

Terms of Reference

Learning Lessons Review of safeguarding practice at Corpus Christi School prior to and after the murder of Ann Maguire by William Cornick

Revised Final 05.10.15.

Introduction

This document sets out the purpose, scope of and Terms of Reference for the Review commissioned by Leeds Safeguarding Children Board (LSCB) following the decision made by the Independent Chair on 20th March 2015 to undertake such a review. It has been revised following a decision to stand the Lead Reviewer down after representations made by Mr Maguire and concerns expressed by Mr Maguire to the Secretary of State at a meeting with her on 21st September 2015.

Background

Mrs Ann Maguire, a teacher at Corpus Christi School in Leeds was murdered in the classroom by a pupil, William Cornick, on 28th April 2014. At the subsequent trial of 4th November 2014, William Cornick was sentenced to a minimum of twenty years in custody before any consideration of release. An appeal held at the Court of Appeal on 29th January 2015 against the minimum length of sentence was rejected by the Lord Chief Justice Lord Thomas and two other judges.

Subsequent to the murder the matter was reported to the LSCB through a Sensitive Incident Notification. Although the criteria for reporting the incident as a Serious Child Care Incident were not met, the LSCB took the view at the time that it should be treated in the same way, given that a significant number of children were involved, and that William Cornick was 15 at the time of the murder. The murder of a teacher by a pupil in the UK within a school is believed to be without precedent. Worldwide, such one on one killings are rare with two reported instances of recent times in 2013 in the US states of Massachusetts and Nevada. One incident is recorded in the UK relating to the murder of a Headteacher outside the school grounds.

The scoping exercise was considered by the Serious Case Review Sub Committee in February 2015 and a report submitted to the Chair on the basis of the exercise and considerations.

The Independent Chair's decision

The Independent Chair decided that:

- The grounds for conducting a Serious Case Review are not met
- There is merit in undertaking a two stage Learning Lessons Review
- An Independent Lead Reviewer be appointed to undertake that Learning Lessons Review
- The review should begin with a full document desk top review
- The two families (Cornick and Maguire) be invited to contribute by meeting the Lead Reviewer

- The relevant teaching unions be involved to represent the interests of the school community
- The Lead Reviewer then facilitates a joint debrief and learning lessons event with all those statutory partners involved following the murder
- The Lead Reviewer then reports to the LSCB on the lessons to be learnt (if any)
- The LSCB publish the report, and their response to it.

Purpose of the Review

This review is intended to fulfil two functions. Firstly to identify what, if anything, can be learnt about how well children and young people in the school, and the adults teaching and caring for them, were safeguarded prior to the incident. This should include consideration of whether the incident could or should have been prevented by the actions of any relevant agencies or professionals.

Secondly to review how well agencies worked together in response to the incident, how well children and young people were safeguarded during the emergency, and what can be learnt about how best to safeguard children and young people during emergencies. The learning gained from both stages is to be shared with all agencies in the city and nationally, in order to inform and develop practice as needed.

Scope of the Review

These Terms of Reference set out the approach being taken to the review which is to take place in two stages.

Stage One (the review of safeguarding prior to the murder) will include a desktop review of all records held as follows:

- The material made available through the police investigation
- The material relating to the work of the Youth Offending Service in relation to William Cornick from the period he first became known to them to June 2015
- The Court evidence, witness statements, reports by experts and Judge's summing up
- The findings of the Appeal Court
- The records held by Children's Social Care relating to William Cornick or any other safeguarding matters at the school in the last 12 months before the murder and up to June 2015
- The records held by Children's Services in relation to the school's safeguarding practice, PHSE, citizenship, e-safety and bullying, any complaints or concerns, and incident notification, and any issues in relation to pupil behaviour or staff training in relation to discipline (with regard to the students, staff, and the perpetrator) in the last 36 months before the murder and up to June 2015
- General school records for the previous 12 months in relation to pupil conduct, PHSE, citizenship, e-safety and bullying, any complaints or concerns, incident notification, and any issues in relation to pupil behaviour or staff training in relation to discipline (with regard to the students, staff, and the perpetrator)

- Any records pertaining to the nature and quality of the school's leadership for the 12 months before the murder held by the school or by the Council
- Any records held by the NHS in relation to William Cornick in the last 12 months before the murder and up to June 2015 (subject to consent being given)
- The material held by the Health and Safety Executive in relation to their investigations
- Any records or material held by the LSCB in relation to the murder, subsequent actions and decision making.

Stage two will consist of a facilitated debrief exercise, looking at how well services responded to the murder, and how well the children involved were safeguarded during the period cover by the "Gold Command" Emergency response arrangements.

The period covered by the review will be for the 12 months prior to the murder up to June 2015.

The review will take up to 6 months, with a view to completion by the end of April 2016. Any delays will be agreed between the Lead Reviewer and the Independent Chair of the LSCB and stakeholders notified of the revised deadline date.

Terms of Reference for stage one

The Lead Reviewer is asked to read, review and critically appraise all the material available as set out above with a view to:

- Establishing whether there were any credible 'warning signs', behaviours or antecedent indicators that could/should have been picked up by agencies/professionals leading up to the murder; and if so the appropriateness of what was done in response
- Identifying whether there is any indication or evidence that William Cornick's actions could or should have been foreseen or prevented
- Identifying whether there is any learning for the future for this and/or other schools in Leeds related to the quality of available support, advice and information available to the school with regard to safeguarding and promoting the welfare of students
- Considering whether, in the light of the review ,there are any key areas for development or improvement in relation to safeguarding in schools locally (and nationally)
- Considering whether, in the light of the review, there are any key areas for development or improvement in relation to the way in which teachers are supported and safeguarded for their own wellbeing and in order to support and safeguard students
- Considering whether, in the light of the review whether there are any issues relating to how the school's leadership team worked with and supported teachers and students, and set the culture and ethos of the school to maximise the welfare of both students and teachers, and what can be learnt from the approach taken if anything

- Identifying whether or not there was anything missed in relation to the circumstances of the incident and subsequent investigations about how young people in the school were safeguarded and their welfare protected
- Identifying whether the Leeds Safeguarding Children Board provided appropriate advice, guidance and support to Corpus Christi and all Leeds schools with regard to the schools fulfilling their responsibilities to safeguard children and young people. Advise on what learning can be identified to improve this.

In undertaking the review the Lead Reviewer will:

- Offer to meet with the Maguire and Cornick families, should they so wish, to seek their contributions to the review
- Offer to meet with the Teaching Trade Unions, should they so wish, to seek their contributions to the review
- Offer to meet with the Head Teacher and leadership team, to seek their contribution to the review
- Meet with the Independent Legal Advisors to the LSCB, to ensure that advice considering any issues of compliance with rights under the UNCRC and the HRA are incorporated into the final report
- Identify whether further evidence, information or enquiries are required in order to adequately complete the Review and fulfil the purpose of the Review. If such further evidence or enquiries are required, to plan how best to obtain such evidence or make such enquiries in liaison with the former Independent Chair who has been retained to guide the process through.
- Consider whether students and staff at the school had appropriate advice and support in terms of the safe use of social media

On completion of stage one of the Review the Lead Reviewer will:

- Report in writing on the themes arising from the review, the learning those themes provide and to make recommendations for action to use, apply and build on that learning in order to make a difference across the “safeguarding system” in Leeds
- Share that report in draft with the school leaders, the trade unions, the two families and all agency partners and, if necessary, amend it in the light of the discussions arising from that process.

Terms of Reference for stage two (the learning event held jointly with the Gold and Silver Commands)

To liaise with the Council Emergency Response Officer to consider the outcome of stage one of the Review in the final drafting of the Terms of Reference for stage two.

The Terms of Reference for stage two will be based on the following:

1. Plan, arrange and run a debrief and facilitated learning event designed to:
 - Debrief on how the major emergency procedures were followed and what can be learnt from the response for future emergencies in the city

- Explore how well the many children and young people involved were supported, safeguarded and their welfare promoted during and immediately after the murder
 - Identify how that learning can be used to improve the approach by partners to major emergencies involving children and young people locally and nationally.
2. Share that learning following the debrief as relevant

Terms of Reference for the final stage (the report)

The Lead Reviewer should prepare a final report covering both parts of the review for the LSCB setting out the learning gained, and making recommendations about how best to apply that learning, and the desired outcomes of doing so.

The LSCB will then prepare the report for publication in liaison with the Lead Reviewer and interested parties.

Support to the Lead Reviewer

The Lead Reviewer will be provided with administrative and secretarial support to facilitate and support the review process. They will also be provided with independent legal advice as required.

A full record of all documentation used for stage one will be maintained by the LSCB in liaison with the Lead Reviewer. Consent will be obtained for the Lead Reviewer to have access to material as required and as relevant.

The Lead Reviewer will liaise regularly with the Independent Chair to monitor progress, agree any variations required to the Terms of Reference if required, to sense check, debate the analysis and to facilitate and adapt the process as needed.

The final report will be independent but subject to an agreed process of proof reading and editing to ensure its final quality, led by the LSCB. The final report is the responsibility of the LSCB. Should any disagreement be identified about the review report findings, conclusions and recommendations, the LSCB will set out those areas of disagreement in their published response to the report.

The Lead Reviewer will be commissioned and remunerated by the LSCB on behalf of all LSCB Partners. This will be done through a letter of agreement between the LSCB and the Lead Reviewer.

Signed:



Jane Held, Former Independent Chair, Leeds Safeguarding Children Board

Date: 05.10.15.