### **Actions to date**

[redacted] will provide oversight of all health and safety issues. Their risk management team will carry out regular checks and develop action plans to ensure environmental safety.

Maintenance issues are now overseen by the Head of School.

We discussed a recent safety issue and how this had happened stressing the need to ensure that health and safety are seen as priority.

### **Recommendation 4**

The provider should carry out a training needs analysis to identify training needs for staff as a staff group and individuals. They should develop a training plan and identify how this will be implemented and monitored to identify gaps in learning.

#### **Action to date**

The school had carried out an initial training needs analysis. This has now been taken over by the [redacted]

All staff will carry out induction from [redacted] and take part in mandatory training.

### **Recommendation 5**

The provider should review the incident process to ensure consistency in recording of incidents and develop a more rigorous approach to analysis of incidents in order to identify trends and develop strategies to reduce incidents.

#### **Actions to date**

The Head of School had carried out an analysis of incidents to identify patterns.

The [redacted] will provide management systems which will provide better oversight of incidents and sophisticated analysis.

[redacted]

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**From:** [redacted]  
**Sent:** 01 October 2018 10:24  
**To:** [redacted]  
**Subject:** The New School meeting  
**Attachments:** Meeting with The New School - 28 September 2018.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi [redacted]

Notes from meeting attached.

Best wishes

[redacted]

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**From:** [redacted]  
**Sent:** 02 November 2018 12:49  
**To:** [redacted]  
**Subject:** RE: The New School Butterstone

Thanks [redacted]

[redacted]

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**From:** [redacted]

**Sent:** 02 November 2018 11:48  
**To:** [redacted]  
**Subject:** Re: The New School Butterstone

Hi [redacted]

I don't have a copy. [redacted] at the Registrar will I am sure.

Kind regards  
[redacted]

Sent from my BlackBerry 10 smartphone.

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**From:** [redacted]  
**Sent:** Friday, 2 November 2018 11: 15  
**To:** [redacted]  
**Subject:** The New School Butterstone

Hi [redacted]

As you know we are preparing an enforcement report in relation to the TNSB. We are struggling to locate the letter that was sent to the school in 2017 detailing the conditions imposed by ministers. Do you have a copy of this document?

I have left a message on your mobile.

[redacted]  
Team Manager  
Children and Young People  
Care Inspectorate  
[redacted]

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**From:** [redacted]  
**Sent:** 02 November 2018 14:40  
**To:** andrew@cubie[redacted]  
**Cc:** [redacted]  
**Subject:** Meeting re The New School Butterstone

Good afternoon Sir Andrew

I am sorry to be bombarding you with emails today. I am hoping this will be the last one.

[redacted] from Education Scotland and myself from the Care Inspectorate intend visiting the school on Thursday 8 November 2018. We will be following up on the inspection which took place in May and recent contact with the school. We would expect to arrive at the school around 10am.

We ask that you consider who you would like us to meet during our visit and strongly recommend that either yourself or a member of the board is available for discussion at some point during the day.

I look forward to hearing from you.

Best wishes

[redacted]  
Inspector  
Care Inspectorate  
Children and Young People- Team 2  
[redacted]

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**PRIVATE AND CONFIDENTIAL**

The Board of Governors of  
The New School Butterstone  
Butterstone  
Dunkeld  
PH8 0HJ

08 November 2018  
2018371285  
CS2003009784

Dear Sirs

**IMPROVEMENT NOTICE  
SECTION 62 PUBLIC SERVICES REFORM (SCOTLAND) ACT 2010 (“the  
Act”)**

Social Care and Social Work Improvement Scotland (hereinafter referred to as “the Care Inspectorate”) has concluded that The New School Butterstone, Butterstone, Dunkeld, PH8 0HJ is not operating in accordance with the requirements of Regulations made under the Act. The Care Inspectorate hereby gives you notice that unless there is a significant improvement in provision of the service, it intends to make a proposal to cancel your registration in terms of section 64 of the Act. The nature of the improvements to be made, and the period within which they must be made, are specified below.

**Improvement**

1. By 1 December 2018, you must ensure that the safety and wellbeing of children using the service is being protected and promoted. In particular you must ensure that all staff whose role within the care service includes, at any time, the implementing of child protection policies and procedures, have sufficient training and expertise to ensure that they have a sound understanding of child protection issues, and that they are able to confidently and competently implement child protection procedures.

This is in order to comply with: The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (SSI 2011/210) regulations 7(2)(c) and 15(a) and (b)(i).

2. By 21 November 2018, children using the service must be kept safe from inappropriate behaviour and by members of staff. In particular you must ensure:-

- (a) your internal whistle blowing policy and procedure is being adhered to and implemented;
- (b) staff recognise poor practice and inappropriate behaviour and feel confident and safe in disclosing this;
- (c) all disclosures of inappropriate behaviour are thoroughly investigated and action taken where necessary to protect children and ensure they do not recur;
- (d) staff are familiar with the terms of the whistle blowing policy and know how to implement it; and
- (e) staff who have responsibility for taking forward concerns raised by whistleblowing have been provided with appropriate training and have embedded this in their practice.

This is in order to comply with: The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (SSI 2011/210) regulations 3, 4(1)(a), 7(2)(c) and 9(2)(b).

3. By 21 November 2018, you must ensure the safety and wellbeing of children using the service is protected and enhanced when making decisions relating to their care. In particular you must:-

- (a) put in place and implement a clear system of delegation about the making of decisions which will affect children's health, safety or welfare; and
- (b) ensure that decision making is not subject to any conflict of interest and is carried out impartially in the best interests of children.

This is in order to comply with: The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (SSI 2011/210) regulation 4(1)(a) and section 45(2) of the Act.

Please note that where more than one improvement is specified, failure to demonstrate compliance with any one of the improvements within the required timescale may result in us proceeding to make a proposal to cancel registration.

A copy of this notice has been sent to the local authority within whose area the service is provided as required by section 62(2) of the Act.

Please contact me if you would like to discuss this notice, or if there is anything in the notice you do not understand.

Yours faithfully

**[redacted]**  
Team Manager  
Care Inspectorate  
Children and Young People – Team 2  
Phone: [redacted]  
Email: [redacted]

cc: [redacted]

[redacted]

---

**From:** [redacted]  
**Sent:** 08 November 2018 15:53  
**To:** [redacted]  
**Subject:** Improvement Notice The New School Butterstone  
**Attachments:** The New School Buttertstone IN1 November 18.docx

Good afternoon [redacted]

Please find attached a copy of the Improvement Notice which will be posted to the school and local authority today. I will also email a copy to Sir Andrew Cubie as discussed at todays meeting

Best wishes

[redacted]  
Inspector  
Care Inspectorate  
Children and Young Poeples - Team 2  
Mobile:[redacted]

(See attached file: The New School Buttertstone IN1 November 18.docx)

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[redacted]

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**From:** [redacted]  
**Sent:** 15 November 2018 12:40  
**To:** [redacted]  
**Subject:** RE: Visit New School

Hi [redacted]. 10.45<tel:10.45> at car park or for you?[redacted]

Sent from my Sony Xperia™ smartphone

---- [redacted] wrote ----

Dear [redacted]

Unfortunately, I am now unavailable to visit the school tomorrow as originally planned.

[redacted] and I will now visit on Monday 19 November to meet the new interim head. We will plan to arrive for 11 am. Hope this suits okay.

Apologies for the short notice.

Kind regards  
[redacted]

[redacted]  
[redacted]  
Foghlam Alba / Education Scotland  
9th floor, Optima building  
58 Robertson Street  
G2 8DQ  
T: [redacted]  
M: [redacted]  
E: [redacted]

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil.

[redacted]

---

**From:** [redacted]  
**Sent:** 18 November 2018 17:07  
**To:** Andrew Cubie; [redacted]  
**Cc:** [redacted]  
[redacted]  
**Subject:** Re: Safeguarding Review TNS

Dear Andrew

Many thanks for copying me. I can confirm that I will be in attendance tomorrow to assist with forward planning as suggested by [redacted].

Kind regards

[redacted]

Sent from Email+ secured by MobileIron

----- Original Message -----

From: Andrew Cubie [redacted]

Date: Sun, 18 Nov 2018, 16:46

To: [redacted]

CC: [redacted]

[redacted]

[redacted]

Subject: Re: Safeguarding Review TNS

Dear [redacted],

Further to this note I can confirm that [redacted], a director of [redacted] will be in the school tomorrow morning although [redacted] will not.

Regards,

Andrew Cubie

Sent from my iPad

On 18 Nov 2018, at 12: 19, Andrew Cubie [redacted] wrote:

Dear [redacted]

I refer to my telephone conversation with you on Friday afternoon and attach a copy of the Safeguarding Review, dated 10th November, provided by [redacted] at the request of the Board of the New School. It makes for uncomfortable reading. As I reported, we as a Board decided on Friday to close the school. I had earlier on the 12th of November requested [redacted] forthwith to implement the 8 other recommendations made in the report. The principal purpose of tomorrow's meeting will be to determine how and when best to close the school in the best interests of the young people who attend it currently and the arrangements to be made until the school closes. I trust a [redacted] representative will be present tomorrow morning as we have yet to discuss the report with them.

[redacted] of [redacted] will forward a copy directly to [redacted] as [redacted] has been in touch with him requesting a copy as well.

Regards,

Andrew Cubie

Sent from my iPad

Begin forwarded message:

<Safeguarding Review for The Trustees of The New School FINAL.pdf>

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[redacted]

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**From:** [redacted]  
**Sent:** 19 November 2018 18:35  
**To:** [redacted]  
**Subject:** FW: Important Email from Sir Andrew Cubie

I am sure you will have received a copy of this. Forwarding just in case!

Best wishes

[redacted]

---

**From:** Andrew Cubie [redacted]  
**Sent:** 19 November 2018 18:19  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** Fwd: Important Email from Sir Andrew Cubie

Dear [redacted]

This is a copy of the letter sent to parents this afternoon, which incorporates the agreed script.

Best,

Andrew

Sent from my iPad

Begin forwarded message:

**From:** [redacted]  
**Date:** 19 November 2018 at 15:20:04 GMT  
**To:** Undisclosed recipients;  
**Subject:** Important Email from Sir Andrew Cubie

Dear Parents and Carers,

It is with the heaviest heart that I write to advise you that after 25 years The New School Butterstone is to close. I realise that this will be a deep disappointment to you and your family.

If there were another viable option we would have pursued it. Therefore, the School will close on Friday, 23<sup>rd</sup> November. The School has already been in touch with your Local Authority to advise of its closure because of their statutory obligations.

The text of a statement being released is as follows:-

*Commenting on the closure, Sir Andrew Cubie, Chair of the Board said "The New School has played a valuable role in supporting and educating children with a wide range of specialist educational needs and disabilities, since it was established by Baroness Linklater in 1992, offering a nurturing environment where they have been able to thrive.*

*"Unfortunately, in recent years, the increasingly onerous requirements of operating in the care sector and the associated costs and resources has had a significant detrimental effect on the school finances; and, as a small independent charitable institution, the financial impact has been particularly acute.*

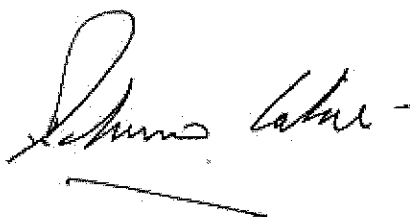
*"Regrettably the combination of increased costs and a reduction of income exacerbated an already uncertain financial position and has left the school in a situation that is now financially unviable.*

*"In an attempt to avoid closure The Board of Governors investigated all options to guarantee the future of the School. Despite exhaustive efforts, however, none of the options proved viable and we have had to make the very difficult decision to close the school.*

*"Our overriding priority now is to work closely with parents, The Care Inspectorate, Education Scotland, the Regulator of Independent Schools and all relevant local authorities, particularly Perth & Kinross Council to secure suitable placements for pupils at The New School."*

Staff and our young folk are being advised of the closure this afternoon. If you wish to speak to me, please, leave a message at the School for me.

Yours Sincerely,



Sir Andrew Cubie CBE, FRSE  
Chairman of the Board of Governors  
The New School, Butterstone

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[redacted]

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**From:** [redacted]  
**Sent:** 21 November 2018 16:28  
**To:** [redacted]  
**Subject:** FW: ACTION: Closure of New School Butterstone

Sent from my Windows 10 phone

From: [redacted]

Sent: 21 November 2018 16:23  
To: [redacted][redacted][redacted]  
Cc: [redacted][redacted][redacted]  
Subject: RE: ACTION: Closure of New School Butterstone  
Importance: High

All

Further to the Care Inspectorate's visit to the school today we have had discussions as to the progress of the implementation of the required improvements detailed in the Improvement notice: the policies in relation to safeguarding and child protection have been reviewed, there has been an all school safeguarding day and staff have been made aware of the whistleblowing policy. While there has been some progress the impact of any changes or improvements have not yet been able to be assessed due to early implementation

[redacted]

Staff from the Care Inspectorate will attend the service tomorrow and review all of the updated risk assessments and review the revised policies.

I hope this updates you of actions that have been taken by the school and Witherslack to support the care of young people within the service over the next few days. We will continue to review and monitor the situation to ensure that the wellbeing of children and young people is paramount.

[redacted]

[redacted]

[redacted]

Care Inspectorate

Princes Gate

Hamilton

ML3 6BU

Tel: [redacted]

Mobile: [redacted]

-----Original Message-----

From: [redacted]

Sent: 21 November 2018 13:07

To: [redacted]

Cc: [redacted]

Subject: Re: ACTION: Closure of New School Butterstone

Importance: High

Dear colleagues

I am writing to advise that on the grounds that we have no assurance of proactive actions by the Board of Governors; lack of involvement of Witherslack beyond the school day and that there is no information at present about the extent to which the matters outlined in the Care Inspectorate's improvement notice have been addressed that we will withdraw our [redacted] who is a residential pupil from this evening.

[redacted]

Sent from Email+ secured by MobileIron

----- Original Message -----

From: [redacted]

Date: Wed, 21 Nov 2018, 12:42

To: [redacted]

[redacted]

[redacted]

CC: [redacted]

[redacted]

Subject: ACTION: Closure of New School Butterstone Afternoon colleagues,

This morning we have received an update on the residential placements at TNS.

[redacted] young people were noted as having concern overnight:

[redacted] - Anxious and worrying about what is coming next. Staff have been supporting and settling.

[redacted] - noted that [redacted] anxiety was increasing through the evening. This morning [redacted] left assembly on scooter and is being supported on 1 to 1 with a friend.

At this stage the school are planning for the next two days and we are considering what plans for Friday look like. I am due to meet the Acting HT and [redacted] at 1 pm.

I have just received communication that the Care Commission have stated that the school have not met their improvement order and [redacted] cannot be accommodated tonight. I am trying to get clarity on this and will reply asap.

Please note: Given the circumstances there has been an agreement to share information across local authorities.

Thanks,  
[redacted]

[redacted]  
[redacted]  
Education & Children's Services  
Perth & Kinross Council

[redacted]

[redacted]

Securing the future ... - Improving services - Enhancing quality of life - Making best use of public resources.

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