



Scottish Information  
Commissioner

**Examination of the Scottish Executive Education Department's  
Procedures for the Identification and Provision of Access to Records  
related to Children's Homes and Residential Schools**

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## Background to the Examination

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1. On 1 December 2004 the Scottish Parliament debated a motion from its Public Petitions Committee calling upon the Parliament to note Public Petition 535. This petition called for a public inquiry into past institutional child abuse, for an unreserved apology by state bodies and that the Parliament should urge religious orders to apologise unconditionally.
2. During the course of the debate the Minister for Education and Young People, Peter Peacock, gave a response to the Parliament and also made the following announcement:

“I have also asked the Scottish Information Commissioner, who was appointed on the recommendation of Parliament and who is completely independent of ministers, to examine what we have been doing to trace and open up our files. I want him to verify that we have been taking all reasonable steps to be open and, if he finds deficiencies in any actions, I want him to highlight those so that I may rectify the situation. I hope that those actions will reassure Parliament and the survivors of abuse that we are being as open as possible.”
3. Following the debate, I agreed terms of reference for the examination with the Minister on 14 January 2005 as follows:
  - The terms of reference and the findings of the examination will be made public.
  - The examination will consider only the management of Scottish Executive records about children’s homes and residential schools and not those of local authorities or other organisations. The Scottish Information Commissioner will not consider whether redactions to the records were appropriate.
  - The Commissioner’s audit will not in any way prejudice the right of any individual to appeal to him regarding requests for information from those records.
  - In compliance with section 44(3) of the Freedom of Information (Scotland) Act 2002, the Commissioner will consult the Keeper of the Records of Scotland before giving a practice recommendation to a Scottish public authority. The Keeper holds the archives for and provides records management advice to the Scottish Executive and if the Commissioner decides to issue a practice recommendation to the Scottish Executive he will first consult the Keeper.
4. These terms of reference merit some explanation. Firstly, as Scottish Information Commissioner I am empowered to investigate appeals against Scottish public authorities concerning their response to information requests. I may also audit or investigate public authority practices and records management in relation to the handling of information requests. The invitation from the Minister to examine the Scottish Executive’s approach was unusual in that it was not prompted by an appeal or instigated by me in response to perceived shortcomings. However, I am charged with both promotion and enforcement of the new rights to information and I therefore considered that the invitation was appropriate to my role and function



5. I have restricted the scope of this examination to records held by the Scottish Executive. The scope of Public Petition 535 is extremely wide and during the course of the Parliament's debate, members referred to records held by local authorities, churches and religious orders, as well as those held by the Scottish Executive. My jurisdiction does not, however, extend to information held by churches and religious orders and I would therefore have neither power to call for information from those organisations nor locus to comment on any findings were records to be available to me. I have not proposed to extend the examination to local authorities or other Scottish public authorities as I believe this would have been unmanageable in practical terms. I trust, however, that the findings from this examination will be helpful to the independent expert who is to be appointed by the Scottish Ministers. I am advised that the Minister for Education and Young People will, in due course, report to the Parliament on the expert's findings in relation to the issues of abuse in children's homes and residential schools.
6. I have been careful throughout this examination to avoid any action which could possibly affect the rights of individuals who may in future make an appeal to me. To this end, although I have looked in detail at the arrangements made by the Scottish Executive to trace and open its records of institutional education and childcare, I have not examined the decisions taken by the Scottish Executive in their redaction of personal information from individual records. This is a matter that may well be the subject of a future appeal and that then would have to be considered on a case by case basis. Also, the protection of individuals' privacy is provided by the Data Protection Act 1998 which is enforced by the Information Commissioner. As this is outwith my jurisdiction, I have made only very general comment on the arrangements in place to safeguard personal information in the records.
7. Finally, the terms of reference make provision, should I deem it necessary, to issue a practice recommendation to the Scottish Executive in relation to records management practices identified in this examination. Practice recommendations are formal notices which I may issue where I find that an authority has breached a requirement in the Codes of Practice of the Freedom of Information (Scotland) Act 2002 in relation to the handling of information requests or records management. These are public documents which set out my findings and recommendations for the public authority to remedy the breach(es). I am required to consult the Keeper of the Records of Scotland before I issue a practice recommendation.

As Scottish Information Commissioner, I am an independent public official appointed by Her Majesty the Queen on the nomination of the Scottish Parliament. My role is to promote and enforce the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004. These new laws came into force on 1<sup>st</sup> January 2005 and provide a general right of access to information held by Scottish public authorities.

Further information about my role and your rights is available on my website at [www.itspublicknowledge.info](http://www.itspublicknowledge.info) or by contacting my Office:

Scottish Information Commissioner, Kinburn Castle, Doubledykes Rd, St Andrews, KY16 8SA, Tel 01334 464610 [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)



## Examination Methodology

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8. As explained in the previous section, my examination has focused on whether the Scottish Executive has taken all reasonable steps to trace and open all historical records relating to institutional children's homes and residential schools in Scotland. I have aimed to determine whether the Scottish Executive has had regard to all the relevant evidence and whether it has exhausted all the search options available to it.
9. My methodology has therefore been to consider the material available to the Scottish Executive, the steps it has taken to search for records and the measures it has introduced to give the public access to the records. Specifically, I have:
  - Examined the detail of the search conducted by the Scottish Executive and established an audit trail for this
  - Considered records management practices relevant to the records in question over a number of decades, including: records retention and destruction policy and practice; the registration of existing records; whether records had been destroyed or were missing; arrangements for transfer to and preservation of the Scottish Executive's historical records by the National Archives of Scotland (NAS)
  - Examined current Scottish Executive records management policy and practice
  - Examined and tested the measures introduced by the Scottish Executive to open these records to the public
10. Information was gathered for this examination from responses to an initial scoping questionnaire, formal interviews with, and submissions by, staff of the Scottish Executive Education Department (SEED), Records Management Branch (RMB) and Solicitors' Group of the Office of the Solicitor to the Scottish Executive (OSSE). My officers also met representatives of the National Archives of Scotland (NAS) who provided additional guidance and support. An interview with In Care Abuse Survivors (INCAS), a voluntary organisation, was also most helpful to my officers in increasing understanding of the information needs of survivors of abuse and advice provided to SEED about the records search.
11. My officers examined the Scottish Executive IMPReS computerised file tracking and retrieval database to determine its search and retrieval capability. They scrutinised the contents of a sample of records held at SEED to determine their relevance to the exercise, the types of information they held and whether they contain any information which may be of interest to the survivors of institutional child abuse.
12. Officers also examined information requests received by SEED before the Freedom of Information (Scotland) Act 2002 came into force on 1<sup>st</sup> January 2005. They gathered evidence from SEED about its approach to making records publicly accessible and then tested the department's response to information requests.



13. OSSE volunteered information about a current court action which is particularly relevant to this examination. My officers were able to read specifications of documents in the case and to see court Commissioners' findings. This information provided insight into both current court actions in relation to alleged institutional abuse and the difficulties of locating information to support those cases.

## Interest in Records about Institutional Care and Education

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14. Interest in what records the Scottish Executive held on residential childcare and education has been generated from a variety of sources:

### Individual Information Requests

15. 19 information requests were received by SEED in April, July and August 2003 in relation to List D schools. 1 further request was made in February 2004. Most of the requesters were seeking "all records" about school(s) during the period that they had been resident. These periods fall between 1940 -1975. One requester stated that this should include "medical records, etc". A few applicants also made explicit reference to their knowledge that the school in question was run by the De La Salle Order. The names of schools are listed below as described in the requests:

Borstal Training Noranside Institution, Forfar
Dale School, Arbroath
Oakbank Approved School, Aberdeen
Rossie Farm, Montrose, Angus
Smyllum Park
St John's
St John's, Glasgow
St Joseph's – run by the De La Salle Order
St Joseph's (3)
St Joseph's Approved School
St Mary's Approved School, Bishopbriggs
St Mungo's
St Ninian's – run by the De La Salle Order
St Ninian's (4)
St Ninian's Approved School
St Ninian's List D School, Stirlingshire
Wooddean House



16. SEED initially considered these requests to be subject access requests under the Data Protection Act 1998. However, this decision was reconsidered on the basis of legal and policy advice. It was agreed to proceed with a response without reference to this legislation.
17. SEED issued a standard response letter to the applicants. It confirmed its commitment to openness and its desire to demonstrate that it was not withholding evidence of abuse in the institutions or any Government knowledge of such abuse. It also informed applicants that the Scottish Executive planned to make public the information it held on List D schools and other residential establishments. However, the letter also stated that the Executive was concerned that the records held personal information about teachers and pupils and that it had a duty to protect the privacy of individuals. Therefore the Executive could not open the records in their current form until they had been fully redacted and suitable arrangements were in place to support the individuals. It hoped to open the records for inspection by the end of 2004. A copy of this letter is attached at Appendix 1.
18. On 8 February 2005 the Executive wrote again to the applicants, this time with a substantive response. Each applicant received a standard letter (a copy is attached at Appendix 2) which had been tailored to his or her original request. The letter confirmed that the Executive held no personal records relating to the applicant but that it did hold records which relate to the management, running and inspection of some institutions. The letter specified the records relevant to each applicant and offered to make them available by inspection on the premises at Victoria Quay. It also informed applicants that similar open records were available at NAS.
19. In total, 20 information requests were received by the Scottish Executive from April 2003 to February 2004. The full response to the applicants making requests for information about residential childcare and education took as long as 22 months to provide.
20. At the time the requests were made, the Code of Practice on Access to Scottish Executive Information (1999) was in place. This Code made a commitment to respond to requests for information and a target timescale to meet such requests within 20 working days. Clearly that target was not met.

## **Court Actions**

21. 90 civil actions have been raised in the Court of Session relating to alleged abuse of children in institutional education. Further actions have been raised relating to alleged abuse of children in institutional care. Of the 90 actions relating to institutional education, 89 are sisted (on hold pending the outcome of one active case). Legal aid applications have been made in respect of a further 11 cases. The active case, *McEwan v Hendron*, involves a claim for damages against 18 defenders, including representatives of a religious order and managers of a former List D school. A local authority was originally cited as a defender in the case, but the authority has subsequently been released from the action. The 18<sup>th</sup> defender is the Lord Advocate, whose defence is prepared by OSSE.



22. Lack of access to records about the pursuer's school record and information about the running of the school has proved a significant difficulty in the conduct of the case. In May 2002, the pursuer in the case obtained a court order for a specification of documents seeking recovery of records held by the Scottish Executive. A Commissioner was appointed by the court and examined documents in respect of that specification in February 2003. In March 2004, the pursuer obtained a court order for a second specification of documents to recover records held by the Scottish Executive. A second court Commissioner was appointed in May 2004 to trace documents falling within that specification. SEED has provided records to the pursuer's agents in response to the specifications and has given assistance to the Commissioners to locate records.
23. In addition, a file relating to inspection of one of the schools was sought by an accused in a related criminal case in the High Court. The file was produced by SEED.

### **Media Interest**

24. SEED officers referred to a request by a journalist for information relating to schools run by religious orders. RMB traced the records to NAS (where they were open to inspection) and recalled them. On inspection, it was clear that these records contained personal information relating to individuals who could still be living. SEED refused to release the information in response to the request and returned the records to NAS as closed.
25. A subsequent Sunday Mail article of 20 July 2003 suggested that any individual who attended De La Salle Schools could "demand all documentation held on them" by writing to the Head of Education, enclosing £10 (£10 is the maximum statutory fee for a subject access request under the Data Protection Act which gives individuals a right to access to information held about them).

### **Conclusion**

26. The issue then of what records were held, what they contained and who could access them is an important part of establishing what is known and can be known about the experience of those in institutional childcare and education.
27. This was reflected in the Parliamentary debate on Petition 535 when several references were made by MSPs to the availability of records:
28. What is clear to me as will be seen in subsequent sections of this report, is that when questions were raised about records and requests were received about specific institutions and their residents, the Executive did not know what information it held. In response, it undertook a lengthy programme of research to identify what might be available.



## Tracing the Records

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### Overview

29. The search for records of institutional childcare and education was led by the Scottish Executive Education Department (SEED). The department undertook extensive searches, initially for *historical* Scottish Executive records held by the National Archives of Scotland (NAS) and then latterly for *current or closed* Scottish Executive records managed by its Records Management Branch (RMB). The records management practices of the Scottish Executive and its predecessor organisation, the Scottish Office, are discussed later in this report. The Scottish Executive holds current and closed records within its own organisation. Current records are those that are still in active use by the organisation. These are maintained for a maximum of 5 years before they are closed. Closed records are those that are no longer in active use but which are maintained for future reference. Only closed records may be destroyed, at a set interval and according to a formal procedure. Policy requires that closed records which have not been destroyed (during the review process) are retained within the organisation for up to 25 years. At this point they become “historical” records and are considered for permanent preservation by NAS. NAS points out that records may be considered, however, for permanent preservation well before the 25 year point.
30. SEED staff provided an overview of their approach to the search for records through both interview and a report, prepared specially for this examination by the officer (Officer 1) who had been nominated to conduct the search for records from summer 2002 to early 2004. It is evident that SEED had been actively searching for historical records relating to residential schools and childcare at least since 2000 when searches for records relating to List D schools<sup>1</sup> were already being undertaken in relation to on-going court actions in which the Lord Advocate was cited as a defender. The RMB had already provided some records on List D schools before 2000. These initial searches concentrated on specific titles e.g., St Ninian’s School, Gartmore. One specific record was requested by the pursuer in relation to a criminal case in the High Court.
31. In late February 2003 a record containing the history of the approved school system was located in response to newspaper coverage of an alleged murder of a teacher at an approved school by pupils in 1962. Officer 1 reports: “It was not until then that I realised that prior to 1971 List D schools were known as approved schools. This may have influenced some of the searches we had previously asked RMD to undertake since the file titles would not have used the term as List D.”
32. From July 2003, Officer 1 began her wider search for historical records relating to children’s homes and residential schools in Scotland held both at the National Archives of Scotland and the Scottish Executive.

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<sup>1</sup> “List D school refers to a residential school established under the Education Act 1968.”



33. I have divided my findings into two parts: the search for historical records (held by NAS) and the search for current and closed records (managed by RMB).

### **Search for Records held by the National Archives of Scotland**

34. The 20 requests for information from the period 1940 -1975 provided the impetus for a more extensive search. Officer 1 was instructed by her manager to undertake a scoping exercise of the number of records that might need to be examined in relation to List D schools and other children's residential establishments. She describes this work in July and early August 2003 as "an extremely time-consuming exercise, undertaken without additional support".
35. A NAS official provided Officer 1 with information about the NAS record classification system and suggested record series that might contain "relevant" records. The use of the term "relevant" is discussed later in this section. She then gained access to the NAS database which was at that time available only as a pilot system. She recalls using "fairly random" search criteria and that these were for records of approved or List D schools, 5 institutions in total. She used key words such as "approved school", "List D school", or the names of schools with spelling variants e.g., St Ninian's, St. Ninian's, Saint Ninians, etc.
36. This first search did identify all records which included the search name in the title, regardless of the file series in which they were held. If the database contained a misspelled record title or if there was a discrepancy between the search key term and the database reference, the search would not identify the relevant records. The search for St Ninian's School produced a large number of church, legal and other school records, some of which did not belong to SEED and were not relevant to this exercise.
37. Following the initial scoping exercise, Officer 1 was instructed to widen the search criteria to include other establishments, including childcare institutions, which amounted to as many as 17 individual institutions. It is not clear what the impetus was for this further search, although it may have been prompted by discussion with In Care Abuse Survivors (INCAS). In October 2003 SEED officers took advice from INCAS about the institutions that should be searched for, but they have provided no further information regarding the detail of this consultation.
38. My officers contacted INCAS for their views of the search and to invite comments on the scope of my examination. They were advised of the following points:
- Survivors are looking for any information at all about their families (some are still trying to find estranged family members, including siblings), their family medical histories, the reasons they were taken into care, the periods they were resident in institutions, the care (and abuse) they received while in the institutions.
  - Survivors have very low expectations that they will ever be able to secure records from religious orders which ran some of the institutions. They were aware during their time in care that the institutions were inspected and they want to see reports produced by the inspectors.



- INCAS is very concerned that SEED has placed so much emphasis on searching for information about List D schools, to the detriment of searching for information about other institutions. The organisation has pointed out to SEED officers and to the Minister that their members and helpline users are interested in institutional childcare, rather than in education. This view contrasts with the information request letters which were from ex pupils seeking information specifically about approved and List D schools.

39. SEED suggested to INCAS that it provide a list of institutions for the search. INCAS advised my officers that they had then asked for the following institutions and keywords to be included in the search for records:

Nazareth House in Aberdeen, Kilmarnock, Lasswade  
Quarrier's House in Bridge of Weir  
De La Salle Brothers  
Sisters of Mercy  
Church of Scotland  
Smyllum House

40. My officers have repeatedly asked SEED to provide a list of the institutions which were searched for, but this list has not been provided. I have also received no contemporaneous documentation, other than search printouts, which would support the account of the process provided by Officer 1. I can therefore only assume that no record was maintained of the search as it was conducted. In the absence of a list of the entries to the database and any note of the consultation with INCAS, it is not possible to conclude whether the above recommendations from INCAS were implemented.

41. Officer 1 advises that widening the search proved more difficult as SEED did not have a definitive list of institutions. She decided to run searches of 4 file series in the NAS database, using advanced search criteria. These series had already yielded useful information. She discounted other less productive file series e.g., ED39 (which contained 924 records, only 3 of apparent interest to the search).

42. Having run the search, she had to identify which records should be examined. She describes a two-step process, consideration of the record by title alone and then, if deemed relevant, further interrogation of the database to search for information about the time period covered and the subject. When asked about the criteria used to make the assessment of which records should be examined, SEED officers used the term "apparent relevance", a subjective judgement which depended on the individual officer concerned. She marked relevant records on the list contained in the master search folder (referred to by SEED staff as the "red folder"). She provides two examples of records to explain her assessment:

ED39/1092 Pre-School Education: Gaelic 1997-1998

This title indicated that the subject matter and time of the paper fell outwith the scope of the search as SEED's interest mainly related to information dating back to the 1950s and 1960s. This record was assumed not to be relevant and therefore was not examined at the review stage.



### ED11/535 Local Authority Children's Homes 1955-1967

This title suggested that the record might contain relevant papers and the timescale was appropriate for the search. A more advanced search of the database showed that the record indeed contained inspection reports on a children's home in Moffat and thus confirmed its relevance.

43. The red folder was intended to provide the lists of records which should be examined if a full study of records relating to residential children's establishments were to be undertaken in the future. A photocopy of the red folder has been provided to my officers. It contains printouts of two searches of the ED15 files series and one of the ED28 series, but none relating to the findings from the ED39 searches described above. The ED 15 search section is in 2 parts and is entitled "ED15 – Approved School and Remand Home Files". Neither part is dated. It is therefore not clear which search was undertaken first. There is duplication of records in the two searches contained in the 2 parts of this section. The ED 28 search section contains 491 record titles of which 63 have been ticked.
44. It is my understanding that the ticked and highlighted records are those which were considered by the Officer 1 (or her successor, Officer 2) to be worthy of inspection. The findings from the searches are summarised in the table below:

<b>File series number</b>	<b>File series name</b>	<b>No of records held in series</b>	<b>Number of records identified by search</b>	<b>Number highlighted or ticked</b>
ED11	Childcare files	951*	935	149
ED15	Approved schools/Remand Schools	644*	435 Part 1 383 Part 2	53 (Part 1) 351 (Part 2)
ED28	Special Education Files	495*	491	63
ED39	Social and Community Services Files	924	Not provided	3
total		3,014		

\*totals provided by NAS. The total for the ED39 series was provided by Officer 1

45. The NAS file series ED39 Social and Community Services was not included in the scoping exercise as the information requested was considered to predate the creation of this particular series. My officers were advised that a later search did show only 3 relevant records were identified from this series but no printout of these has been provided and there is no indication that they have been examined.



46. Officer 1 became concerned that her scoping exercise might be inadequate as the basis for further work. She had highlighted a large number of records that had not, as yet, been examined further and she was unsure whether her assessment of their relevance was adequate. It was therefore agreed that a second SEED officer (Officer 2) would work with her to check a sample of the search to judge whether they were relevant and contained information on children’s residential services as expected. A random sample of 30 records was inspected to identify the contents and whether they contained sensitive information. The findings of this exercise were as follows:
- Most of the records did contain relevant information
  - The information “varied enormously”. Much of the information was said to be “low key and not particularly informative for people trying to find out about alleged institutional abuse. For example, many of the records directly relating to residential homes focused on housekeeping issues – fire safety, menus, the state of linen, etc. Many of the records did have some reference to people’s names – often the names of staff – which would have implications for possibly making them publicly available.”
47. Officer 1 concludes that the follow up exercise supported her initial assumptions about the relevance of the records from their titles and descriptions, but she also points out that the check did not assess whether the search itself had been sufficiently robust.

### **The Scottish Information Commissioner’s Audit of the Search for Records held by the National Archives of Scotland**

48. In order to test the above account of the search of the records, my officers replicated the search of the NAS catalogue database for a sample of the institutions mentioned in the information requests and by INCAS. They used the same database (now available online on the NAS website [www.nas.gov.uk](http://www.nas.gov.uk)). They entered the institution names in the database’s basic search facility and used spelling variants in the way described above. The resulting search printouts were assessed to identify:
- The number of records identified by the search
  - The number of records with apparent relevance to the information requests and the advice from INCAS (this was a subjective assessment as above)
  - The NAS file series in which these records were listed
49. The findings are detailed in the table below:

<b>Institution / Key Words</b>	<b>No. of records in search report</b>	<b>No. of “relevant” records</b>	<b>File series of relevant records</b>
St Ninian’s	0	0	
St Ninians	713	2	ED15, ED28
St Ninians List D School Gartmore	1	1	ED15
Quarriers	130	1	ED39
St John’s	0	0	
St Johns	116	1	ED48
Oakbank	115	15	ED15, ED18, ED32, ED52, ED64
Nazareth	0	0	



50. These findings were then compared with SEED officers' accounts of the search and the red folder containing search reports:
- The SEED search found many more records in file series ED11, 15, 28 and 39 than found by our basic search. This bears out the department's description of use of more advanced search methodologies.
  - Our search identified 3 records relating to Oakbank School in the period 1952 to 1972 which were not identified as relevant in the red folder. However, all 3 of these records are available as open records at NAS.
  - Our search has identified 5 relevant records in file series ED18. These all relate to Oakbank and Smyllum. SEED rejected this file series as not relevant.
51. Further evidence of the adequacy of the search for historical records was identified by my officers in their reading of the Court of Session papers supplied by the Scottish Executive Solicitors Group. This information was volunteered to my officers and proved most helpful. Assisted by staff from SEED, the court Commissioner was able to locate only 12 records which were deemed relevant to the case. The following table shows the records located by the court Commissioner:
- by NAS file number
  - whether the records had been identified in the SEED search reports
  - whether the records in question had been highlighted or ticked as being of "apparently relevance".

File reference no.	Is this record in the SEED search reports?	Has it been highlighted / ticked?
ED15/339	YES	YES
ED15/592	YES	YES
ED15/417	YES	YES
ED15/579	YES	NO
ED15/307	NO	n/a
ED15/440	YES	YES
ED15/318	NO	n/a
ED15/324	YES	NO
ED15/424	YES	NO
ED15/353	YES	NO
ED15/565	YES	NO
ED15/372	YES	NO

52. The table shows that 2 of the 12 records identified by the court Commissioner had not been identified by the SEED search. Furthermore SEED's assessment of relevance matched only 4 of the records identified as relevant by the court Commissioner.



## Search for Records held by the Scottish Executive

53. The Scottish Executive's IMPReS computerised file tracking and retrieval database, established in 1997, contains references to all 1.4 million Scottish Executive records, including those which have been destroyed (an explanation of the Scottish Executive records destruction policy is provided in the Records Management Section of this report). Information from pre-existing departmental record registers was incorporated into the database at the time of its establishment, but RMB officers have advised that these registers were not always reliable. RMB does amend incorrect IMPReS records for paper files which pass through the department's hands during routine operations. Given the size of the holding, however, there is neither time nor resources to correct all of the records, a task which would clearly be impossible where records have already been destroyed.
54. IMPReS has an advanced tracking and retrieval capability. Using this capability it is possible to obtain a detailed audit trail of a record's creation, maintenance, movement, and disposal or destruction. Information relating to the disposal or cancellation of records which were marked for destruction at review is therefore readily available from the system
55. The first phase of the search of the Scottish Executive IMPReS database began in December 2004. It is not clear to me why this search was conducted so late in the project. It appears that an assumption was made at the scoping stage that because the time period of the information requested was more than 25 years old, the records in question must have been transferred to NAS. If so, this was an incorrect assumption. I have included information about Scottish Executive's records management practices later in this section. The transfer of records occurs according to an established system, but it is not always the case that records are automatically transferred when they are 25 years old. Indeed the Keeper of the Records of Scotland records in his Annual Report 2002-3 new transfers of 20 "pieces" (records) to NAS file series ED39, dated 1969-1997. It should therefore have been considered that some records relevant to the period searched 1940 - 1975 could still have been held at the Scottish Executive when the search was initiated in 2002.



56. By this time, Officer 2 had succeeded Officer 1 in post. She made a request to the Scottish Executive Records Management Branch (RMB) to conduct a search of the IMPReS database for any records held on 11 institutions

Key search terms	No of records identified by search by institution	No of these records cancelled <sup>2</sup>	No of these records destroyed
St Ninian's Gartmore	3	3	0
St Ninian's Falkland	2	0	2
St Joseph's Tranent	1	1	0
Springboig St John's	28	0	0
Smyllum Park	4	0	3
Oakbank School	28	0	14
Rossie Farm School, Montrose	1	0	0
The Dale School	7	0	3
Kenmure St Mary's, Bishopbriggs	10	0	8
Nazareth House, (including Aberdeen, Glasgow and Lasswade)	14	0	0
Quarriers Home	3	0	2
Total	101	4	32

57. Officer 2 made a second request to RMB in January 2005 for a further search using new key words. The table below provides the number of records identified by this search.

Key search terms	No of records identified by search
List D Schools	326
Remand	71
Approved School	29
Children's Home	0
Inspection Reports	245
Allegations of Abuse	25
Allegations of Mistreatment	1
Total	697

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<sup>2</sup> The term "cancelled" refers to the process of retheming and renaming existing records. The original record contents are transferred in their entirety to the new record. IMPReS retains the original record name and description alongside the new entry.



58. Officer 2 provided copies of the printouts from the searches. These contain markings with highlighter pen identifying the records which she assessed as relevant. Unfortunately the search reports provide very limited information about the records themselves and do not include the dates of the records or detail of their disposal. The IMPReS database holds significantly more information about each record and my officers requested copies of in depth reports from RMB for the relevant records.
59. The documents retrieved by SEED from the central store are currently still with the department at Victoria Quay. They will, however, be returned to the central store on completion of the review. The central store is a storage facility for the Scottish Executive's closed records. It is not open to the public. However, the Freedom of Information (Scotland) Act 2002 provides a general right of access to the public to records held by Scottish public authorities. Therefore anyone may request a copy of these records from the Scottish Executive. It should be noted, however, that public authorities may withhold information, citing one of the exemptions in the Act.

### **The Scottish Information Commissioner's Audit of the Search for Records held by the Scottish Executive**

60. The above tables show the key words employed in the search for records held by the Scottish Executive and therefore my officers have not experienced the difficulties encountered in the analysis of the search for historical records. However, there are unexplained differences in the criteria employed in the searches for NAS and Scottish Executive held records. Officer 1 advised that she had searched for 17 institutions by name and for generic terms, including "List D Schools" and "approved schools". The information available for the search for Scottish Executive held records shows that only 13 institutions were searched for by name and that 7 generic terms were searched for. These findings suggest that different criteria were applied to the searches for the two types of records holdings.
61. RMB ran a further search to assist this examination, using the exact key search terms employed by SEED staff. My officers requested that more information be provided in the search printouts to indicate the status of the records referred to in the above tables, including their dates and descriptions. RMB helpfully developed the search methodology to:
- screen out records that have been examined in detail by SEED and found not to contain any information about residential care or education e.g., the SEED search for Springboig had identified 28 records, of which only 2 related to Springboig St John's School
  - include a search for the records which had previously been "cancelled" i.e., rethemed to another file series (where this had happened, RMB included these new records in the search).



62. In addition, RMB reported that their search techniques have been revised since the SEED search was undertaken. Standard searches on keywords in IMPReS are normally by the file title only. Users in departments, such as SEED, have access to an intranet version of the database. This allows them to search by the file title and file reference number if known. Since the Freedom of Information (Scotland) Act 2002 came into force on 1<sup>st</sup> January 2005, RMB has learned that the intranet search facility is inadequate and that other approaches are required to take account of issues such as incorrect titling or spelling errors. RMB now provides searches on file cipher, theme, sub-theme as well as the file title. It is also possible to export data from IMPReS to the Excel spreadsheet software package so that the Excel search facilities can be used.
63. As a result of the development of the search methodology and the screening out of irrelevant records, it is not possible to make a direct comparison with the statistical tables for the original search by institution names and keywords. However, the report on our search (attached at Appendix 3) does yield the following information:
- 67 records were identified by the search. The file references and titles are consistent with those found by SEED, except that the follow up search found more records for Quarriers Homes than had been found previously. RMB advises that it has no record that SEED asked for this institution to be searched for in the original search.
  - There are fewer records for Springboig than in the original search because RMB screened out records that had been examined and were found not to be relevant.
  - The report provides very detailed information about the date each record was opened, the date it was closed, file number, action taken (cancelled, destroyed, transferred), the date action was taken and who this was authorised by.
  - No date is given for the opening and/or closure of 26 records. 2 records (dated between 1978 and 1983) are marked “presumed destroyed – location unknown”. These are the only incomplete entries in the search report.
  - The search covers records that were in use between 1971 and 2002
  - Most individual records were in use (i.e., not closed) for less than 10 years, the vast majority were open for less than 3 years.
  - 3 records were transferred to another agency – these relate to staff training and this is documented.
64. The search report provides important evidence of robust current records management practices in the Scottish Executive. An audit trail is provided for each record for its lifecycle from creation to disposal. It would be unreasonable to expect the system to provide full details of the records which were created before the development of the records management manual, but as much available information has been entered to the system about these records as possible.



## Scottish Executive Records Management Policy and Practices

65. Scottish Executive records management policy and practices have changed considerably over the last century and this is significant for this examination as SEED has been attempting to trace records from as long ago as 1940. Good records management practice requires that organisations operate consistent and sound procedures for the maintenance and disposal of records. Although there has been legislation covering the management of public records since 1937, this legislation is very permissive and public authorities are therefore responsible for the design and implementation of their own policies and procedures.

### Arrangements since 1997

66. The Public Records (Scotland) Act 1937 allows, but does not require, any Scottish government department to transfer its records to the Keeper of the Records of Scotland for safekeeping and permanent preservation. NAS is an agency of the Scottish Executive. NAS is headed by the Keeper of the Records of Scotland, who is responsible to the Scottish Ministers for records transmitted to him under the provisions of the Public Records (Scotland) Act 1937 and under section 3, of the Public Records Act 1958.
67. The current Scottish Executive Records Management Manual, introduced in 1997, requires that a record is normally retained for 5 years after its closure and is then reviewed by the Scottish Executive's Records Appraisal Unit. If a decision has been to retain a record as a result of the first review, it will be necessary to review it for a second time. The second review is scheduled for up to 25 years after the date of the first document in the record.
68. Established in 2001, the Records Appraisal Unit (RAU) of the Executive's Records Management Branch (RMB) conducts the reviews in conjunction with the records disposal schedule which should be agreed with each department. The department is not, however, actively involved in the review itself. The schedule is used to determine whether a record should be retained or destroyed. Prior to 2001 the disposal decision was made by the department. Some of the records in the search report at Appendix 3 appear to have been authorised for destruction at department level after 2001. This is explained, however, as the review outcome may be a recommendation to destroy at some later date e.g., 5 years from review. Branch authorisations for destruction after 2001 relate to decisions which were taken by branch staff to "forward destroy". NAS has a role in inspecting the lists of records marked for destruction by the RAU and can rescue records from this process if appropriate. It can also review recommendations about archival preservation.



69. RMB may need to examine the contents of older records which do not fit the appropriate category listings contained in the records schedule. No decision on the disposal of a record is based solely on the record title. The options at disposal are destruction or permanent preservation. NAS confirmed that its representatives are actively involved in the decision to dispose of records. No record is destroyed without consultation with NAS. Occasionally NAS will disagree with the reviewer's list of recommendations for destruction or preservation. Where the Executive feels the record should be preserved, but NAS disagrees, the department owning the record is consulted by the RAU. If there proves to be no continuing business need for the record, it is destroyed. Otherwise a further period of retention is agreed with the department. Where NAS disagrees with a recommendation for destruction, the record is released to NAS and is preserved.
70. NAS holds SEED historical records dating back to the 1880s. This holding is likely to represent only a small proportion of all the records that were created and maintained by SEED and its predecessor, the Scottish Education Department. At present, only around 2% of the Scottish Executive records are transferred to NAS for permanent preservation after inspection by NAS staff<sup>3</sup>.

### Practices pre-1997

71. In the absence of a comprehensive records management policy for the period prior to the late 1990s, it is not possible to estimate the number of records that were held by the department or in the Scottish Executive's Central Store. Only minimal information is available about records management procedures for the period 1940 to 1975 at department level and therefore I cannot comment on whether the department's disposal decisions were consistent with its policy.
72. However, there are some clues to the robustness of the Scottish Executive's past practices. Records now held by NAS throw light on the development of records management procedures in the Scottish Office<sup>4</sup> in the aftermath of the publication of the Public Records Act 1958. This legislation applied only to UK government departments, but there are indications that Scottish Office staff aimed to meet the spirit of it. The Act made provisions regulating the preservation, location, or destruction of records, with a "simple system" for the continuous review and destruction of accruing records.
73. Records dating from the 1960s show that the Scottish Office was concerned by the absence of a regular system of review, destruction, and transmission (to the Scottish Record Office) of its records. Management of departmental records was conducted mainly by issuing ad hoc schedules. Dormant or "dead" records were likely to be housed in locations in poor conditions and subject to dust, damp and rodents. There was a danger that records would be reviewed by junior staff with little training which may have led to unauthorised destruction of records.<sup>5</sup> Furthermore, circulation of literature from the Treasury, based on the Public Records Act 1958, to Scottish Departments which it did not

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<sup>3</sup> The National Archives of Scotland, Annual Report for the Keeper of the Records of Scotland, 2003-2004, p 13.

<sup>4</sup> The predecessor organisation of the Scottish Executive

<sup>5</sup> NAS, G/200/pt 1, report dated 26 May 1960



apply, confused the issue of records management and may have led to unauthorised destruction of records.<sup>6</sup>

74. By 1961, the introduction of the 1958 Act, the growing backlog of records in the Scottish Office which awaited review and retention or disposal decisions, and shortage of storage space prompted the Scottish Office, in conjunction with the Keeper of Records for Scotland, to set up the Brockway Interdepartmental Committee to introduce improvements to the existing records management practices. The terms of reference of this committee were to examine the extent of the records held by a number of departments, including the Scottish Education Department (SED)<sup>7</sup>, and to propose a scheme on the review and disposal of records.<sup>8</sup>
75. The Committee recommended a scheme which required the appointment of a Departmental Record Officer, simple arrangements for destruction of records, and provision for transfer of records that may be of historical interest to the Public Records Office (or NAS as it is now) for permanent preservation. The scheme also provided for two reviews in the life cycle of a record, one at 5 years after closure of the record and the second review at 25 years after the date of the first paper in the record.
76. A report on the progress of the Brockway Scheme some years later (this document is not dated) is critical of the failure of the Scottish Education Department to fully implement an initial review of the branch records. The report points to competing work pressure, shortage of accommodation for central storage of records selected for retention, and general apathy of the staff as the factors contributing to failure of the department to meet its review targets.<sup>9</sup>
77. A record entitled "Review of Records post 1970"<sup>10</sup> (held by NAS) provides insight into the success of the implementation of records management practices across the Scottish Office and within the Education Department by the early 1970s. Correspondence between staff of departments and records officers shows that there continued to be difficulties with implementation of the Brockway Scheme in 1972. Officers describe a catalogue of inconsistencies and poor attention to records management by different departments, including lost and missing records and inappropriate destruction practices. In 1968 SED was unable to supply any figures for inclusion in the Scottish Office response to a Parliamentary Question about the number of records held.
78. The Keeper of the Records of Scotland's Annual Report 1969 was critical of the slow progress made by Scottish Departments in reviewing a considerable backlog of records. He advised that all records **must** be reviewed and transmitted to the Scottish Record Office before they are 30 years old.

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<sup>6</sup> NAS, G/200/ pt 1, letter to Sir William Murrie, dated 26 June 1960

<sup>7</sup> The predecessor organisation of the Scottish Executive Education Department

<sup>8</sup> Central Services (Scottish Office), Record title: Brockway Scheme ref SOE4/97 (SO cipher SGC/7/1/pt1)

<sup>9</sup> NAS, Brockway Scheme

<sup>10</sup> NAS reference SEE4/44 (SO cipher ref SGC/7/3/pt1)



## Conclusions

79. The Minister asked me to examine what the Scottish Executive has been doing to trace and open up its records. He wants me to verify that the Executive has been taking all reasonable steps to be open.
80. I have examined SEED's account of the approach to tracing the records above and have tested that approach. I have also looked at records management issues which have affected the information that is available. In assessing whether the Executive has taken all reasonable steps to trace records, I have considered a number of questions:
- Was the task well defined?
  - Was the methodology robust and comprehensive?
  - Was the search well managed?
  - Were sufficient resources allocated to the task?
  - Did the search achieve the expected outcomes?
81. While SEED officers have been most helpful in explaining the search, this examination has suffered from a lack of contemporaneous hard evidence about the management of the project from its inception. The officers nominated by the department as contacts for my examination were not in post at the time that the project was commissioned. I am particularly grateful therefore for the retrospective report provided by Officer 1 who has moved to work in another division within the department. She was not, however, the commissioning officer and was therefore unable to provide me with the policy and management context for the search. One senior officer did offer his view to my officers that the process of the search had been "iterative". A dictionary definition of the verb "to iterate" is: **1** perform or utter repeatedly. **2** make repeated use of a mathematical or computational procedure, applying it each time to the result of the previous application. My understanding of this statement is that a procedure was applied each time to the result of the previous application, further refining the outcomes. If this is a correct interpretation of his statement, I concur with this assessment of the work. There is evidence that the search did change and develop over time and lessons were learned along the way. Officers did go back and search again for information, in both NAS and at the Scottish Executive, using new keywords each time. This is a valid approach to working on a matter where the original criteria are not immediately clear. However, there is also always scope in such an approach that some information may have been missed along the way and there do not appear to have been checks and balances to ensure that the department used their learning to go back and remedy any omissions during the process.



82. The project appears to have been initiated in response to media interest in the subject of abuse in residential children's homes and schools which generated 20 information requests from individuals for records held by the Scottish Executive. I note that at around the same time, the Public Petitions Committee was considering Petition 535 which called for a public inquiry into abuse of children in institutions. Political interest in that petition increased over the period leading to the Scottish Parliament debate in December 2004 and this may well have been the impetus for widening the scoping exercise. The search criteria used have not been written down and the process itself has not been documented. While this lack of an audit trail has caused me difficulties in undertaking this examination, there are other more significant implications of that lack of evidence:
- SEED personnel assigned to the search task and their managers changed during the course of the project. It is common practice within the Scottish Executive to move personnel within functions and departments on a regular basis. As this is custom and practice within the organisation, it is regrettable that new staff did not have the documentation from the beginning of a project to guide them in continuing the work. Throughout my examination of the search, officers have advised that they used "apparent relevance" as their criterion for the selection of records from the search lists. This was a subjective judgement and at least two different officers have been involved in making it during the search. There was a real danger that one officer's assessment would differ from another's, thus leading to inconsistency in the final results. To her credit, Officer 1 did initiate a check of her own assessment, involving Officer 2 and this did provide an opportunity to create some consistency.
  - The Minister's announcement during the Scottish Parliament debate included the following statement: "I want to make it clear that the Executive is absolutely determined to bring to the surface all the information and knowledge about what has happened that are in our possession and we encourage others to do exactly the same. I do not want anyone to believe that there is a conspiracy of silence that they might regard us as being part of." Clearly, documentation of the search criteria and process would have been useful evidence to provide reassurance that the steps taken were indeed comprehensive and robust.
83. Only Officer 1 was initially allocated to the task of scoping the search and she described real difficulties with the scale of that work as one individual member of staff. She understood her instructions were to scope the work that would have to be done to search for records, not that her work was the search itself. However the further implementation work that was carried out by additional officers was based on that initial work. It appears that an incorrect assumption was made that the scoping exercise had been a full search of the NAS database and that therefore all the relevant records had been located. My officers, in replicating a sample of the original search, found relevant records in file series ED18 which had been overlooked by the scoping exercise.
84. It is, however, my view that SEED has made a sustained effort to locate relevant records. In particular, it should be noted that the task included significant practical obstacles, including:



- The sheer scale of the Scottish Executive's records holdings, both at the centre and at NAS. These records are so voluminous that it is common practice to measure them, not by numbers of individual records, but by the metres of shelf space they take up in store.
  - Past records management practices were less robust than the current system, particularly in the maintenance of records registers. The information held on the IMPReS database for old records is entirely dependent on the quality of the information that was available at department level at the time. In turn, NAS is entirely dependent on the quality of the records which are submitted to it.
  - The Scottish Executive's records for institutional care and education are not about individuals, but tend to be policy papers and inspection reports. The names of individuals rarely appear in the records and certainly are not in the titles or descriptions on the NAS and IMPReS databases. The records also contain large volumes of information, including laundry lists, annual reports, medical consent forms and lunch menus. This ephemera would usually be considered irrelevant in an official record of business. The existence of such information in records appears to be due to the decision-making of individual record holders. Some officers appear to have retained almost everything that was ever sent to them, even where unsolicited and tangential to their business. However, it should also be noted that these records are very much of their time and that the existence of apparently unrelated material in historical records is often what gives insight to the cultural and social values of the period in question. I do not intend to be critical of the content of the records – they contain what they contain. However, it is important to note that the contents are not focused in the way that might be desired by an individual searching for information about their own education or care.
  - Titles can be misleading: often records are named by a generic title e.g., School Inspection Reports, rather than by the name of the institution. The NAS database describes the actual contents of the records and this is generally more helpful than the IMPReS database which contains the title and description provided by the officer who created the record in the first place. RMB does occasionally rename records (the process described as “cancelling”) and this is helpful when the title is at odds with the content. The original title is maintained in the log for the record.
  - There was a lack of clarity about what officers were to look for in the records holdings. They were to look for anything relevant under the name or type of institution, but the definition of “relevant” was very broad indeed and was, at the end of the day, a subjective judgement.
85. The greatest single obstacle encountered in the Scottish Executive's search, however, was the mismatch between expectations, the volume of records available and their actual contents. The content of the records found is explored in greater detail in the next section of this report. However, it is clear to me that SEED officers were looking for “needles in a haystack”. My conclusion is that they did make a significant effort to do this and to introduce some systematic methodology to the search. When SEED officers were asked if they had any sense of when the tracing of records would be complete, their response was that they didn't know yet. The department has now been actively engaged in this exercise for more than 2 years.



## Opening the Records

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86. The second phase of the work by SEED from early 2004 involved the recall of the records already identified, through the searches, as relevant from the NAS holding and that of the Scottish Executive's Central Records Store. Officers were looking for:
- Information that might be used to respond to the requests for information already received
  - Personal information that should be redacted from the records before they could be made available on open access
87. They also aimed, through the process, to get a better general understanding of the information held, both at NAS and the Scottish Executive.
88. A small team of staff was appointed to undertake the review of the records and to redact them as required. "Redacting" is a process of blocking out or deleting specific information from documents. The redaction process used by SEED involved first photocopying the entire record, blocking out information on the photocopy with a marker pen and inserting a code representing the name of the individual concerned against each item. The photocopy was then copied again so that the reader could not determine any of the redacted information from the second copy. The original record is retained as the master copy for permanent preservation. SEED retains a master key of the codes and is able to advise individual enquirers of the code given to their name so that they can identify themselves in the records.

### Review of Records held by NAS

89. In February 2005, SEED confirmed that it had examined a total of 751 records from the total of 3,014 in the relevant ED series, including records on children's homes and approved/List D schools. It should be noted, however, that records from the series ED39 were not examined as they were not considered to be relevant at the search stage. 331 of the records examined have been fully redacted and retained on the premises of SEED at Victoria Quay and are ready for public inspection. The remaining 420 records were found not to contain any personal data and have been returned to NAS as open records and are available there to members of the public for inspection.
90. A larger proportion of records from ED15 Approved Schools/Remand Schools series has been reviewed than from ED11 Childcare and ED 28 Special Education series. By December 2004, as part of the redaction process, the following number of records had been reviewed in each of the series:
- ED11: 159  
ED15: 476  
ED28: 71
91. Information has not been supplied about the further 45 records examined since December 2004.



92. My officers undertook a sample check of the contents of 30 records which have been redacted and held at Victoria Quay. The purpose of this examination was to determine the relevance of the records selected by SEED to this exercise and gain a better understanding of their contents. The sample was deliberately selected to provide a cross-section of the records retained at Victoria Quay. It included records such as:
- Inspectors and social advisors' reports
  - Reorganisation and administration reports
  - Quarterly punishment returns
  - Committals reports
  - Complaints against staff and management
  - Ministerial correspondence regarding security policy, problems with staff and school discipline
  - Investigation of complaints against staff, and mental health / psychiatric services to approved schools
93. Detailed examination of the contents of these records enabled me to obtain a clearer understanding of their information contents and I make the following observations:
94. None of the records examined contain any structured personal records for individual children. It is essential to stress this point. The records were clearly never intended to hold structured records, not one of them holds a record on any child. Most records, however, contain some personal information relating to individual pupils or members of staff. Such information appears to have been recorded by Her Majesty's Inspectors of Schools in relation to specific incidents that were brought to their attention in the course of their work. It should be noted that at the time of the creation of the contents of these records, the Data Protection Act 1998 was not in force and therefore the privacy of personal information was not protected by legislation. These records are very much "of their time" and it is clear that information about individual children did pass freely between the institutions and the inspectors.
95. Inspection records usually identify the school's managers and staff. Significantly, inspectors' reports do sometimes contain comment about a headmaster's style of management or the school's disciplinary regimes. For example, one inspector made a direct reference to a particular manager's "brutal style of management". Pupils' names are usually found only in connection with specific incidents such as abscondments or alleged offences. Such information is usually anecdotal and contained in correspondence or notes within the records. However, some records contain quarterly punishment returns records submitted by headmasters of the approved schools to the Education Department. These documents are countersigned by the school's senior management and record the names of pupils, method of corporal punishment, reasons for the punishment and the names of staff administering and witnessing it.



96. The record titles do not always reflect the range of the contents. NAS will amend any misleading titles when these come to their attention. Catalogue descriptions for Scottish Executive / Office records are intended to give a brief summary of the contents to enable a researcher to determine which records are likely to be of relevance. They do not list all the types of documentation present in a record. For example, some records described as containing inspectors' reports contain not only standard reports but also minutes of meetings, psychiatric reports on individual pupils, miscellaneous correspondence, financial statements, staff lists, invitations to meetings, etc. It is therefore true to say that a record description cannot always fully reflect the contents. This characteristic may be attributed to the particular shortcomings and inconsistencies of past records management policies and practices. NAS records are preserved as they were transferred. Although the records contain much that will be of importance to researchers in the future, the variety of the record contents presents potential problems for anyone who intends to conduct a search for evidence of institutional child abuse. It means that there can be no substitute for a thorough examination of record contents, an extremely time consuming exercise.
97. There are inconsistencies in the time series of documents within the records. For example:
- ED15/396 Springboig St John's 1963-84 contains regular inspector's records for some years, but for the 10 year period 1968 to 1978 it contains no records at all
- ED15/339 St Ninian's 1960-80 contains H.M. Inspector's and Social Advisor's reports, but there are gaps for the periods 1960-62, 1970-76, and 1976-78. Either no records were created or the records were not preserved.
- ED15/394 General Inspector's Reports, Wellington School, 1964 -1984, contained no records for the period 1969-72.
98. The apparent gaps in these records may be due to:
- Deficiencies of the records management practices of the time: documents may not have existed, or if they did, they may not have been filed or retained in the record. Individual staff may have had different personal approaches to maintaining records
  - Changes in the frequency of inspections over time
  - Destruction or loss of parts of the records over time
99. A key finding from the audit of the records held at Victoria Quay was evidence of one missing record in those held at NAS and a further record that appears to have been mislaid during the course of review by SEED.
- ED15/394 General Inspector's Report, Wellington School 1964 -1984, contains a confidential report from the H.M. Inspector who visited the school on 16 March 1964 to conduct an inspection. The report begins with the account of an allegation made against a teacher by one of the male pupils, both of whom are named. The inspector refers the reader to an attached sheet for the details of the allegation. This attached sheet is missing from the record. Furthermore, the record contains no further reference to this incident.



ED15/335 Wellington School 1976, held the contents of another record ED15/355 Organisation of After-Care on Transfer to School Authorities, 1975-1980. The original contents of ED15/335 appeared to have been mislaid in the process of reviewing the records. My officers alerted SEED staff to this and I am advised that the records have been restored to their original file.

100. All records mentioned in this section are recorded in the NAS database but are currently held by SEED at Victoria Quay. They are all available for public inspection as redacted copies. This is explored further in the next section.

### **Review of Records held by the Scottish Executive**

101. SEED officers recalled the records identified as relevant in the search of the IMPReS database system. In total some 70 records were recalled from the 798 record titles identified by the search of the database. It should be noted that the search reports included many records which were clearly not relevant to the project, including planning issues and other matters. Officers examined the records for evidence of information relevant to their search, including the information sought in the information requests received.
102. My officers inspected a sample of 9 records from the 70 held by SEED to audit the approach to the review. The sample was selected to provide a cross-section of the records that had been examined by SEED. The contents of the records are summarised in the list below:
- Internal memos related to allegations of child abuse in one institution (1960-1976)
  - Information about the search for records
  - Ministerial briefings about making information available to survivors of abuse
  - Ministerial correspondence with MSPs about institutions
  - Personnel matters, including remuneration in an institution. This includes the names of staff and the positions held (1981)
  - Reports (various) about one institution and ministerial correspondence (1993-5)
  - Census returns for pupils at List D schools (1977-1985)
  - Information about prosecutions of alleged abuse, including court papers, press cuttings and correspondence with a local authority Director of Social Work
103. The majority of the information examined was recent, but the records did contain some information about residential childcare and education for the periods in question 1940-1975.
104. All records mentioned in this section are registered on the IMPReS database and are held by the Scottish Executive, either at central store or at SEED, Victoria Quay. These records are not available for public inspection, although the information they contain may be requested. This is further explained in the next section.



## Access Arrangements

105. In February 2005 SEED formalised the arrangements which give access to the historical records in relation to List D schools and residential children's homes. These arrangements include:

## Website

106. A page within the Scottish Executive's website provides an overview of the types of information available and advice about locating relevant records  
[www.scotland.gov.uk/topics/education/accesstoinfo/residentialestablishments](http://www.scotland.gov.uk/topics/education/accesstoinfo/residentialestablishments)
107. The page is accessed from the home page of the website under Topics – Education and Training. While the information contained is generally helpful, it provides only an overview of where the information is stored and how to access the NAS database. The implication of this is that the public is expected to undertake a full search and retrieval exercise comparable to that carried out by SEED, without help from experts at NAS and RMB. It would be very much more helpful, in my view, to provide the department's full list of the records (by reference, title and current location) found in the searches. This resource would be useful not only to individuals but to other organisations such as NAS.
108. The web page is not easy to find – it requires some prior familiarity with the Executive's website. The description "Exec info - residential establishments for children" is not an obvious title for anyone trying to locate the information. Also, a separate search of the website was unsuccessful for the following terms "residential establishments", "List D Schools", "child abuse" and this needs attention. The web page should be promoted more effectively and consideration should be given to working with voluntary organisations such as Who Cares and Barnardos to identify opportunities for this. INCAS also pointed out to my officers that few of their members or helpline users have access to the internet or the skills to use it effectively. Therefore some additional consideration should be given to making the information available in leaflet format through support organisations and possibly the National Archives of Scotland. I am advised that SEED has now provided funding to INCAS so that it can send information to its members.

## Arrangements for Information Requests

109. SEED offers assistance to track down relevant records and "aims" to respond to applicants within 20 working days. It should be noted that the Freedom of Information (Scotland) Act 2002 imposes a duty on Scottish public authorities to respond in full to requests for information within 20 working days. There is no scope to extend this deadline.
110. The records which were returned to NAS are open to the public under that organisation's usual arrangements. Records retained at Victoria Quay can be inspected by appointment only. There visitors will be offered photocopied versions of photocopies of the original record. My officers found that these are of poor quality, usually because the original itself was faint. Where an individual asks for any information about themselves, SEED officers are able to advise the applicant if their name has been found in the redacted records and, if so, the code that has been applied to their name and in which records.



111. SEED states that it will provide access to the redacted personal information in the records held at Victoria Quay only to the individuals whose names appear. Third party requests for this personal information will be refused except in the case of a court order. This section of the web page on the Scottish Executive website does not, however, explain the reason, required under the Freedom of Information (Scotland) Act 2002, for withholding this information, although it does imply use of the s38 exemption for Personal Information.
112. Following advice from the Chief Executive of Barnardos, SEED decided to provide support to individuals accessing records. Survivors of abuse can find the process of searching for information emotionally very difficult and SEED has arranged helpline support through Who Cares Scotland, an organisation dedicated to promoting the views of young people in care.

### Access to Information Audit

113. In order to test the provisions set out in the above section, I issued sample information requests to SEED, asking them to provide typical responses to them. SEED was asked to assume that:
- All the requests contained a name and address for correspondence
  - Requests 1 & 2 included payment of £10 and confirmation of the requester's identity, as would be required for a response to a subject access request under the Data Protection Act 1998
  - The Executive holds the information requested
  - Where the request relates to information about an individual, the Executive has found some information about that individual in the period identified.
114. The sample requests and a summary of the each response provided is given below:

#### Request 1

I was a pupil at X school during the period June 1960 to August 1962. I suffered abuse from a teacher during that time. I would like to see all information you hold about me at that school during that period and any other information which indicates what action was taken by the Scottish Office to protect children like me from abuse at that time.

The SEED's sample response is summarised as follows:

- £10 cheque returned as SEED does not intend to charge
- Copy of relevant papers provided
- Confirmation that requester's name appears in the records held at SEED
- Contact details to arrange an appointment to view the records relating to the information request but not specifically requested
- Contact information for NAS
- Information about the appointment of an independent expert
- Information about the Who Cares helpline



## Request 2

I was a pupil at X school during the period June 1960 – August 61. Please send me any information you hold about me during that period. I am disabled and unable to make a personal visit.

Summary of the SEED response

- £10 cheque returned as SEED does not intend to charge
- Copy of relevant papers provided
- Contact details to arrange an appointment to view the records relating to the information request but not specifically requested
- An offer for a friend or relative to access the SEED records on site on the requester's behalf
- Contact information for NAS
- Information about the Who Cares Helpline

## Request 3

Please send me copies of records XX and XX. I asked for these at the National Archives and was told that you hold these records

Summary of the SEED response:

- Copy of the papers requested provided
- Contact details to arrange an appointment to view records relating to the information request, but not specifically requested
- Information about the Who Cares helpline

## Request 4

I would like to see the originals (not photocopies) of records XX and XX which I understand are held by your department. I am willing to make an appointment to see these records.

Summary of the SEED response:

- Photocopies of the information requested, but redacted as sensitive information has been blocked out
- Contact details to arrange an appointment to view records relating to the information request, but not specifically requested
- Contact details for NAS
- Information about the Who Cares helpline



115. The SEED responses provided useful insight into the preparedness of the department for requests under the Freedom of Information (Scotland) Act (the Act) for the records and verified that the arrangements in place would meet the requirements of that legislation, with one notable exception. The response to Request 4 was a refusal of information requested. Personal information had been redacted from the information provided. The Act requires under these circumstances that the authority must issue a formal refusal notice (s16) and that this must provide:

- A statement of the exemption claimed in relation to the withholding of the information
- Advice to the applicant about their right to request a review of the decision

These were not provided in the response.

116. I am reassured, however, from the above exercise, that SEED has considered making the support arrangements available without prejudicing the rights of individuals to access the information within the statutory time frame under the Act of 20 working days. There is a sound rationale for providing the support service through Who Cares, but this must be only an additional service rather than any obstacle to access.

## Conclusion

117. I have examined the arrangements for opening the records to the public and found them generally to be adequate for the department's response to future information requests. The proof of that, of course, will only be in the actual practice. The Act imposes a duty on public authorities to respond to information requests within 20 working days, even where significant work is required to ascertain whether the information is held by the authority. SEED's stated "aim" is to comply with information requests within 20 working days. SEED has undertaken 2 years' work to trace the records it does hold and this will undoubtedly assist them in responding to requests in the future. SEED has put in place arrangements to meet the requirements of the Freedom of Information ((Scotland) Act 2002 and therefore I conclude that I do not require to consult with the Keeper over a practice recommendation under the Section 61 Code of Practice on Records Management. I do recommend, however, that SEED staff receive training in the issue of refusal notices to ensure that these comply with the provisions of the Act.

118. It is common that survivors of abuse encounter significant obstacles in accessing information about their time in institutions. The Scottish Executive's dedicated web site page is a positive attempt to provide advice on locating such information. However, as noted above, attention should be paid to making the page itself more accessible, promoting the guidance more widely and making more specific information available within it.



## Summary of Examination Findings

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119. The focus of my examination has been to assess whether the Scottish Executive has taken all reasonable steps to trace and open all historical records relating to institutional children's homes and residential schools in Scotland.
120. As indicated in my report, to come to a conclusion I have
- Examined the detail of the search conducted by the Scottish Executive and established an audit trail for this
  - Considered records management practices relevant to the records in question over a number of decades, including: records retention and destruction policy and practice; the registration of existing records; whether records had been destroyed or were missing; arrangements for transfer and preservation of the Scottish Executive's historical records to the National Archives of Scotland (NAS)
  - Examined current Scottish Executive records management policy and practice
  - Examined and tested the measures introduced by the Scottish Executive to open these records to the public
121. With regard to the tracing of the records, I find that the Scottish Executive Education Department (SEED) has been assiduous in its search for historical records held, both by the National Archives of Scotland and within its own organisation. In the use of the term "assiduous", I mean that SEED staff have demonstrated both perseverance and care in their work. Officers nominated to undertake the work have shown considerable personal commitment to locating the records. They actively sought input of colleagues from the Records Management Branch, the Office of the Solicitor to the Scottish Executive and the National Archives of Scotland.
122. The task of locating the records was not, however, straightforward. It was hampered by the nature of the records holdings themselves. Officers had to deal with large volumes of records containing unstructured information.
123. Inevitably, there are aspects of the search which might have been done more effectively and in my view it was unsatisfactory that the search procedures were not documented along the way. This has led to inefficiencies as to what should be searched for and confusion as to what had been searched for. Maintaining a better audit trail would have provided demonstrable evidence of the robustness of the search processes as well as assisting continuity in the department's approach.
124. Over 2 years of systematic searching has gone on and the task is not yet concluded. In carrying out searches as part of my investigation I have identified files which should have been identified and recovered by SEED. However such instances should not detract from the considerable success in recovering relevant records from millions of files stored over the past 60 years.



125. It is essential, however, to appreciate that simply having unearthed records relevant to the search criteria does not mean that they contain information of any significance to those interested in them.
126. Interest in the records had been generated from 3 different sources: media, former residents of institutions and the court. In each case, there was an expectation that the Scottish Executive held structured records relating to individual children's time in individual establishments. I can verify SEED's findings that the files uncovered do not contain such records and given the exhaustive nature of the search it is reasonable to conclude that they are simply not held.
127. Does that mean records are missing? The issue of missing records or gaps in records was raised by several Members of the Scottish Parliament during the course of their debate on institutional child abuse in December. The tracing of relevant records has also been a considerable practical issue in the action currently being considered by the Court of Session. The availability of records has been continuing concern of members of INCAS.
128. The definition of "missing" is clearly important and I have given much consideration to this matter. It tends to imply that the record did at some point exist and that it has been lost or destroyed. In my sample examination of the NAS holding at Victoria Quay I identified that one document was missing from a record and that the contents of another had been mislaid. I did not, however, find any other evidence of this.
129. I did, however, find that the records lack consistency. I have described the Scottish Executive historical records of institutional childcare and education which are now held by the National Archives of Scotland. As historical records, they are very much "of their time". They contain information which is not appropriate to our modern assessment of official records. This is not a criticism of those records, but it is important to note that they rarely contain the very information that is sought today. They contain large amounts of miscellaneous material and there are gaps in the series of documents within them. It is also not clear what they *ought* to contain beyond reports of statutory inspections and even the timescales for these are not clear. I did find occasional, stray references to individual children, but these appear to have been gathered more by chance than any overall design.
130. A key question is therefore what information ought to have been held and by which organisation? The answer to this may rely on interpretation of the responsibilities of different public authorities for the care of the children and for the management of the institutions. These responsibilities are so unclear that this is the subject of a current deliberation by the Court of Session in the case of *McEwan v Hendron*. I expect that this will also be an issue to be considered by the independent expert appointed by the Scottish Executive to look at the wider issues of institutional child abuse.
131. What is apparent from this examination is that there is very little evidence that the records held by the Scottish Executive contain the information that would meet the hopes and expectations of members of INCAS and their helpline users. However, the scraps of personal information held in government records may be all that is available and therefore they assume a great importance to individuals.



132. This will inevitably be disappointing reading for anyone who wants to find a personal record of their stay in a residential education or childcare institution. However my task has been to examine what efforts have been made to establish what is actually held by the Scottish Executive about those institutions. I am satisfied that the effort, notwithstanding some deficiencies, has been considerable and thorough.
133. This conclusion is underpinned by the examination I have made of the Scottish Executive records management policies and practices. The authority has a robust audit trail for its modern records and procedures in place for the management, review and disposal of those records according to pre-determined timescales. I have considered these arrangements in the light of the current expectations of Scottish public authorities since the passage of the Freedom of Information (Scotland) Act 2002 (the Act) and its associated codes of practice. In these respects, the authority has the necessary elements to meet the requirements of the Section 61 Code on Records Management. The RMB has also taken considerable steps to apply good practice to the management of historical records. The Branch incorporated the information from pre-existing departmental records registers into a new database when it was established; file references and other details about the holdings are updated as necessary during the review process.
134. Finally my examination has also looked at the arrangements put in place by SEED to give access to the records on institutional childcare and education in future. The performance of the authority in responding to requests for information held in its files would not be satisfactory under the Act, and in particular the delay in giving a substantive response to individual requesters would be unacceptable. I therefore have sought to establish whether requests made now would accord with the new rights. I find that the department is now in a position to respond to information requests about those records within the statutory period of 20 working days and that this is a considerable advance from the position in July 2003. In addition, personal support is available to individuals seeking information about their own experiences in institutions. I have suggested, however, that the department could further develop the information that it provides to applicants, specifically:
- Improved access to the information on the Scottish Executive website
  - Provision of the file references and titles from the records searches
  - Development of a leaflet or factsheet to assist individuals to search
135. My overall conclusion is that the Scottish Executive has taken all reasonable steps to trace and open all historical records relating to institutional children's homes and residential schools in Scotland.



## Glossary

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IMPreS	Scottish Executive computerised file tracking and retrieval database
INCAS	In Care Abuse Survivors
NAS	National Archives of Scotland
OSSE	Office of the Solicitor to the Scottish Executive
RAU	Records Appraisal Unit (of the Records Management Branch)
RMB	Records Management Branch (of the Scottish Executive)
SED	Scottish Education Department
SEED	Scottish Executive Education Department



## Appendix 1

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### SCOTTISH EXECUTIVE

Education Department  
Children and Young People's Group

Looked After Children & Youthwork  
Victoria Quay  
Edinburgh EH6 6QQ

Telephone: 0131-244 5479  
Fax: 0131-244 3547  
Gerald.byrne@scotland.gsi.gov.uk  
<http://www.scotland.gov.uk>

Your ref:  
Our ref: KNX/1/56

20 June 2004

*Den*

Further to your enquiry of 22<sup>nd</sup> July 2003 you may be interested to know that the Executive has today replied, in the following terms, to the Convener of the Public Petitions Committee regarding petition PE535 from Mr Christopher Daly. A copy of the original petition is attached.

Recent criminal convictions show that abuse took place in residential establishments in Scotland. Any case of child abuse is unacceptable. Abuse of vulnerable children in institutions which should provide them with safety is particularly deplorable.

In deciding whether to hold an Inquiry into allegations of historic abuse in residential children's homes, we first considered what we were already doing to:

- Minimise the risks to children currently living in these homes
- Provide high quality support to adult survivors of past abuse
- Ensure survivors have full access to their legal rights and remedies

We then considered whether an Inquiry would prevent future abuse, help meet the needs of survivors, or be in the wider public interest. On balance, after very careful consideration, we decided that it would not. Our reasoning is as follows:

**Minimising the risk of abuse to children and young people currently in residential establishments in Scotland.** Following inquiries and reports into residential establishments, we have taken steps to improve the protection afforded to these vulnerable children. Since 1995, HM Inspectorate of Education has carried out regular inspections of boarding schools and hostels. From April 2002 the Scottish Commission for the Regulation of Care has regulated and inspected care homes for children. The Protection of Children (Scotland) Act 2003 is being implemented to provide a list of persons unsuitable to work with children in either paid or unpaid employment. We are undertaking an extensive Child Protection Reform Programme, following the publication of *It's everyone's job to make sure I'm alright* in November 2002. That programme will provide extensive advice and guidance, staff development and a rigorous inspection regime. Most recently, in March 2004, we issued *Protecting Children and Young People - The Charter* and a Framework for Standards to help translate the Charter into practice. These set out what children, their parents and





together, these measures will provide much greater protection for all children, including those living in residential care homes.

**Providing high quality support for survivors of past abuse.** Ministers are anxious to do the right thing by the survivors of past abuse. A short life working group to consider the detail of what is needed was established by Malcolm Chisholm to look at services for adult survivors of childhood sexual abuse. It hopes to report to Ministers early in the autumn. On receipt of that report, Ministers will consider the detailed actions that will be required by them, and by local statutory and voluntary agencies, to meet the needs of survivors.

The remit of the working group is broad, and goes beyond those who were abused in the setting of a residential institution. It is considering the best ways for designing and delivering services for survivors. There is broad consensus among the Group that there are key areas for improvement in both statutory and voluntary sectors to enhance services for survivors. These include a general awareness campaign, improving training and education for professionals and key workers, and the need to build capacity within the voluntary sector agencies working with survivors which are bearing the brunt of referrals. The Group recognise that these and other issues require a coherent commitment to improve understanding of survivors' needs. While focused on survivors of sexual abuse, it is acknowledged that more can be done to improve the links with child protection, domestic abuse, and victims' strategies. We will also consider the application of recommendations for survivors of other forms of abuse.

**Ensuring that individuals who have suffered abuse have access to legal rights and remedies.** There are already a large number of civil claims currently before the courts, and the Executive has been asked to provide access to papers relevant to these cases. We want to be helpful and open to those who are pursuing their claims in this way, while taking careful account of due judicial process and making sure we do not inadvertently harm the interests of others.

We plan to make public the information held by the Executive on **List D schools and other residential establishments**. It is clear that these papers can be of help in these cases or that access to them can help survivors understand the background to the schools and their management. The Executive also wants to be completely open about the information we hold in relation to these cases to demonstrate we are not withholding evidence of abuse in these establishments or Government knowledge of such abuse.

However, the files contain personal details about pupils and teachers. We have a duty to protect the personal privacy of these individuals and we could not open the files for public inspection in their current form. Last year we closed some files that had been open to the public when it was discovered they contained such information. We are now in the process of 'redacting' relevant files. (Redacting is the process of blocking out names and other sensitive information so that files can be made public without damaging individuals' legitimate interests). This is a time consuming and complex process, but will allow us to make the information we hold publicly available.

We are also aware, having consulted organisations that have extensive experience of this type of work that it can be very traumatic for individuals to read files and papers relating to their experiences, whether or not they are named or suffered abuse. We are therefore planning support to be available to individuals who come forward seeking access to files. We will make files available as soon as possible, but not before the files have been redacted, and suitable arrangements are in place to support the individuals concerned. We hope to be in a position to make these files available by the end of this calendar year at the latest.





0131 244 5479 21/01/05 11.32 pg. 4  
whether an inquiry would prevent future abuse, help to meet the needs of survivors, or be in the public interest. We have given very careful consideration to this. We have concluded that, on balance, an inquiry would not achieve these purposes.

- We have taken a range of steps to improve the protection of children in residential establishments, based on the best evidence of what works, and do not believe that an inquiry into historical events would lead to further changes in current practice.
- We recognise that some survivors might welcome an inquiry, but also that others might prefer the issue was not raised in public because that would reopen old wounds. We need to find a way of meeting the needs of both sets of survivors. We are already considering what steps we can take to provide maximum support for survivors, targeted on their individual needs, and are providing as much information as we can to support any legal challenges that might be raised. Individuals are already pursuing their legal rights to compensation through the civil courts and we would need to be very careful not to jeopardise that process through an inquiry.

Finally, the public has a number of potential interests. They need to be reassured that such abuse cannot recur, that lessons have been learned, that survivors have the support they need, and that the legal process is able to take its course with full access to relevant information. We believe that the work described above would provide these reassurances. In addition, we consider that the holding of an inquiry would have an unpredictable impact on public confidence. It might be perceived as a means of ensuring there were no residual issues, but it might be perceived, mistakenly, as an admission that there were issues still to be resolved, and lead to an unfair and damaging loss of confidence in existing provision.

I hope you find this information helpful. Should you have any queries regarding the above please do not hesitate to contact me direct on 0131 244 5479.

*Yours sincerely*

GERALD BYRNE





## Appendix 2



### SCOTTISH EXECUTIVE

Education Department  
Children and Young People's Group

Looked After Children & Youthwork  
Victoria Quay  
Edinburgh EH6 6QQ

PERSONAL

Telephone: 0131-244 5482  
Fax: 0131-244 3547  
Shirley.laing@scotland.gsi.gov.uk  
<http://www.scotland.gov.uk>

Your ref:  
Our ref:

8 February 2005

Dear )

Thank you for your letter of 20 July 2003 providing details of the residential establishments you resided in and requesting access to any relevant records the Scottish Executive holds. I am very sorry that you have not received a reply before now.

As you will know from Gerald Byrne's letter of 25 June 2004 we have spent the last 6 months identifying those files we hold on residential establishments in order that we can make these available to view to anyone with an interest. We do not hold any personal files but do have files which relate to the management, running and inspection of some establishments. These files are now available to view.

Whilst many of them can be viewed openly at the National Archives of Scotland in some instances we have had to remove details which identify individuals (a process known as redacting). Redacting is the process of blocking out names and other sensitive information so that files can be made public without damaging individuals' legitimate interests. When a file is redacted each piece of information which is blocked out is given a code. When an individual contacts us we will be able to tell by looking at our master key of the codes if that person's name appears on any of the files we hold. If it does we will tell the individual and inform them of their personal code. This will allow them to access the files and read any personal information pertaining to them whilst protecting the rights of others.

Having completed this process and checked our records we have established that your name does not appear on any of these files. I am sorry if this is not the news you were hoping for.

We do however hold redacted files that relate to the establishment you resided in during the period you referred to; details of these can be found in the attached annex. These files are currently held by us here in Victoria Quay. If you would like to see any of these files please get in touch with Scott McDonald on 0131 244 4078 to make the necessary arrangements. Should you wish to bring someone along with you whilst you view these files you are very welcome to do so.





We also have files relating to other establishments and different time periods to those you mentioned in your letter, these are also listed in the attached annex. If you would be interested in seeing any of these files please let Scott know.

The National Archives of Scotland houses some information relating to residential establishments in Scotland. If you would like to see what information they hold you should contact The National Archives of Scotland, West Search Room, West Register House, 17a Charlotte Square, Edinburgh, EH2 4DF. Tel: 0131 535 1413 or e-mail [wrs@nas.gov.uk](mailto:wrs@nas.gov.uk) to arrange to go and view the files. Information created by the Scottish Executive/The Scottish Office or other public bodies and deposited with the NAS is open to anyone to view, unless subject to an exemption under Freedom of Information legislation.

Finally, we recognise that it can be very traumatic for individuals to read files and papers relating to their experiences, whether or not they are named or suffered abuse. People may also have questions about what they can do with the information they have found. We have therefore put in place a helpline. This local charge telephone service, run by Who Cares? Scotland, can be reached on 08448 000223. The helpline will initially operate on a Tuesday and Wednesday evening between the hours of 6 and 8pm.

I hope you find this information helpful.

Yours sincerely

**SHIRLEY LAING**  
Head of Looked After Children Branch



SE Approved  
Partnership



ANNEX

Name of List D School	File Number (and dates)
St Ninian's	ED 11/668 (1966-1968) ED 15/339 (1960-1980) ED 15/527 (1981-1982) ED 28/225 (1948-1961)
St Joseph's	ED 15/325 (1953-1969) ED 15/326 (1953-1976) ED 15/330 (1930-1974) ED 15/384 (1976-1983)

Feb-05/G:\Edi\Y P S CIYP & LAC\LACY Div Head\PS to Head of Division\Typing\REDACTION\Wlewing letters\



## Appendix 3

ESTABLISHMENT	FILE NUMBER	OPEN	CLOSED	FILE TITLE	CLASS.	ACTION TAKEN	AUTHORISED BY
ST NINIANS - GARTHMORE	QOE 96/22	10/05/2000	03/04/2001	PETITION OF DENNIS MCCOWAN, ERNEST PETRIE, ARTHUR MCEWAN		CANCELLED 03/04/2001	BRANCH
ST NINIANS - GARTHMORE	QOE 96/23	24/05/2000	03/04/2001	SUMMONS - ALBERT DUFF - ST NINIANS'S GARTMORE		CANCELLED 03/04/2001	BRANCH
ST NINIANS - GARTHMORE	QOE 96/23	24/05/2000	03/04/2001	SUMMONS - ROBERT MCEWAN - ST NINIANS'S GARTMORE		CANCELLED 03/04/2001	BRANCH
ST NINIANS - FALKLAND	HVH 268/1	01/01/1900	NO DATE	ST. NINIANS HOUSE OF FALKLAND FIFE		DESTROYED 01/01/1987	BRANCH
ST NINIANS - FALKLAND	HVH 268/1	19/12/1979	04/12/1979	ST. NINIANS HOUSE OF FALKLAND FIFE		DESTROYED 01/01/1989	BRANCH
ST JOSEPH'S - TRANENT	QOE 96/21	10/05/2000	NO DATE	PETITION OF ALAN LUNNY - ST JOSEPHS, TRANENT		CANCELLED 29/03/2001	BRANCH
SPRINGBOIG ST JOHN'S	CA 142/15/5/1	01/01/1990	22/05/2002	FUTURE OF LIST D SCHOOLS -MEETINGS WITH SPRINBOIG ST JOHNS SCHOOL		DESTROYED 22/05/2002	BRANCH
SPRINGBOIG ST JOHN'S	CA 51/4/1/5	13/01/1983	13/01/1983	SPRINGBOIG ST JOHNS SCHOOL-RATING & VALUATION		DESTROYED 22/05/2002	R.A.T.
SMYLLUM PARK	HVH 93/2	01/01/1900	NO DATE	SMYLLUM PARK SCHOOL LANARK - REPORTS		DESTROYED 01/01/1989	BRANCH
SMYLLUM PARK	HVH 93/3	01/01/1900	NO DATE	SMYLLUM PARK SCHOOL LANARK - GRANTS		DESTROYED 01/01/1989	BRANCH
THE DALE SCHOOL	CA 13/1/1 1983-84	03/09/1982	18/12/1987	DALE SCHOOL FINANCE ESTIMATES ACCOUNTS 1983-84		DESTROYED 20/05/2002	BRANCH
THE DALE SCHOOL	UAY10 TA/1/85	18/12/1984	01/01/1984	THE DALE SCHOOL CENTRE.		DESTROYED 17/02/2002	BRANCH
THE DALE SCHOOL	XVH 13/3/3	21/04/1983	01/01/1989	FUTURE FINANCIAL & ADMINISTRATIVE ARRANGEMENTS FOR LIST D		DESTROYED 01/01/1989	W.BRASH HEO
THE DALE SCHOOL	XVJ 4/2/060 PT1	01/03/1978	01/03/1983	COLLECTION OF CONTRIBUTIONS DALE SCHOOL		PRESUMED DESTROYED - LOCATION UNKNOWN	UNKNOWN
THE DALE SCHOOL	XVJ 4/2/060 PT2	02/06/1983	NO DATE	COLLECTION OF CONTRIBUTIONS DALE SCHOOL		PRESUMED DESTROYED - LOCATION UNKNOWN	UNKNOWN
OAKBANK SCHOOL	2RSS 002/011	21/06/2004	NO DATE	BUSINESS CASE OAKBANK SCHOOL		CANCELLED 232/03/2005	BRANCH
OAKBANK SCHOOL	CA 1/1/1 1980-81	14/08/1979	15/06/1983	ESTIMATES & ACCOUNTS OAKBANK SCHOOL FINANCE 1980/81		DESTROYED 22/05/2002	BRANCH
OAKBANK SCHOOL	CA 1/4/4/3	01/05/1986	01/05/1986	OAKBANK SCHOOL TELEPHONES		DESTROYED 22/05/2002	R.A.T.
OAKBANK SCHOOL	CA 1/5/6	06/03/1985	01/12/1985	OAKBANK SCHOOL ADMINISTRATION MEETINGS WITH DEPARTMENT		DESTROYED 22/05/2002	R.A.T.
OAKBANK SCHOOL	CA 142/15/5/6	06/06/1985	10/12/1985	FUTURE OF LIST "D" SCHOOLS MEETING WITH OAKBANK SCHOOL		DESTROYED 22/05/2002	R.A.T.
OAKBANK SCHOOL	CA 142/15A/1/6	04/10/1988	19/11/1993	FUTURE OF LIST D SCHOOLS RECOVERY OF GRANT OAK BANK SCHOOL.		DESTROYED 30/10/2002	R.A.T.
OAKBANK SCHOOL	IPB 3/6/TC/1	28/01/1975	28/01/1975	SCHOOLS AND TECHNICAL COLLEGES PERTH HIGH SCHOOL, OAKBANK ROAD		DESTROYED 14/01/2000	BRANCH
OAKBANK SCHOOL	IVC 4/32	18/11/1997	NO DATE	RESIDENTIAL CARE - OAKBANK SCHOOL		CANCELLED 02/02/1998	BRANCH
OAKBANK SCHOOL	IVC 5/26	05/10/2000	NO DATE	SECURE ACCOMMODATION - OAKBANK SCHOOL		CANCELLED 16/09/2004	BRANCH
OAKBANK SCHOOL	IVC 5/4	09/12/1996	NO DATE	SECURE ACCOMMODATION - OAKBANK SCHOOL		CANCELLED 09/01/1998	BRANCH
OAKBANK SCHOOL	KHG 14/25	16/05/1976	20/06/1978	PROPOSED DAY UNIT AT OAKBANK SCHOOL ABERDEEN		DESTROYED 04/06/2003	R.A.T.
OAKBANK SCHOOL	KWH 224/3	01/01/1986	01/01/1992	ANNUAL STATISTICAL RETURNS - TEACHERS OAKBANK SCHOOL		DESTROYED 01/01/1996	BRANCH
OAKBANK SCHOOL	MYN 5/59	15/10/1993	31/12/1993	SALE OF STAFF HOUSES TRO STAFF MEMBERS OAKBANK SCHOOL		DESTROYED 02/03/2000	BRANCH
OAKBANK SCHOOL	SOLS 357/2/28/12/11	18/09/1984	05/12/1988	ABERDEEN 38 WOODSTOCK ROAD ABERDEEN MR R. B RICE		DESTROYED 03/12/2003	R.A.T.
OAKBANK SCHOOL	XYE L/20/16	06/09/1976	01/01/1976	SCHEMED EDUCATIONAL ENDOWMENTS OAKBANK SCHOOL TRUST		DESTROYED 01/01/1986	BRANCH



ROSSIE FARM SCHOOL	E 51/84/154/N	01/07/1984	NO DATE	ROSSIE FARM SCHOOL AND DRUMBERINOT - ANGUS DISTRICT - TAYSIDE REGION		CANCELLED 19/08/1986	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	CA 122/4/10	NO DATE	NO DATE	KENMURE ST MARY'S SCHOOL		DESTROYED 13/07/2000	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	CA 142/15/5/9	06/06/1985	30/10/1986	FUTRURE OF LIST "D" SCHOOLS ST MARY'S KENMURE ST MARYS		DESTROYED 22/05/2002	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	CA 19/1/1 1987-88	11/07/1986	23/08/1988	SOCIAL WORK SERVICES ST MARYS KENMURE ESTIMATES AND ACCOUNTS		DESTROYED 20/05/2002	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	CA 19/4/2/4/5	09/08/1979	25/04/1989	KENMURE ST. MARYS SCHOOL-BUILDING & PREMISES. FENCING		DESTROYED 20/05/2002	R.A.T.
KENMURE ST MARY'S BISHOPRIGGS	CA 19/4/5	NO DATE	NO DATE	KENMURE ST. MARYS BOYS SCHOOL STAFF ACCOMMODATION		DESTROYED 17/11/1999	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	KLK 156/1	01/10/1985	NO DATE	OGILVIE WING - KENMURE ST MARYS		CANCELLED 05/03/1997	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	MYA 13/10	01/12/1990	20/07/1994	KENMURE ST. MARYS S. BOND		DESTROYED 01/03/2000	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	QIA 101/56	01/04/1998	NO DATE	SOCIAL WORK - ST JOSEPHS, ST MARYS AND KENMURE SCHOOLS		CANCELLED 20/07/1998	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	QKA 35/55 PT2	15/03/1991	NO DATE	SOCIAL WORK - DOMMUNITY CARE - ST JOSEPHS, ST MARYS AND KENMURE SCHOOLS		CANCELLED 09/06/1999	BRANCH
KENMURE ST MARY'S BISHOPRIGGS	XVH 13/5/1	01/01/1983	NO DATE	AUDIT KENMURE ST MARYS LIST D SCHOOL 1983		CANCELLED 01/01/1985	BRANCH
NAZARETH HOUSE ABERDEEN	KJF 22/19 PT1	26/05/1981	24/11/1986	NAZARETH HOUSE ABERDEEN SECONDMENT OF STAFF TO C.S.S. COURSES		DESTROYED DATE UNKNOWN	BRANCH
NAZARETH HOUSE ABERDEEN	KJF 22/19 PT2	NO DATE	NO DATE	NAZARETH HOUSE ABERDEEN SECONDMENT OF STAFF TO C.S.S. COURSES		TRANSFERRED TO CCETSW EDINBURGH OFFICE 31/3/1987	BRANCH
NAZARETH HOUSE GLASGOW	KJF 22/36 PT1	18/02/1983	24/11/1986	NAZARETH HOUSE GLASGOW - SECONDMENT OF STAFF TO C.S.S. COURSES		DESTROYED DATE UNKNOWN	BRANCH
NAZARETH HOUSE GLASGOW	KJF 22/36 PT2	NO DATE	NO DATE	NAZARETH HOUSE GLASGOW - SECONDMENT OF STAFF TO C.S.S. COURSES		TRANSFERRED TO CCETSW EDINBURGH OFFICE 31/3/1987	BRANCH
NAZARETH HOUSE LASSWADE	HVH 19/1	NO DATE	NO DATE	NAZARETH HOUSE, LASSWADE		DESTROYED 10/10/01	
NAZARETH HOUSE LASSWADE	KJF 22/22 PT1	31/07/1981	24/11/1986	NAZARETH HOUSE MIDLOTHIAN, SECONDMENT OF STAFF TO C.S.S.		DESTROYED DATE 01/01/1988	BRANCH
NAZARETH HOUSE LASSWADE	KJF 22/22 PT2	NO DATE	NO DATE	NAZARETH HOUSE MIDLOTHIAN, SECONDMENT OF STAFF TO C.S.S.		TRANSFERRED TO CCETSW EDINBURGH OFFICE 31/3/87	BRANCH
NAZARETH HOUSE LASSWADE	P2 PPA/LC/63	10/08/1981	01/01/1982	SITE FOR TIPPING MY NAZARETH HOUSE, MELVILLE DYKES LASSWADE		DESTROYED DATE 01/01/1988	BRANCH
QUARRIERS HOME	HVH 15/1 PT3	18/10/1971	15/10/1975	ADMINISTRATION - QUARRIERS HOMES - BRIDGE OF WEIR		DESTROYED 16/09/1997	R. CONNELLY
QUARRIERS HOME	HVH 157/1	NO DATE	NO DATE	QUARRIERS HOME OVERBRIDGE GLASGOW - ADMINISTRATION		DESTROYED 18/07/2000	BRANCH
QUARRIERS HOME	HVH 324/1	NO DATE	NO DATE	QUARRIERS HOMES MERTON HOUSE 6 MACKERSTON PLACE LARGS - ADMINISTRATION		DESTROYED 18/07/2000	BRANCH
QUARRIERS HOME	KHN V2/1	04/10/1972	04/10/1972	QUARRIERS HOMES MERTON HOUSE 6 MACKERSTON PLACE LARGS - ADMINISTRATION		DESTROYED 19/01/1998	BRANCH F.W.
QUARRIERS HOME	KHN V90/1	29/10/1991	25/10/1999	INTERMEDIATE TREATMENT - VOLUNTARY ORGANISATION - QUARRIERS		DESTROYED 31/10/2002	R.A.T.
QUARRIERS HOME	KHQ 3/9	08/07/1989	NO DATE	QUARRIERS / SCAFA INITIATIVE ON UNDER 5S		CANCELLED 01/01/1989	BRANCH
QUARRIERS HOME	KJF 15/3	11/03/1983	31/07/1986	QUARRIERS HOMES		DESTROYED 01/01/1991	BRANCH
QUARRIERS HOME	KJM 2/14 PT1	30/04/1979	14/04/1983	QUARRIERS HOMES		DESTROYED 01/01/1993	BRANCH
QUARRIERS HOME	KJM 2/14 PT2	15/04/1983	20/03/1983	QUARRIERS HOMES		PAPERS TRANSFERRED TO MYH/2/4 AND MYH/2/4/1	BRANCH
QUARRIERS HOME	KJM 2/14 PT3	20/03/1986	NO DATE	QUARRIERS HOMES		PAPERS TRANSFERRED TO MYH/2/4 AND MYH/2/4/1	BRANCH
QUARRIERS HOME	KNQ 1/22	01/01/1989	NO DATE	HANDICAPPED CHILDREN MCFARLANE HOUSE QUARRIER HOMES		CANCELLED 31/07/1989	BRANCH
QUARRIERS HOME	MYH 2/4	27/03/1985	12/01/888	APPOINTMENT OF TRAINING OFFICERS - QUARRIERS HOMES		DESTROYED 29/05/2002	BRANCH
QUARRIERS HOME	MYH 2/4/1 PT1	01/01/1986	31/12/1987	APPOINTMENT OF TRAINING OFFICERS - QUARRIERS HOMES PAYMENTS (ANNUAL SERIES)		DESTROYED 25/04/2002	BRANCH
QUARRIERS HOME	MYK 2/1	01/01/1991	19/01/1993	MARGINAL INTERESTS VOLUNTARY ORGANISATION GENERALE - QUARRIERS		DESTROYED 02/03/2000	BRANCH
QUARRIERS HOME	MYQ 3/23	01/01/1985	NO DATE	MR SABINE'S FILES - VOLUNTARY ORGANISATIONS - QUARRIERS		DESTROYED 01/01/1992	BRANCH
QUARRIERS HOME	QAE 3/8	01/01/1992	27/08/1992	COMMUNITY CARE - STRATEGY - EPILEPSY - QUARRIERS VILLAGE		DESTROYED 18/03/1998	BRANCH
QUARRIERS HOME	WDS 4/1	01/01/1974	01/10/1985	WELFARE OF THE DISABLED SPASTICS AND EPILEPTICS - QUARRIERS EPILEPSY CENTRE		DESTROYED 06/10/2000	BRANCH
QUARRIERS HOME	WDS 6/28/1	26/02/1986	01/01/1987	SENSE IN SCOTLAND, QUARRIERS HOMES, OVERBRIDGE PROJECT		DESTROYED 25/04/2002	BRANCH