

NORTH LANARKSHIRE COUNCIL**REPORT**

TO: Social Work Committee Operations and Services	SUBJECT: The Public Enquiry into the Shootings at Dunblane Primary School on March 13th 1996. Report by Lord Cullen.
FROM : Jim Dickie Director of Social Work	
DATE : December 16th 1996	
REF :	

1. PURPOSE OF REPORT

The purpose of this report is to :

- ♦ Inform Committee of the relevance of this report to Social Work, and of considerations from the Social Work Department which concern the Department in relation to the whole Authority.

2. BACKGROUND

The report was issued in October 1996, following the lengthy enquiry, presided over by Lord Cullen into the circumstances of the murder of 18 people at Dunblane Primary School on March 13th 1996.

The enquiry indicates a number of areas of importance for Social Work authorities, though comments made by Lord Cullen, and recommendations made in the report do not specifically refer to Social Work. The report does, however, include measures which concern dealing with people who pose a risk to others. Social Work has a direct concern with these matters. These concerns include contact with a significant number of such individuals as clients of the Social Work Department, and in the screening of those who seek to become employees or volunteers in positions which involve contact with children.

3. RELEVANT AREAS FOR CONSIDERATION

Relevant areas for consideration are :

3.1 Emergency Procedures - Sections 3.17 to 3.35.

The report highlights a number of areas where difficulties arose in the co-ordination of activity between agencies, and which should be considered in emergency planning.

A number of difficulties arose with regard to the use of communications equipment, and the lack of information given to parents in the early aftermath of the incident. The importance of speedy establishment of liaison teams, with access to information, who can support families and provide counselling, was emphasised in the report. There is already in place an Emergency Counselling Support Team, consisting of members of staff from the Social Work Department and Lanarkshire Health Care Trust.

Action :

Emergency procedures will be revised to take account of the comments made in the report.

3.2 Responsibility to Protect Children

The responsibility of agencies and authorities to protect children features throughout the document, but does not refer specifically to the Social Work Department.

Relevant considerations are noted in the Sections below.

3.2.1 Sharing of Information - Section 4.20

Although the Ombudsman found against Central Regional Council, and in favour of Thomas Hamilton, in relation to the cancellation of lets of Council property, Lord Cullen concludes that the judgement of the Ombudsman was not wholly satisfactory. The Ombudsman was considered to have entered into a consideration of the weight of the complaints made by parents before making a decision re maladministration.

The conclusion to be drawn from this is that the concern of the Ombudsman should have been limited to concerns of administration, and that the Local Authority properly gave weight to the concerns raised about Thomas Hamilton, when deciding to terminate the lets.

In Sections 4.6, 11.20, 11.21 to 11.46 and recommendation 27, the report refers to the need to set up a body to which voluntary bodies could be accredited, and which could undertake checks on the suitability of individuals to participate in activity with children and young persons. Proposals have been made by the Government in the recent discussion document 'On the Record In Scotland' which will lead to increased access to the Scottish Criminal Records Office for organisations who work with children and other vulnerable groups.

Sharing of confidential information between local authority departments and other agencies only takes place, currently, in certain prescribed circumstances. Risk assessment, often considering untested information, is a day to day issue in social work considerations. It is a consideration of risk factors, but is not an exact science. Examples where information would be shared are :

- In matters of child protection, where the sharing of information, between Social Work, Education, Health Services and the Police, about the child and those with whom the child has contact, will lead to a full and informed assessment of risk to that child. This would include situations where an individual is known to have been convicted of (in criminal proceedings), or found responsible for (in civil proceedings prompted by the Children's Hearings), harm to children, and is known to have come into contact again with children.
- Other situations where it is believed that an offence has been committed, or harm is being caused to a vulnerable individual by another person e.g. the mentally ill, those with learning disability, or vulnerable elderly.

In its response to the report, the Government has made no proposals which will provide information on those who have been found responsible for causing harm to children in Children's Hearings Civil Proceedings, far less the unproven concerns which related to Thomas Hamilton. These concerns were untested in any legal forum. Within North Lanarkshire, there is no structure which allows the sharing of information in relation to individuals who might seek contact with children, other than in the prescribed circumstances noted above.

Lord Cullen's conclusion arguably tilts the balance in favour of protection for the child, against the civil liberties of individuals, where allegations / complaints have been levelled, but have not been proven. This poses particular challenges for the Authority, in determining whether information, hitherto regarded as confidential for the individual should be shared between Departments, or further, with other organisations operating within the area of the Authority who recruit people to work with children.

There are considerable dangers to individual liberty in pursuing a course of action which involves establishing criteria for determining that a person poses such a risk, particularly where no legal proceedings have been involved, and for sharing this information.

Action :

The question of sharing both tested and untested information between relevant Departments within the Authority, other agencies, and voluntary organisations which provide services to children needs to be considered further, to establish clear policy. Departments and agencies which require to be involved are Social Work, Education, Housing, Leisure Services, Health Services, and Police. The implications will require consideration by Legal Services.

3.2.2 Social Work Response to Allegations - Section 5.22

This section notes that concern expressed by a Head Teacher about Thomas Hamilton's improper behaviour in relation to a pupil was sent to Bishopbriggs Social Work Office on March 1st 1996. Concern expressed about risk to children demands an early decision on the course of action to be followed, relevant to the particular circumstances. This might involve direct intervention by Social Work, referral to the Police for investigation, or a joint investigation between the two agencies. Clarity about roles and responsibilities is vital to effective work. The speed of response by the Social Work Department was slow, and though irrelevant to the outcome of the incident, emphasises the need for clear performance expectations of social work practice and procedures.

Action :

Procedures in relation to concern about risk to children have been circulated to relevant Social Work Units. The responsibility to adhere to procedures, in determining, at an early stage, a course of action relevant to the particular circumstances, has been emphasised to staff of the Social work Department.

3.2.3 Social Work - Care of Children

Associated with concerns about individuals who might seek involvement or contact with vulnerable children, the Scottish Office announced in June of this year that a review of arrangements, for protecting from abuse children who are cared for away from home, would be undertaken.

There have been a number of court cases and criminal justice investigations during the 1990s which suggest that the scale of abuse towards children in care has been higher than was generally appreciated. The Government has set up the Review to assess whether the safeguards that exist are the most effective that can realistically be designed to protect children.

The Review is being undertaken by a former Director of Social Work in Lothian Region. He will make recommendations for future action to the Minister of State.

Action :

The Director of Social Work will give consideration to the findings of the report, in relation to Social Work services in North Lanarkshire, and will report to the Social Work Committee as appropriate.

3.3 Security and Health and Safety - Sections 10.3 to 10.18

These sections reflect on the responsibilities of employers in relation to Health and Safety. Although the discussion concerns schools, and possible measures to ensure future school safety, the issue highlights the responsibilities of all public services to ensure the safety of staff and clients making use of services. Health and Safety legislation demands a full risk assessment of all aspects of employment.

Social Work deals with a significant number of dangerous clients, but has sought to strike a balance between accessibility to services for the public, and the protection of staff and others. Difficulty

remains, however, in dealing with individuals who pose a risk to others, and incidents which have occurred within North Lanarkshire, in recent years, include the stabbing of a senior Social Work manager within an interviewing room in one of the Social Work Area Offices, and the murder of a General Practitioner in his surgery. It would be helpful if there were a consistent policy and procedures across North Lanarkshire in relation to the risk of violence to staff.

The Dunblane incident demands a reconsideration of safety measures in all public buildings, but the inherent difficulty to be faced is whether buildings should be made so secure as to be able to prevent an extreme situation like Dunblane, or whether to maintain the balance that has been achieved to date. The provision of additional security to ensure the former undoubtedly carries a high cost in additional resources. Central Government appears unwilling to support significant investment in the provision of additional safety measures for public buildings, but the following measures have been employed to ensure safety :

- ♦ The establishment of policies and procedures in relation to Violence to Staff.
- ♦ Review of reports made by staff in relation to violent incidents, to improve arrangements for safety.
- ♦ Safety measures in offices e.g. alarms in interview rooms, security locks to limit access.
- ♦ Precautions taken in relation to individuals who have been seen to pose a risk to staff e.g. interviews being held in offices rather than home / the client being seen by two members of staff / the provision of mobile telephones and personal alarms.

Action :

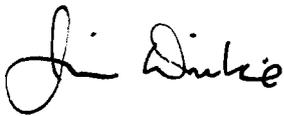
A reassessment of the balance to be found between security of buildings and reasonable access needs to be undertaken for all Departments, informed by the opinion of elected members.

Consideration should be given to the development of an Authority wide policy and procedures relating to violence to staff.

4. RECOMMENDATION

The Committee is asked to :

- Note the action already taken by the Director of Social Work in relation to ;
 - Emergency procedures.
 - Procedures relating to risk to children.
 - Violence to staff.
- Consider the implications of this report in relation to :
 - The use of information concerning individuals who may pose a risk to others.
 - Security within public buildings,
 - Development of Authority wide policy and procedures in relation to violence to staff.
- Note that the results of the Review of arrangements for the protection of children in care will be reported to the Committee when available.



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December 16th 1996

For further information on this report please contact John S Scott, Principal Officer (Criminal Justice) (TEL: 01698 332029)