

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

Minister for Children, Young People and The Promise written submission, 12 December 2024

Thank you for your email 15 November requesting an update on the outcome of my meeting with PE1979 petitioners on 4 December.

I was keen to meet with petitioners and found the meeting to be very helpful. We discussed the three requests they have made in this petition: for there to be an independent investigation into allegations relating to child abuse; to address gaps in the Scottish Child Abuse Inquiry; and to establish an independent national whistleblowing officer for children's services.

During the meeting I heard a lot from the petitioners about the reasoning behind the petition, the petitioners' individual experiences, as well as their concerns about specific public bodies.

Both petitioners and I noted the range of work the Scottish Government is carrying out with partners to both prevent abuse and intervene early to ensure that risk and harm to children and young people is recognised and acted on quickly and effectively.

As stated previously, we will not be widening the Scottish Child Abuse Inquiry (SCAI) as this would delay the publication of findings and recommendations. This would mean we would fail to meet our commitment to survivors of in-care abuse that we will learn from their experience and address the systemic failures which existed.

As the Committee is aware, any inquiry is extremely resource intensive. The Scottish Government, along with government and public sector bodies across the UK, currently faces an incredibly challenging fiscal environment. This means I must sometimes make difficult decisions to ensure our resources are used efficiently and effectively. SCAI is already undertaking an extensive review of child protection policy and practice in Scotland and will report with recommendations for further development in due course. However, evidence from Inquiry hearings and reports are already being considered as part of ongoing improvement work. We have also considered learning from the Independent Inquiry into Child Sexual Abuse in England and Wales.

There is therefore a strong evidence base being built for pursuing any changes and improvements to our system in future. In the meantime, it is crucial to focus efforts and resource on working with partners across the system to support embedding and implementation of the National Child Protection Guidance.

On the request to establish an independent national whistleblowing officer for children's services, we had a really helpful discussion. I noted there are already a set of bodies and processes in place (such as the Care Inspectorate or the Scottish

Public Services Ombudsman) in Scotland to provide independent inspections and investigations into specific incidents.

National Child Protection Guidance states Police Scotland, NHS Boards and local authorities are the key agencies that have individual and collective responsibilities for child protection. The Guidance states they must account for the effectiveness of their child protection responses, including investigating and resolving individual cases. To support this, all of these bodies have robust complaints procedures in place. If individuals are unhappy with how their complaint has been handled there are other robust processes to progress this including through the Police Investigations and Review Commissioner or the Scottish Public Services Ombudsman. These are independent of the services they investigate and provide a final decision for complaints.

However, I noted that I would like to explore further how to best support more robust and consistent investigations of specific cases across the country. Child Protection officials have recently re-engaged with Association of Directors of Education in Scotland representatives about the issue of how safeguarding concerns that arise in the education space are investigated at local level. We understand that HR, whistleblowing and investigation arrangements are different in different local areas. We are therefore doing work to engage with relevant stakeholders to discuss these issues and gather views about how to address any gaps and create more consistency across the system.

The Scottish Government has also recently set up a National Public Protection Leadership Group (NPPLG). The NPPLG brings together public protection experts to discuss ways public protection processes in Scotland can and should improve, this includes consistency of local handling of cases.

I noted the Petitioners' clear concerns about the operation of bodies like GTCS and SPSO and that concerns about their handling of safeguarding-related cases have, and continue to be, raised in Parliament and elsewhere. I therefore undertook to take away these points and look into these further.

These are complex topics and engagement on them will require some time, and I undertook to keep petitioners updated on this work.

I trust this provides you with the information required to further consider this petition.

Yours sincerely,

Natalie Don-Innes MSP
Minister for Children, Young People and The Promise