

Edinburgh Peace Institute submission of 28 December 2022

PE1979/E: Establish an independent inquiry and independent national whistleblowing officer to investigate concerns about the alleged mishandling of child safeguarding enquiries by public bodies

The Edinburgh Peace Institute's, policy research on "*Safeguarding Reporting*" offers to the PE1979 Inquiry, the foundation, for development and implementation, of a 'Safeguarding Reporting Structure' (SRS). This has been drawn from inferences, taken from several case studies with direct experience of reporting safeguarding issues, and with further engagement drawn from Police Scotland, lawyers, councillors, MSPs, schools and families.

The empirical evidence clearly demonstrates that, institutions, acting autonomously, within their own sphere of self-regulated safeguarding, are particularly prone to fail to visualise potential safeguarding issues; they have no clear reporting structure; there is an intent to cover-up, rather than engage with resolution; there is a failure to inform families/police/authorities when issues are reported to them; there are failures of facilitation of safeguarding reports internally; power-rich institutions, also rely on legal support to harass Safeguarders (whistle-blowers), making it harder, more costly, with extended timelines for those less well-off to pursue justice. Amid these failures, the system is designed to safeguard institutions, and not the young people they should be supporting. These failures are found in religious, academic, school, councils, and governance structures. These institutions must be stripped of any autonomy to self-regulate safeguarding, as it is this self-regulatory aspect that is of vital concern. It is proposed here that a centralised safeguarding system is developed by government.

1. *what do you think the Committee should do next?*

Task of the Committee: What would a safeguarding reporting structure look like, how will it function?

The Committee should take seriously, the task of developing and implementing a unified “**Central Safeguarding Reporting Structure**” (CSRS), such a government development, would put an end to institutional self-regulation in child protection and safeguarding.

The CSRS would consist of the following units:

1. Safeguarding Reporting Central Unit (SRCU) - (Government Housed).
2. Safeguarding Reporting Central Research Hub (Tracking of outcomes).
3. Safeguarding Reporting Structure (Each Institution)
4. Safeguarding Reporting Team (Each Institution)
5. Safeguarding reporting teams within institutions, report to, and are trained by the SRCU.

The Safeguarding Reporting Central Unit:

Firstly, the Committee must implement a government level “**Safeguarding Reporting Central Unit**” (SRCU). This would be government-led or housed, with trained cross-party electives as members, (always) including health professionals, legal representatives, and police, NGOs, and OSCR. The SRCU must never be allowed to function by one sole political party, or a group of individuals who all subscribe to the same religion. The underpinning methodology of the SRCU should be one built on ethics and human rights. The SRCU would be a central point of contact for all safeguarding and child protection issues, building transparency into the system, taking the (self-regulatory) power away from councils, universities, police, and government parties in their own districts. The SRCU would provide a collaborative support plan, where institutions function within the legal framework and rules for managing safeguarding reporting, developed by the SRCU.

The SRCU would develop and implement a full safeguarding reporting structure, where, all reported incidents are collated and acted upon, by cross-party representatives and professionals. It would become a legal format, whereby, all institutions who have a safeguarding issue, are no longer autonomously handling the issue, but are working in collaboration, trained by, and overseen by the SRCU. It should be legally clear that any institution/person that fails to register a safeguarding issue to the SRCU, should be investigated, with those in leadership removed

immediately from their position. The system will not support inaction or failure to report, as a result, the system would change from a structure that safeguards leaders, to one that safeguards Scotland's young people. Further evidence shows that council leaders, MSPs and councils, require training on how to handle safeguarding reports. The development of the SRCU would remove the central autonomy from institutions, (universities, police, religious bodies, NHS, school's) and make it the responsibility of institutions to report and work collaboratively to assist issues of safeguarding and child protection with the SRCU, putting an end to institutional self-regulated safeguarding.

The Safeguarding Reporting Central Research Hub: The SRCU would also act as a "Safeguarding Reporting Central Research Hub" (SRCRH) for data collation, theme mapping, incident case tracking and policy development. The methodology would gather data, in a GIS & Mapping system, collating themes, locations, severity, council area, school, university, hospital, etc, mapping each SRCU intervention process and outcome. Mapping and overseeing each incident, stops institutions from delaying issues, and commits them to comply within the rules set by the SRCU. The SRCRH would also data-bank leaders, managers and academics who fail to report, no matter of their status.

Safeguarding Reporting Teams: Secondly, each institution that has a function with young learners and children in Scotland, must be legally bound to implement a "Safeguarding Reporting Structure", within that institution. Each institution must train and implement a "Safeguarding Reporting Team" within their designated institution. Ultimately, each institution must implement policy and training by the SRCU. Institutions will no longer have the autonomy to facilitate their own safeguarding investigations. All children in Scotland will be protected under the same ethical and human rights system.

Legal Concern: Corporate and academic institutions are using multiple legal practices, once legal firms commit to these institutions, they can no longer act on behalf of a family with a concern, or a safeguarder who wants justice for reporting issues. It is suggested here that:

1. The SRCU develop and provide legal support to families and persons reporting safeguarding issues in relation to institutions. As a result:
 - a. the Safeguarder becomes supported,
 - b. the issue does not go unchallenged, hidden,

- c. the SRCU investigate and resolve the case,
- d. incompetent managers can no longer hide behind institutional entitlement and titles.

2. Changes in Scot's Law

- a. Legal firms are morally and ethically duty bound to report to the SRCU any report of safeguarding concern.
- b. Legal firms are duty bound to support the complaints of a Safeguarder on first contact negating institution(s) under concern.