

PE1933/Q: Allow the Fornethy Survivors to access Scotland's redress scheme

Copy of report provided by Dr Emma Fossey

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Enquiries into Fornethy House Residential School

By Emma Fossey, PhD

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Introduction to the report

Section 01

- Introductory remarks
- Explanation of terms used
- Executive summary

INTRODUCTORY REMARKS

This report sets out the findings of a six-month piece of independent research on Fornethy House Residential School.

In brief, I was asked to find out:

a) Why and by whom girls were sent to Fornethy

The findings under this set of aims are drawn from various official documents still available from the time leading up to and during Fornethy's existence, *i.e.* 1944 to 1993.

Thanks to those sources, I have been able to describe how Fornethy House Residential School – and schools like it – were *intended* to operate.

I accept that the experiences of Fornethy survivors may have been different.

b) What Glasgow City Council (GCC) has done to find records from Fornethy

It became clear to me, from early discussions, that the term 'record' could mean different things to different people. In this report, I have taken record to mean something that contains *personal* information – as in a school or medical record, or pupil progress report; all other items I either describe or refer to as information or documentation.

The distinction between 'records' and 'information' is helpful when it comes to understanding Glasgow City Council's efforts to respond to survivors' requests.

My remit did not include making recommendations

In this report, I have simply set out what I found. It is for others to draw conclusions on the Fornethy survivors' eligibility for the redress scheme.

I would make one observation, though. At times, it seemed that the wording of GCC's FOI responses could be overly technical and assume too much knowledge on the part of people not familiar with the legislation. This has led to confusion in at least one instance that I know of.

GCC might therefore wish to consider further simplifying its language in its responses to members of the public, where this is possible and complies with FOI guidance.

EXPLANATION OF TERMS USED

<i>Camp school</i>	Another term for a residential school. (Not to be confused with ‘national camp schools’, which were quite different.)	<i>Non-denominational</i>	Not connected to any religion.
<i>City of Glasgow Corporation/ Glasgow Corporation</i>	The body that governed Glasgow from around 1175 to 1975.	<i>Petition</i>	A written appeal to members of parliament to express a view/ request action.
<i>Convalescent residential school</i>	A school where pupils could stay while they recovered after an illness.	<i>Regulations</i>	Formal guidelines setting out how to apply the principles set out in an Act.
<i>Eligibility criteria</i>	In this report, the conditions survivors must meet in order to qualify for a redress payment under Scotland’s Redress Scheme.	<i>Retention policies (of documents)</i>	Rules on how long a document/record should be kept before it can be destroyed.
<i>Fornethy House Residential School/ Fornethy</i>	The school that the Fornethy survivors were sent to.	<i>Scheme of Residential Education (SRE)</i>	The scheme introduced in 1945 by the City of Glasgow Corporation to help improve the health of the city’s pupils.
<i>Freedom of Information (FOI) request</i>	Request for information that members of the public can make to public authorities (bodies that carry out public functions).	<i>School medical officers of health (SMOHs)</i>	The Education (Scotland) Act, 1908 gave school boards powers to employ ‘ <i>medical officers or nurses</i> ’ for the ‘ <i>medical examination and supervision of the pupils</i> ’.
<i>Glasgow City Archives/ the City Archives</i>	Where historical records of Glasgow and the west of Scotland are held and open to the public. On behalf of GCC It also holds <i>current</i> records that are not open to the public.	<i>Scotland’s Redress Scheme</i>	A national scheme offering redress payments to people abused in care as children.
<i>Glasgow City Council/ GCC/ the Council</i>	The body that governs Glasgow today and has done since 1996.	<i>Scottish Information Commissioner</i>	An independent public official who promotes and enforces Scotland’s freedom of information (FOI) law.
<i>HM Inspectors of Education (Scotland)</i>	Officials charged with promoting improvements in education in Scotland.	<i>Strathclyde Regional Archives</i>	The predecessor of Glasgow City Archives.
<i>Linear metre</i>	A measure that focuses on the length of an item while ignoring its width.	<i>Strathclyde Regional Council</i>	The body that governed Glasgow from 1975 to 1996.
<i>Maladjusted children</i>	Children identified by clinical psychologists as having behavioural problems.	<i>Subject access request (SAR)</i>	A written or verbal request to see the personal information that an organisation holds on you.

EXECUTIVE SUMMARY: Headline findings

1a. Why were girls sent to Fornethy? Primary-school girls from Glasgow were sent to convalesce after an illness and/or so that they might benefit from a ‘recuperative holiday’.

The school was one in a ‘scheme of residential education’ aimed at improving the health of pupils in Glasgow.

1b. Who sent them? Headteachers and school medical staff could put forward girls they thought might benefit from a stay, However, it was the school or principal medical officer who took the final decision.

Even then, only girls whose parent or guardian agreed to them going, and who passed two medical examinations, were allowed to go.

2. Why do records from Fornethy appear not to exist? The regulations of the time obliged education authorities to keep school registers, pupil progress records and health records only until the end of the fifth, or in some cases second, year after the year for which it was held or the pupil had left. After that time, the records were to be destroyed. Thus, it is not surprising that Glasgow City Council has found no such records in its City Archives.

That said, a question mark remains over the lack of Fornethy’s logbook. The regulations required these to be ‘preserved as documents of historical interest’. (It should be noted that Fornethy is not unique in having no surviving logbooks.)

3. What records/information on Fornethy does Glasgow City Council (GCC) hold? As explained under 2., GCC holds no school records for Fornethy. However, its City Archives holds various series of council/education committee minutes, papers, reports and handbooks that talk of Fornethy and other schools in the scheme. (Glasgow City Archives holds other documentation that mentions Fornethy but which was not relevant to this research.)

4. What steps has GCC taken to find existing records/information on Fornethy? As well as running its own internal searches in response to freedom of information and subject access requests, GCC invites survivors to search the City Archives for themselves and directs them to other possible sources. Glasgow’s Chief Archivist has also carried out proactive searches for information on Fornethy.

5. What difficulties has GCC encountered? For records, a question remains around Fornethy’s school logbook (there was *probably* only one), which should have been preserved but is missing. Even so, it is not certain whether or to what extent it would have contained pupils’ names.

In terms of information, the documents Glasgow City Archives holds from the time of Fornethy are in paper form; and indexes of what they contain, if they exist, do not all go down to the level of school name. As a result, finding information means time-consuming manual searches of large volumes of papers.

Introduction to the research

Section 02

- Background to the research
- Research purpose and aims
- Methods: organisations and information sources

BACKGROUND TO THE RESEARCH

Scotland's Redress Scheme

Scotland's Redress Scheme opened in December 2021, following the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021.

The scheme is primarily for vulnerable children who were abused while in long-term care, often isolated with limited or no contact with their families.

In keeping with that core purpose, Scottish Ministers introduced regulations (under section 23 of the Act) to exclude certain settings from the scheme. Thus, an application for redress cannot be made to the extent that it concerns abuse that took place when a person was in a care setting for short-term respite or holiday care, where that placement was arranged by the child's parent or guardian and another person.

What it means for the Fornethy survivors

For Fornethy survivors, then, the purpose of their stay and whether it was made under arrangements with their parent or guardian is crucial in determining whether they are eligible for the redress scheme.

Up to now, finding definitive answers as to why young girls were sent to Fornethy has proved difficult. Before this research, the questions of why and by whom girls had been sent to Fornethy, remained unanswered. As a result, it has been unclear whether Fornethy survivors are eligible for redress under the scheme.

The situation is not helped by the fact that neither Glasgow City Council – successor to Glasgow Corporation and Strathclyde Regional Council, the bodies that ran the school – nor survivors of Fornethy itself, have been able to find personal records confirming the survivors' time there.

PURPOSE AND AIMS OF THE RESEARCH

Parliamentary scrutiny

On 19 April 2022, 'Petition 1933: Allow the Fornethy Survivors to access Scotland's redress scheme' was lodged in Parliament. The petition is being considered by the Citizen Participation and Public Petitions Committee (CPPP Committee).

On 10 January 2023, the Convener of the CPPP Committee wrote to the former Deputy First Minister expressing the Committee's concern that the current eligibility criteria of the Redress Scheme '*limiting redress to those in establishments providing long-term care, is too narrow*' and should therefore be widened to ensure '*that victims of the same type of crime, committed over shorter periods of time, and in different care settings, should be eligible for redress under the Scheme*'. The Convener also noted that this would include individuals who are unable to definitively establish the reason they came to be in the care of establishments such as Fornethy House.

In response to this letter, the former Deputy First Minister committed to considering the matter further.

During a Parliamentary debate on 19 May 2023, the Deputy First Minister Shona Robison committed to instructing an independent researcher to investigate the matters raised by the Fornethy survivors.

I was duly contracted by Scottish Government in August 2023 and instructed to find out:

- ❑ Why and by whom young girls were sent to Fornethy House Residential School.
- ❑ What records Glasgow City Council holds on Fornethy.
- ❑ What steps Glasgow City Council has taken to find all records on Fornethy.
- ❑ Why it has proved hard to find records on Fornethy.
- ❑ Why Glasgow City Council believes some Fornethy records do not exist.

METHODS: Organisations and individuals I spoke to

External bodies and groups

Fornethy House survivors and representatives

Glasgow City Council

Glasgow City Archives

National Records of Scotland

Angus Archives

Future Pathways

Birthlink

Wellbeing Scotland

Education Scotland

Scottish Government

Redress, Relations and Response Division

- Policy & Communications
- Survivor Relations
- Scottish Child Abuse Inquiry (SCAI) Unit
- Contributions, Finance and Business Management Unit
- Service Design & Delivery
- Operations

Redress Scotland

Scottish Government Library

Contact with the Fornethy survivors and Glasgow City Council

Fornethy survivors

I had one initial meeting with two of the Fornethy survivors and their representatives. This took place towards the start of the research. At that meeting I offered to meet the survivors further to hear directly from them about their experiences. This offer was not acted upon. For that reason, I can only describe how Fornethy and schools like it were *supposed* to be run. I also offered to share sources with the survivors' own researcher, but my suggestion was not acted upon.

Glasgow City Council

Towards the start of my research, I also had an initial meeting with senior executives of Glasgow City Council (GCC).

Over the six months, I was able to speak to the Chief Archivist at GCC's City Archives and to members of the City Council on numerous occasions. I found everyone to be very helpful and open in responding to my questions and pointing me towards possible sources of information.

I wish to record my sincere thanks to everyone I spoke to as part of this research. The Chief Archivist at Glasgow City Archives and the Scottish Child Abuse Inquiry Unit deserve special mention in this regard.

METHODS: Archives, documentation and archive lists I looked at

Glasgow City Archives

- Minutes, papers and reports of the Education Authority of Glasgow, 1919–1930
- Minutes, papers and report of the Corporation of the City of Glasgow, 1944–1974/5
- Minutes, papers and reports of Strathclyde Regional Council, 1974/5–1993
- Glasgow Corporation Handbook for Headteachers, 1961+
- Reports on the work of the Education Committee, 1939–1974/5
- Residential school logbooks
- Department of Education catalogues
- CHILDS and Public Assistance Education Children's Committees spreadsheet lists
- Glasgow City Council's Records Management system (partial access to titles of records)

National Records of Scotland

- School Inspection files
- Scottish Education Department Circulars and Minutes, up to 1996
- National camp school files, 1946–1963/4
- School Inspectorate files, up to 2005
- Primary and Secondary Education files, up to 2004

Angus Archives

- Angus County Minute books, 1969–70
- Forfar District Council Minutes, up to 1975
- Medical Officer of Health and (County) Sanitary Inspector annual reports, 1961 & 1967

Glasgow's School Medical Officer of Health Annual Reports 1959–1972 (Wellcome website)

Dundee Archives list of records

Scottish Government

- Legacy Paper Files/Leith File Store lists
- Various archive lists for the Scottish Child Abuse Inquiry
- G:/Drive and Electronic Records Management system file lists

Acts, regulations and codes & other miscellaneous

- Glasgow City Archives
- Scottish Government Library

Findings

Q.1a: <u>Why were girls sent to Fornethy?</u>	page 14
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How to interpret the findings

Section 03

In the following pages I describe what the relevant legislation and guidance indicated *should* have happened with regard to Fornethy and similar schools.

What I cannot say, on the basis of the documentation I found, is the extent to which the legislation and guidance were followed *in practice*.

QUESTION #1a: Why were girls sent to Fornethy?

Primary-school girls from Glasgow were to be sent to Fornethy to convalesce after an illness, and/or so that they might benefit from a 'recuperative holiday'^{1,2,3}.

The school was part of a wider scheme to improve the health of Glasgow's children (see page 16):

'A stay by the sea or in the country would raise the physical standard, increase resistance to disease and counteract the ill effects of early diseases of infancy'¹.

A residential school for convalescent girls: Fornethy House Residential School first opened its doors to young convalescent girls from Glasgow on 30th August 1960⁴. It could take up to 74 girls at a time^{2,5,7}. It is understood to have closed in 1993. (I did not see any documents confirming its exact closing date.)

Who could attend: Girls aged between 5 and 12 years^{2,8,9} (although some sources report 8 to 12 years⁷) and whose families were of Protestant faith^{2,7-9} were sent to Fornethy. In one source from 1987¹⁰, non-denominational and deprived had replaced Protestant and convalescent, respectively, as criteria.

Average length of stay: When the school first opened, the average length of stay for such placements was reported to be 6–8 weeks; not long after, this fell to 5–6 weeks, eventually dropping to 4–6 weeks^{3,7}. Figures for Fornethy specifically are patchy but show similar average periods of stay^{2,8}.

[Anecdotally, I was told of one woman who recalled having stayed twice at Fornethy – the first time for six weeks, the second for 12 weeks¹¹.]

Where Fornethy was: The house, gifted to Glasgow Corporation by the trustees of a Lillian Coats¹², was situated in almost 39 acres⁸ of woodland near Alyth, in Angus – around 80 miles from Glasgow city centre.

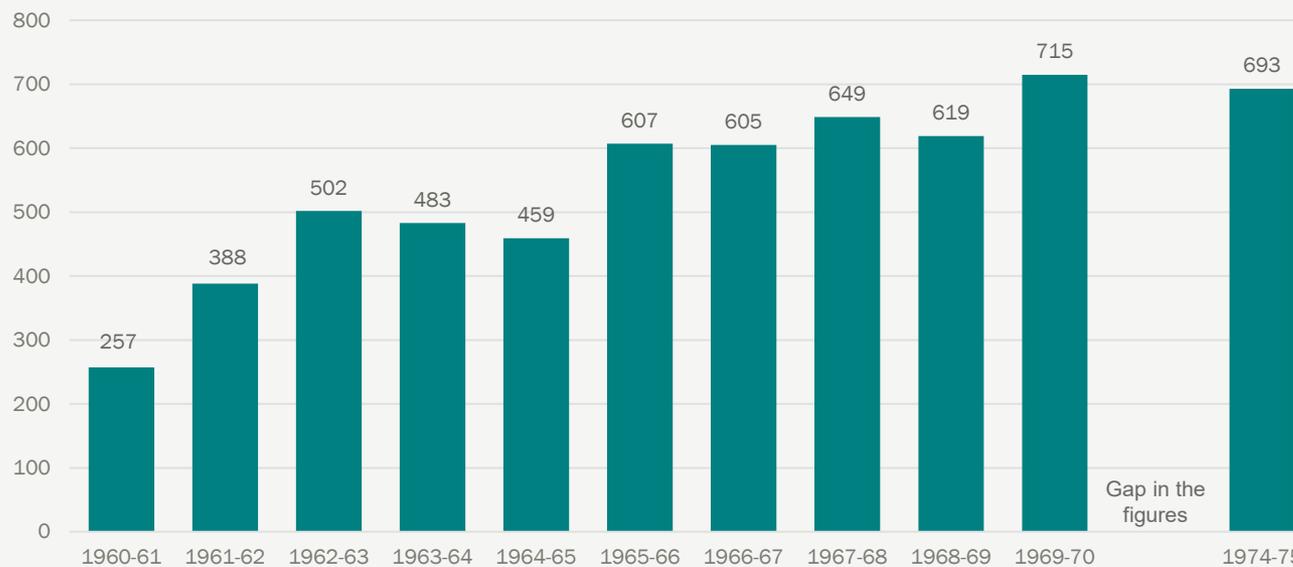


Fornethy House - near Alyth, in Angus.

ADDITIONAL INFORMATION: Annual intake and average length of stay at Fornethy

This graph shows the number of girls attending Fornethy under Glasgow Corporation broadly rising, up to 1974/5³. After that time, Strathclyde Regional Council (SRC) took over the running of the school.

Number of girls attending Fornethy each year, 1960/1–1974/5



Annual intake (numbers)

Average length of stay
(all scheme schools)

6–8 weeks

5–6 weeks

4–6 weeks

Though not shown here, I found only one source for the number of girls sent to Fornethy annually during the time of SRC¹⁰. It suggested that the school's yearly intake may have risen to as many as 2,400 children.

(#1a CONT.): Fornethy was not unique: it was part of a scheme of schools

Fornethy was one of a small number of schools run by Glasgow Corporation, and later by Strathclyde Regional Council, under its 'scheme of residential education' (SRE).

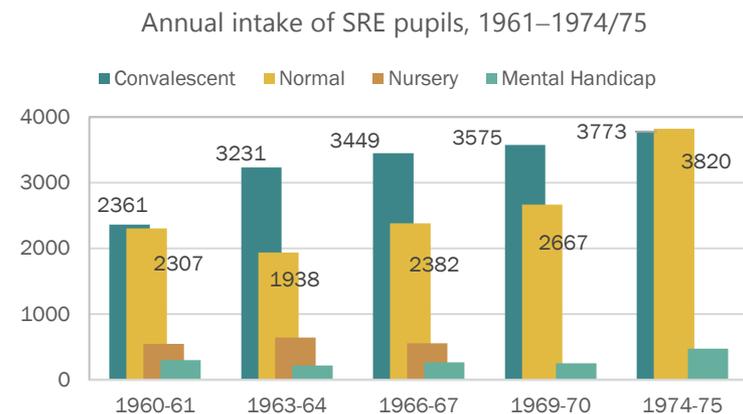
With the approval of the then Secretary of State, Glasgow Corporation's Education Committee began its 'scheme of residential education' (SRE) on 1st May 1945. Wartime evacuation hostels and other establishments would now be used as short-term residential schools and holiday camps. The aim, as the Corporation's Director of Education put it, was to aid pupils' *'social and education advancement [and] physical well-being'* by giving them the chance to enjoy regular meals, sleep and care in a pleasant environment¹.

The scheme was made possible through a series of Acts in Scotland — particularly the Education and related Acts of 1907, 1908, 1925, 1936 and 1945 (see *Appendix 1*). It was these Acts that introduced medical and dental inspections in schools and gave education authorities the ability to *'make arrangements for attending to the health and physical condition'* of their pupils.

Pupils attending the scheme's schools were to be those who were categorised, using the language of the time, as either normal, convalescent, physically defective or nursery children¹.

By the time Fornethy opened in 1960, the scheme had 14

schools; nine would now be taking in convalescent children.* Between then and 1974/5, the total number of children sent annually to all the scheme schools rose from 5,515 to 8,069³.



(Figures have been taken from 3. The graph above excludes Nerston residential school for maladjusted children because its figures are incomplete; for reasons of space, only the figures for normal and convalescent schools are shown.)

* Under Glasgow Corporation, the profile of children the scheme schools took in sometimes changed, (e.g. between convalescent, physically handicapped, normal and nursery); however, Fornethy was always a convalescent school.

The picture under Strathclyde Regional Council is less clear. A report from 1987¹⁰ talked of *'continuing the previous service and pattern of usage since 1975'*; but then also spoke of *'primary school groups'* and *'deprived'* girls attending Fornethy.

QUESTION #1b: By whom were girls sent to Fornethy?

According to various official documents, the headteacher of their normal school could put pupils forward for a place at residential schools such as Fornethy; however, it was the medical officers of health who had the final say over who went^{1,2,6}.

That said, a child could only go if their parent or guardian approved².

The role of headteachers: To bring pupils they felt might benefit from a stay to the notice of the school medical officer at any time, or to suggest them to the principal medical officer². Headteachers were also expected to encourage a parent/guardian to accept the place offered to their child².

The role of medical officers: As well as selecting children themselves¹, to conduct two medical examinations of pupils before their stay^{2,6}. Only those they passed as fit could take up a place — nits were a common concern.

As a rule, parents were given three days' notice to attend *routine* examinations in schools⁶; it is not clear if they were invited to attend what would have been non-routine examinations, as these would have been. Initially, medical officers assessed the fitness of pupils to return to their own school too⁶. However, this practice was halted in the early 1960s¹⁴, when pupils began staying for a standard length of time.

The role of parents/guardians: To agree to their child going^{2,6}. (It is not clear what form this permission took, although elsewhere it says that parents had to make a 'signed application' before their child could receive any *medical* treatment from the school clinic.⁶) Parents who accepted a place were asked to take 'special precautions' to ensure that their child's hair remained clean leading up to their stay².

A parent/guardian could not visit their child at residential school except on Visiting Days² — when they could take their child home if the child wanted to leave*. [I found nothing on whether Fornethy ever held such days.]

The role of health visitors: To visit the homes of 'defaulters'⁶. This term is not explained, but it *appears* to mean parents who opted not to take up their child's offer of a place.

*Entries in the four residential school logbooks¹³ indicate that Visiting days were not frequent. There was even a suggestion in 1961 that they be phased out¹⁴. However, the *Headteachers' Handbook* (1970 reprint) suggests that they were still being observed up until at least that time².

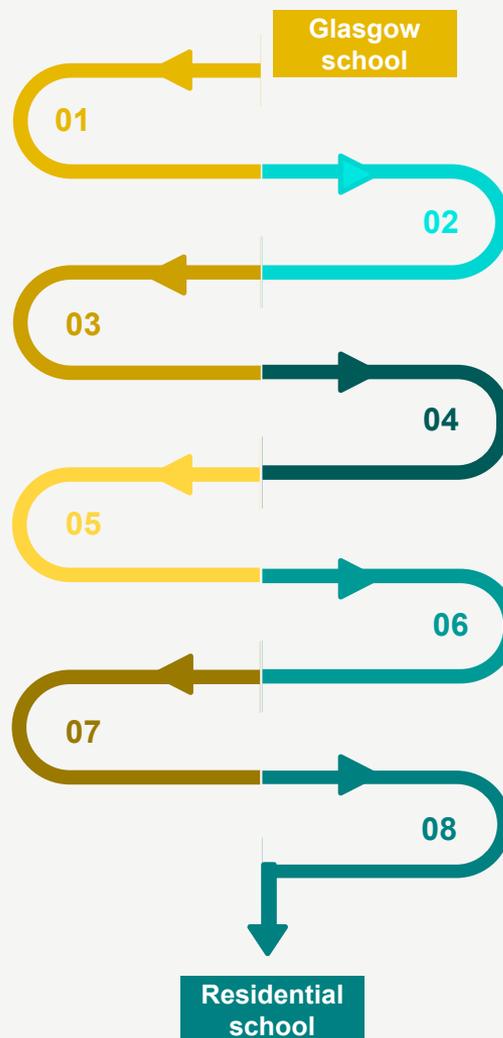
ADDITIONAL INFORMATION: The RSE process, as implied from sources on the previous page

01 Headteacher (or school medical staff) at Glasgow school identifies child who might benefit from a free 'recuperative holiday'. Headteacher refers child to the school medical officer or direct to the principal medical officer.

03 Vacancy at the residential school arises. Child is medically examined a second time to make sure they are still fit to go. Glasgow Corporation's School Welfare department draws up the paperwork. The parent/guardian does not pay for their child's stay.

05 Children at residential schools are also marked as 'present' on the register at their Glasgow school. No visits by parent/guardian are allowed, except on Visiting Days.

07 Initially, school medical officers visit the residential school periodically to assess the fitness of the child to return to their Glasgow school. This practice stops when children are sent for a standard period.



02 Medical officer examines child to determine whether they are fit to go. Permission of parent or guardian is sought (the headteacher is expected to encourage them if need be). Health visitor visits any parent/guardian who refuses their child's place [not clear why or when].

04 School Welfare department notifies the Glasgow headteacher that the child is being sent to the residential school and sends on a camp register to the new school with the child. School Welfare asks the Glasgow headteacher for the child's progress record and medical records, which it then sends on to the residential school. Child is picked up in town by minibus and driven up to Fornethy.

06 Any illnesses or accidents are dealt with by local emergency doctors or dentists under separate arrangements made with local Executive Councils [it is not clear what these Councils are]. The Headteachers' Handbook contains a form for recording any such instances.

08 When it is time for the child to leave the residential school, the School Welfare department sends the Glasgow school confirmation of this; once it receives the child's records, it forwards them on to the Glasgow school.

QUESTION #2: Why do records for Fornethy appear not to exist?

The lack of records from Fornethy is not unusual. The regulations simply did not require most school records to be kept beyond a certain length of time^{16,17} (see Appendix 2).

The one exception to this rule was a school's logbooks, which the regulations stated should be 'preserved as documents of historical interest'¹⁶.

School records: There were four main types of school record: school registers, the camp (residential) school registers, pupil progress records and school logbooks. Under the regulations of the time, the majority were to be kept for at most *five years* after the year for which it was kept or five years after a pupil's final year at school.

Pupils' medical records: Pupils' health records were kept together with their progress records. As the table in Appendix 2 shows, all were to be destroyed five years after a pupil's final year at school.

Logbooks as the exception: School logbooks were supposed to be kept. Having spoken to various archivists about this, I understand that the logbooks of many schools are missing. Thus, while deeply frustrating, their absence in Fornethy's case is not unusual. As the guidance described in Appendix 2 indicates (see also pages 20 and 24), what individual headteachers recorded in their

logbooks, beyond what was officially required of them, was largely down to their 'opinion'¹⁶ on the matter. It is therefore not clear whether Fornethy's logbook would have contained personal information that might help survivors.

Why some survivors of other institutions have been able to find records: I cannot speak for other survivors' experiences of records searches. What I can say is that retention regulations and practices differed both by type of institution and over time; and that Fornethy survivors are not unique in not being able to find records.

ADDITIONAL INFORMATION: Scottish Education Code 1876 instructions

INSTRUCTIONS FOR KEEPING LOG BOOK.

Extracted from the Scotch Education Code, 1876.

- Art. 34. "In every School receiving Annual Grants, the Managers must provide, out of the School Funds, besides Registers of Attendance,—
- (a) A Diary or Log Book.
 - (b) A Portfolio to contain Official Letters, which should be numbered in the order of their receipt.
- „ 35. "The Diary or Log Book must be stoutly bound, and contain not less than 300 ruled pages.
- „ 36. "The Principal Teacher must make at least once a week in the Log Book an entry which will specify Ordinary Progress, and other facts concerning the School or its Teachers, such as the Dates of Withdrawals, Commencements of Duty, Cautions, Illness, &c., which may require to be referred to at a future time, or may otherwise deserve to be recorded.
- „ 37. "No reflections or opinions of a general character are to be entered in the Log Book.
- „ 38. "No Entry once made in the Log Book may be removed or altered otherwise than by a subsequent Entry.
39. "The summary of the Inspector's Report, and any remarks made upon it by the Department, when communicated by the Managers, must be copied *verbatim* into the Log Book, with the names and standing (*Certificated Teacher of the ——— Class, or Pupil Teacher of the ——— year, or Assistant Teacher*) of all Teachers to be continued on, or added to, or withdrawn from, the School Staff, according to the decision of the Department upon the Inspector's Report. The Correspondent of the Managers must sign this Entry, which settles the School Staff for the year.
- „ 40. "The Inspector will call for the Log Book at every visit, and will report whether it appears to have been properly kept. He will specially refer to the Entry made pursuant to Article 39, and will require to see Entries accounting for any subsequent change in the School Staff. He will also note in the Log Book every Visit of Surprise (Art. 12), making an Entry of such particulars as require the attention of the Managers."

QUESTION #3: What documentation on Fornethy *does* Glasgow City Council hold?

The Council holds no *records* as such from Fornethy. Most of the *information* it has on the school comes from meeting minutes, papers and reports of Glasgow Corporation and Strathclyde Regional Council.

As such, this information covers matters of formal Corporation/Council business. There is no mention of individual pupils.

Most of this documentation can be viewed by the public, free of charge, at Glasgow City Archives.

Glasgow Corporation minutes: Minutes of meetings, papers and reports of the Education Committee and its various sub-committees cover the lead up to the scheme of residential education (SRE) in 1944, and on up to 1974–75 when Strathclyde Regional Council was formed. Most mentions talk about procuring, equipping, staffing and repairing the school(s).

Glasgow Corporation's Education Committee Progress Reports³ describe the number and profile of pupils sent to SRE schools.

Glasgow Corporation's Handbook for Head Teachers²: Glasgow City Archives holds one such handbook from the time of Fornethy. That said, it appears to be compiled from various editions (1961+). It contains detailed guidance for headteachers on a range of matters, including arrangements for sending pupils to SRE schools.

Strathclyde Regional Council minutes: Minutes, papers and reports of its Education Committee and its various sub-committees from 1975 onwards talk of rotas for visiting SRE schools; I found nothing on what they looked at or found. There are also a couple of stock-taking' reports of the schools from the late 1980s/1990^{10,18}. They discuss turning some schools (including Fornethy) into outdoor centres and closing others to save money.

GCC's internal records management system: This holds, among other things, records waiting to be destroyed under retention schedules. Among the items still on the system are four that refer to Fornethy (see page 24).

Other miscellaneous: Although not relevant to this research, the City Archives holds other documents that mention Fornethy, e.g. accounts, contracts and building work done at the school.

ADDITIONAL INFORMATION: Excerpts from GCC and SRC minutes that mention Fornethy

At GLASGOW, the 11th October, 1954.

At a special meeting of the Sub-committee on School Welfare.

Present—Councillor COOKE (Chair), Bailie MAINS, and Councillors M'NEILL, SMITH and JOHN WARREN.

Present also—Mr. TRAILL, the DEPUTE DIRECTOR OF EDUCATION (Mr. Cunningham) and Mr. M'NAB (for the City Architect and Planning Officer).

Scheme of Residential Education—Fornethy House, by Alyth—Remit.

7 With reference to minute of meeting of date 8th ultimo (Print No. 11, page 776) agreeing to visit Fornethy House, by Alyth, in respect of which the executors of the estate of the late Miss Lilian Coates had intimated that they had power to select a public or private body to whom the House might be given, together with some policy land, etc., free of estate duty, the sub-committee, having visited the property, agreed that it was suited for the purposes of a residential school, and recommended to the Sub-committee on Property, Equipment and Supplies that a report be obtained on the cost of adaptations, etc., and that, if thereafter considered advisable, the executors be informed of the Corporation's interest in the acquisition of the subjects.

	Name	Address	Suggested Departure Time from Glasgow
8	Glenpark Teachers Centre	48 Forsyth Street, Greenock	9.00 a.m. (see note 2)
	Ardentiny Outdoor Centre	Ardentiny	
	Castle Toward Residential School	Toward by Dunoon	
	Dunoon Training Workshop	Dunoon Primary School Hillfoot Street, Dunoon	
9.	Castlecraig Residential School	Blyth Bridge	9.00 a.m.
	St. Columbo's Residential School	Newton, St. Boswells	
10.	Faskally House Outdoor Centre	Near Pitlochry	8.30 a.m.
	Fornethy Residential School	by Alyth	
11.	Corrie Outdoor Centre	North High Corrie, Arran	(see note 3)
	Seafield Towers Residential School	Seafield Towers, Ardrossan	
12.	Govan Training Workshop	306 Broomloan Road, Govan, Glasgow.	9.00 a.m.
	Arrochar Outdoor Centre	Arrochar	
	Pirniahall Teachers Centre	Drymen	
13.	Dundas Vale Teachers Centre	6 New City Road, Glasgow.	9.00 a.m.
	Caldercruix Outdoor Centre	Airdrie Road, Caldercruix	
	Ridgepark Residential School	Mousebank Road, Lanark	
	Carfin Training Workshop	Block 11, Carfin Industrial Estate, Carfin.	

Proposed provision.
26th June 1968

Category.	Age group.	Denomination.	Sex.	School & capacity.	Potential average annual turnover.
(1) Normal	Primary	Protestant	Boys & Girls	Galloway (112)	1,000
	Primary	R.C.	Boys or Girls	Southannan (adapted or extended)	480
(2) Convalescent	8-12	Protestant	Boys & Girls	Achnamara (36)	260
	8-15	Protestant	Boys & Girls	Castle Toward (100)	700
	5-12	Protestant	Girls	Fornethy (74)	600
	5-10	Protestant	Boys	Seafield (68)	450
	8-15	R.C.	Boys & Girls	Agnes Patrick/Stevenson (58)	550
	5-12	R.C.	Boys	Craig (56)	550
(3) Mentally handicapped	5-15	Protestant	Girls	Lumsden (29)	280
(a) Short term	5-15	R.C.	Boys or Girls	Caol Ruadh (36)	220
(b) Long term	5-15	R.C.	Boys or Girls	Southpark (28)	170
(4) Maladjusted	Primary Boys	Protestant & R.C.	Boys & Girls	Hillfoot (replacement)	60
	Primary & Secondary Girls	Protestant & R.C.	Boys & Girls	Nerston (45)	45
(5) Physically handicapped	5-15	Protestant & R.C.	Boys	Lawmuir (40)	40
	12-18	Protestant & R.C.	Boys & Girls	Property to be acquired	40
		Protestant & R.C.	Boys & Girls	St. Aidan's site	20†

† The residential element of a new single centrally located school for secondary age pupils proceeding to S.C.E. level.

The sub-committee, after discussion, approved.

Date of Visit	Visitation group of members as listed in Appendix I.	GROUP OF ESTABLISHMENTS TO BE VISIT as listed in Appendix II.
Tuesday, 25.9.79	B	7
	I	1
	J	2
	L	4
Thursday, 11.10.79	E	10
	F	11
	G	12
	K	3
	M	5
Thursday, 1.11.79	A	7
	C	9
	D	10
	H	1

QUESTION #4a: What steps has Glasgow City Council (GCC) taken to find records from Fornethy?

As explained earlier, the retention policies of the time make it unlikely that GCC's Education department would have any records, apart from logbooks, from Fornethy.

It is *possible* that if GCC has a Social Work record for a survivor – not because they had been to Fornethy (Fornethy came under Education, not Social Work), but who nevertheless had stayed at the school at some point – there may be some mention of their stay in that record.

Glasgow City Archives' catalogues of school records: These show that the only 'scheme of residential education' school records GCC holds are the logbooks of four of the schools (see *page 24*), none of which was Fornethy.

Previous efforts to secure school records¹⁹: The former Strathclyde Regional Archives carried out two exercises on school records. The first, in 1983, was region-wide and sought to determine what records the region's schools still held; the second, in 1988, focused on Glasgow sub-region only and aimed to remove all records still held by its schools and place them in the Regional Archives. Unfortunately, these exercises involved only primary, secondary and further education schools; no residential schools were included.

GCC's records management system¹⁹: A search on the term 'Fornethy' showed that this database held five documents about Fornethy that have since been destroyed;

and that it still holds a further four. None of these contained/s personal information or information relevant to this research (see *page 24*).

Social work records²⁰: To date, GCC's Social Work team has located 28 subject access requests (SARs) that mention Fornethy. Given that as a school Fornethy came under Education not Social Work, its mention in these SARs was most probably part of a wider request for 'all records' or details held by GCC for the person or subject of the request – *i.e.* there were never any Social Work records for Fornethy itself.

GCC was unable to tell me whether any of the social work records they sent to the applicants made any mention of Fornethy; to do so would have meant a time-consuming manual review of all the records it had sent to them.

Sources:

Glasgow City Council and Glasgow City Archives

ADDITIONAL INFORMATION: Glasgow City Council's (GCC) records

Four residential school logbooks

Schools did not have a different logbook for every year. Each of the four residential schools discussed here had just a single logbook covering many years, in some cases, decades. It is easy to understand how a single book might go missing.

Appendix 2 contains a summary of what headteachers were expected to record in the logbooks. Below, I describe some of the more relevant (to this research) entries I found in the four logbooks:

- Visits by HM inspectors, but only occasional and scant detail on their findings, e.g. 'seemed satisfied with the running of the school' (Headteacher of one of the schools, 1970).
- Visits by, among others, directors of education, education committee members, councillors, headteachers of day or other residential schools, sanitary inspectors and fire inspectors.
- Visits by doctors (it is unclear whether these were school medical officers or local doctors) to treat sick children; and instances of children being taken to hospital for more serious illnesses or accidents. Doctors are named but hospitals are not; children are also named in this regard.
- Visiting Days, which seem to have been few, and instances on those days when parents took their child home. Those children who left are named.
- 'Passing out' inspections, at which medical officers assessed whether a child was fit enough to go home.
- Meetings of the headteachers of all the residential schools.

Files on GCC's records management system

Department/ Section	File details	File dates	Date destroyed
Contracts	Fornethy Res Sch. - Fire	01/12/79	May '93
Education Dept Glasgow Bursaries	Fornethy General 1 – (Trans Gen correspondence)	05/61– 04/91	14/04/09
Education Dept Glasgow Bursaries	Fornethy General 2 – (Trans Gen correspondence)	03/75– 05/90	14/04/09
Education Dept Glasgow Bursaries	Fornethy – (Res Ed Cen Maps/ Plans)	1975	14/04/09
GCC Legal Contracts	Fornethy School	04/97– 03/98	17/03/99
Legal Lanark	Fornethy Angus – Title check	08/87– 09/87	
DARS HQ Admin	Fornethy Res School [complaint during rota visit about progress of building work]	1975– 1984	
Contracts	Fornethy House (painting contract)	08/89– 09/89	
Legal	Fornethy Res School – Wayleave to North of Scotland Hydro-Electric Board (Middleton Farm Cottage)	1976– 1977	

QUESTION #4b: What steps has Glasgow City Council taken to find existing information on Fornethy?

To answer information requests on Fornethy, Glasgow City Council (GCC) looks at what information other organisations hold as well as searching its own extensive archives.

If an applicant is not happy with how GCC has responded to their request, they can ask GCC to review its response; if they remain dissatisfied, they can appeal to the Scottish Information Commissioner (SIC)²¹. To date, there has been one such appeal regarding Fornethy²².

GCC's Freedom of Information team: GCC's central Information and Data Protection Team, which deals with freedom of information (FOI) requests for various Council departments including Education, has seven case officers. Between them, they deal with about 4,000 information requests a year. (Other departments in GCC, such as social work and finance, have their own FOI teams.) At the time of writing, the education department had received a total of 43 requests for information on Fornethy²⁰.

Searching its own archives/databases: Most information on Fornethy that the GCC has is held in archives that are also open to the public; it also knows of four items that mention Fornethy on its internal records management system (see page 24).

Liaising with other archives: GCC's chief archivist also considers other archives when responding to requests. These have included archives in Dundee and in Angus (where Fornethy was located); the Wellcome Library (medical officers of health reports); and the National Records of Scotland.

GCC processes: I spoke to senior officials whose job it is to oversee or respond to information requests, about their processes. They also allowed me to see their replies to requests they had received about Fornethy. If someone is unhappy with the way GCC has handled their request, they can ask GCC to review its response internally. There have been six such instances of this for Fornethy requests: some of the reviews found for the applicant; others found for GCC, either fully or partially; or the matter was closed when the applicant offered no further information. If an applicant remains unhappy, they may appeal to the Scottish Information Commissioner. In the case of Fornethy this has happened once, the complaint being that GCC had failed to respond to a request for an internal review on time. SIC upheld the complaint, although by that time GCC had responded²² (see page 26).

Actively helping Fornethy survivors: During my visits to GCC's Archives, I saw the chief archivist advising and helping a Fornethy survivor and their appointed researcher, a Professor of Social Informatics.

ADDITIONAL INFORMATION: Scottish Information Commissioner's decision notice



Decision Notice 011/2023

Sale of Fornethy House – failure to respond

Applicant: The Applicant
Authority: Glasgow City Council
Case Ref: 202300159

Summary

The Applicant asked the Authority for information about the acquisition of Fornethy House and its sale to a specified person. This decision finds that the Authority failed to respond to the requirement for review within the timescales allowed by the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (the EIRs).

Background

1. The Applicant made an information request to the Authority on 1 December 2022.
2. The Authority responded to the information request on 23 December 2022.
3. On 2 January 2023, the Applicant wrote to the Authority requiring a review of its decision.
4. The Applicant did not receive a response to her requirement for review.
5. The Applicant wrote to the Commissioner on 3 February 2023, stating that she was dissatisfied with the Authority's failure to respond and applying to the Commissioner for a decision in terms of section 47(1) of FOISA. The enforcement provisions of FOISA apply to the enforcement of the EIRs, subject to specified modifications – see regulation 17.
6. The Commissioner determined that the application complied with section 47(2) of FOISA and that he had the power to carry out an investigation.

1

Investigation

7. Section 49(3)(a) of FOISA requires the Commissioner to notify public authorities of an application and to give them an opportunity to comment. The Commissioner did this on 7 February 2023.
8. The Commissioner received submissions from the Authority on 9 February 2023. These submissions are considered below.
9. It is apparent from the terms of the request that at least some of the information caught by it will be environmental information as defined by regulation 2(1) of the EIRs. In [Decision 218/2007¹](#), the Commissioner confirmed, at paragraph 51, that where environmental information is concerned, there are two separate statutory frameworks for access to that information and, in terms of the legislation, an authority is required to consider the request under both FOISA and EIRs.
10. The Authority acknowledged that it had not responded to the requirement for review on time. It explained that the reason for the delay in responding was due to a key member of staff being on leave, which led to a delay in collating the information requested. In addition, the Authority explained, a further delay was caused by the time required to assess a large volume of legal information, to allow it to respond to the requirement for review.
11. Section 21(1) of FOISA gives Scottish public authorities a maximum of 20 working days following the date of receipt of the requirement to comply with a requirement for review. Again, this is subject to qualifications which are not relevant in this case. The same timescale is laid down by regulation 16(4) of the EIRs.
12. It is a matter of fact that the Authority did not provide a response to the Applicant's requirement for review within 20 working days, so the Commissioner finds that it failed to comply with section 21(1) of FOISA and regulation 16(4) of the EIRs.
13. The Authority responded to the Applicant's requirement for review on 7 February 2023, so the Commissioner does not require it to take any further action in relation to the Applicant's application.
14. The Commissioner notes that, in its response of 7 February 2023, the Authority has apologised to the Applicant for its failure to respond to the requirement for review on time.

Decision

The Commissioner finds that the Authority failed to comply with Part 1 of the Freedom of Information (Scotland) Act 2002 (FOISA) and with the Environmental Information (Scotland) Regulations 2004 (the EIRs) in dealing with the information request made by the Applicant. In particular, the Authority failed to respond to the Applicant's requirement for review within the timescales laid down by section 21(1) of FOISA and regulation 16(4) of the EIRs. Given that the Authority has now responded to the Applicant's requirement for review, he does not require the Authority to take any action.

¹ <https://www.itpublicknowledge.info/decision-2182007>

2

QUESTION #5a: What difficulties has Glasgow City Council (GCC) encountered in its attempts to track down records from Fornethy?

As mentioned elsewhere, the main difficulty GCC faces is that the retention policies of the time meant most school records would have been destroyed

Thus, the difficulty finding/lack of records is not unique to Fornethy survivors; nor indeed is it to Glasgow City Council.

Difficulty – retention policies: As discussed elsewhere, the main reason GCC has been unable to find school records from Fornethy is that it does not hold them. Regulations at the time stated that most school records should be destroyed after five, in some cases just two, years after the year they were used or the year the child left school.

Difficulty – missing logbook(s): As also discussed elsewhere, any logbooks from Fornethy should have been preserved. However, GCC, through its City Archives, does not hold any.

Unfortunately, residential schools were not included in two exercises carried out in the 1980s by Strathclyde Regional Archives to locate and retrieve records still held by schools. Although the building survives, Fornethy closed as a school in the early 1990s. It is therefore unlikely that the logbook — and it would probably have been just a single book (see *page 24*) — would also have survived.

The experiences of other records searchers and records holders are similar: As part of my research, I spoke to staff in various agencies and departments involved in survivor support and records searches: teams supporting the Scottish Child Abuse Inquiry, Redress Scotland, Future Pathways and Birthlink. Although these bodies have been able to help lots of people, they consistently told me that both the Fornethy survivors' and Glasgow City Council's lack of success in finding records, while deeply disappointing, is neither unique to them nor unusual.

QUESTION #5b: What difficulties has Glasgow City Council (GCC) encountered in its attempts to track down information on Fornethy?

Most of the information the Council holds in its archives is in paper form. For that reason, finding and retrieving answers to requests for information is a largely manual and time-consuming process.

Other difficulties include the large volume of information asked for, the high cost of retrieving it or simply not having the information.

Difficulties—manual, paper searches: The volume of documents Glasgow City Archives holds is huge — it has 40,000 linear metres of files (and that does not include the papers in them); most are in paper form; and while many series are indexed, not all go down to the level of school name. All these factors can make searching for information labour-intensive and time-consuming.

Difficulties—the large volume of information asked for: A single FOI request might contain more than one question. For example, seven of the FOI requests I examined contained 16 different questions between them.

In addition, many of the different questions I looked at asked for a considerable amount of information — *e.g. All information, documentation, reports, communications, etc, that reference/relate to...;* and/or over a span of years.

Difficulties—the excessive cost of retrieving the information: By law, if pulling together the information to answer an FOI request would cost an organisation more than £600, it can refuse the request (while recognising the organisation's duty to give the applicant reasonable advice and assistance)²¹. It stands to reason that the more information requested, the more likely the cost to retrieve it will exceed the £600 limit. This was the case in a number of the Fornethy FOI requests to GCC that I examined.

Difficulties—GCC does not hold the information: This was the case in a number of the Fornethy FOI requests I examined. Nor is it always clear whether someone else holds the information or it just does not exist.

ADDITIONAL INFORMATION: Summary of main gaps in the evidence

Parental consent

GAP: Two documents – the headteachers handbook² and the medical inspection and treatment of school children report⁶ – contain evidence that girls could only be sent to Fornethy with the consent of a parent or guardian.

- I have been unable to track down any records of such consent or of what form it should have taken.

School logbook

GAP: Every school was expected to keep a logbook. In it, headteachers were expected to record interesting and important events that took place at the school¹⁶. Under the regulations of the time, logbooks were not to be destroyed but were to be preserved for historical interest¹⁶.

- I have been unable to track down any logbook for Fornethy.

Emergency medical cover

GAP: According to the Annual Reports of Glasgow's School Medical Officer of Health^{6,7}, local doctors and dentists undertook emergency duties at the residential schools, under separate arrangements made with the local Executive Councils.

- I have been unable to track down any records of such arrangements.
- It is also unclear what was meant by 'Executive Councils'.

Registered/inspected school

GAP: There is evidence of some residential/camp schools being officially registered as schools, and of Inspectors of Education inspecting them^{13,23-25}, from as far back as the 1930s and up to the 1980s.

- However, it is not clear that Fornethy itself was ever officially registered as a school and therefore whether it should have been inspected by HM inspectors of education.

Appendices and references

Section 04

- 1 – Legislation for the medical inspection of pupils
 - 2 – Regulations for the retention and destruction of school records
 - 3 – Legislation for HM Inspectors
- References

APPENDIX 1: Legislation for the medical examination, treatment and well-being of pupils, leading up to and during the time of Fornethy

Acts and legislative instruments	Relevant provisions
Education (Administrative Provisions) Act 1907	13(1b) Education authorities to provide medical inspection of children on their admission to school and on other occasions as the Board of Education directs, and to make arrangements for attending to the health and physical condition of children in public elementary schools: to do this they may work with voluntary agencies/associations.
Education (Scotland) Act, 1908	3(4) School boards to contribute towards/provide for maintaining and educating epileptic, crippled or defective children in homes or other institutions within or without the district of the school board. 4 School boards to provide for the medical examination and supervision of pupils.
Memorandum on the medical examination and supervision of children, 1908	(v) The experience of holiday homes and convalescent homes in Scotland confirms the records of open-air schools on the Continent. Boards should be able to arrange with voluntary agencies for children certified as needing recuperative treatment to receive it without complete interruption of their education.
Education (Scotland) Act, 1925	Extended 3(4) of the 1908 Act above to include ' children certified by the school medical officer as requiring special arrangements for their education'.
Day Schools (Scotland) Code Minute, 1939	In schools, including residential schools: 20(2) Medical re-examination of pupils, at such intervals as Scottish Education Department may approve.
Education (Scotland) Act, 1936	8 Authorities may supply or maintain holiday or school camps for pupils, to help develop their physical well-being.
Education (Scotland) Act, 1945	3(1) Education authorities may establish, maintain and manage camps, holiday classes , etc., to secure adequate facilities for recreation, social and physical training, etc. 38(3–4) Education authorities to secure free medical treatment for pupils; and to encourage and assist them to take advantage of this, as long as the parent does not object.
School Health Service (Scotland) Regulations, 1947	8(5) Education authorities to tell parents , who are entitled to be present at such examinations, the time and place of their child's medical inspection.
National Health Service (Scotland) Act, 1978	39(1) Education authority to provide medical and dental inspection and supervision of pupils attending its schools. 39(3) Education authority to encourage and assist pupils to take advantage of the above, unless the parent objects.
Education (Scotland) Act, 1980	57 An education authority may require the parent of a pupil to submit their child to inspection; or for that child to submit himself for inspection.

APPENDIX 2: Guidance and retention policies for all Scottish school records, covering the time of Fornethy

Record	Description ^{16–17}
<p>SCHOOL REGISTERS OF ADMISSION + WITHDRAWAL</p> <p>Relevant guidance: Retention policy:</p>	<p>Name, address and date of birth of pupil; name and address of parent or guardian; dates of admission to and withdrawal from school; class placed in; previous schools; exemption from religious observance or instruction.</p> <p>Children at residential (also called ‘camp’) schools continued to be marked as present at their normal schools.</p> <p>To be held for five years after the year for which it was kept, after which it may be destroyed. Summaries of daily attendance were to be kept for only two years after the year for which they were kept.</p>
<p>CAMP (RESIDENTIAL SCHOOL) REGISTERS</p> <p>Relevant guidance: Retention policy:</p>	<p>Name and date of birth of pupil; name and address or person responsible for securing their attendance at school; dates of arrival at and departure from the camp; any dates when, through accident or illness, the pupil was unable to take part in any activities; and dates of, and reasons for, any absence from the camp school.</p> <p>To be drawn up by the head teacher at the pupil’s normal school and sent to the camp school with the pupil. When the pupil left, the camp school would then send the register back to the same head teacher.</p> <p>To be held for five years after the year for which it was kept.</p>
<p>PUPILS’ PROGRESS RECORDS</p> <p>Relevant guidance: Retention policy:</p>	<p>The results of any test; any factors adversely affecting the pupil’s education capacity; the pupil’s health record; and any information on his emotional development.</p> <p>Each pupil’s records shall remain in the custody of the education authority. (Under the School Pupil Records (Scotland) Regulations, 1990, a pupil or their parent or guardian could request to see their progress record.)</p> <p>To be preserved for a period of five years following the pupil’s final attendance at school.</p>
<p>SCHOOL LOGBOOKS</p> <p>Relevant guidance: Retention policy:</p>	<p>Visits by officials; visits and findings of HM inspectors; other facts concerning the school, its teachers, its pupils and its work as directed by the education authority, or which might require to be referred to at a future time or of ‘sufficient interest or importance to be permanently recorded’.</p> <p>No entries to be deleted; should not contain reflections or general opinions.</p> <p>The education authority was to ensure that logbooks were preserved as ‘documents of historical interest’.</p>

APPENDIX 3: Relevant duties of HM Inspectors of Education covering the time of Fornethy

I was unable to establish whether Fornethy was formally registered as a school and whether it was supposed to be inspected by HM Inspectors of Education. If it had been, Fornethy would have been subject to the legislation below.

Acts and legislative instruments	Relevant provisions
Day Schools (Scotland) Code Minute, 1939	In schools, including residential schools: 20(3) The requirements of the Code [relating to the subjects to be taught in the school] shall apply with such modifications as the Inspector may approve.
Education (Scotland) Act, 1945	53(1) Inspections by HM inspectors to be made of every educational establishment being a school or junior college; any other educational establishments may be inspected from time to time.
Schools (Scotland) Code, 1950	5(4) District and Chief Inspectors to review, in consultation with the Education Authority, temporary appointments, to ensure that all efforts are being made to fill them with certificated teachers with appropriate qualifications. 21 Approve schemes of work prepared in consultation between education authority and the school head teacher.
Schools (Scotland) Code, 1956	As above, plus – 16(3) The headteacher to record visits of [among others] an Inspector in the school logbook. 16(5) An Inspector may note in the logbook any visit paid to the school and enter any particulars as may seem to them to require attention.
Education (Scotland) Act, 1980	66 Every educational establishment being a school or junior college to be inspected at 'appropriate' intervals or for a particular reason – and any other educational establishment, to be inspected from time to time – by HM Inspectors or other persons appointed by the Secretary of State for the purpose.

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13. The four surviving logbooks from four residential schools. *Corporation of the City of Glasgow, Education Dept.*
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24. **Inspectorate Notice No. 180: Outdoor Centres**, 14 October 1969. *Corporation of Glasgow Education Dept.* (Held by National Records of Scotland)
25. Inspectorate notes of meeting of Head Teachers of Primary Schools on 23 October 1970. *Corporation of Glasgow Education Dept.* (Held by National Records of Scotland)