

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

## **Petitioners written submission, 31 March 2025**

On 5th February, petitioners welcomed the Citizen Participation and Public Petitions Committee's decision to write to the Scottish Government and strongly recommend an independent national whistleblowing officer for education and children's services.

Here we respond to the key points within the submissions received from the Minister for Children, Young People and The Promise and the General Teaching Council of Scotland (GTCS).

### **Improvement work sufficiently addresses concerns**

Both submissions echo previous institutional responses in listing the improvements underway, from updated National Child Protection 'guidance' to awareness raising campaigns.

We continue to welcome any safeguarding progress and are pleased that much of this improvement work has been initiated during the petition's parliamentary journey.

However, the success of any improvement work is limited without an independent investigation into unresolved allegations about mishandled child abuse and child safeguarding concerns – past and present – and particularly where alleged perpetrators are still working with children and young people. This also applies to the establishment of an INWO as the call to independently investigate unresolved, not just forward, concerns will best build safeguarding confidence and inform systematic improvements. Anything less tinkers around the status quo of what whistleblowers and survivors believe to be a broken system.

### **Whistleblowing systems already exist**

Petitioners note the discussions with the Association of Directors of Education in Scotland to determine the effectiveness of local authority whistleblowing systems and whether any improvements are needed.

Clearly, whistleblowers who continue to seek our support do not feel that the existing systems are working well, and have shared how their health, careers and lives have been impacted. Indeed, as an example, Edinburgh's Tanner Inquiry concluded that

“...there is not a universally positive, open, safe and supporting whistleblowing and organisational culture”

and wider investigations found that senior managers in education and children's services failed to address safeguarding concerns.

Such behaviour is still alleged today, and the Tanner Inquiry's recommendations have yet to be robustly implemented. In addition, [recent evidence to the Scottish](#)

[Child Abuse Inquiry](#) raises serious questions about the independence and effectiveness of City of Edinburgh Council's whistleblowing system.

Given this, petitioners continue to be guided by those with lived experience of whistleblowing.

### **New multi-agency groups will protect children from abuse**

Petitioners welcome improved public body safeguarding processes and note the review by the new Child Sexual Abuse and Exploitation National Strategic Group. However, any impact will be inhibited by the continued failure to independently listen to those raising concerns about mishandled abuse. In [our November 2024 submission](#), petitioners also raised concerns about multi-agency networks being overly reliant on the safeguarding information and investigations of partners – particularly where conflicts of interest exist.

### **Scottish Child Abuse Inquiry will inform any change**

Again, the Minister misunderstands the petition's call about the Scottish Child Abuse Inquiry. It is not to extend the existing inquiry or cause delay to care experienced survivors who have long awaited justice. Rather, it calls on the gaps to be distinctly addressed to ensure the fullest picture of child abuse in Scotland and to best inform future policy and practice.

The systematic flaws which fail our children are wider than residential care and stretch beyond the inquiry's limited timescales. And, as voices wait for years to be heard, more stories of costly safeguarding failures emerge. Further still, conflicts of interest are alleged, including civil servants who support the inquiry's findings whilst advising their Ministers.

### **UNCRC protects children**

Whilst we wholeheartedly support UNCRC incorporation, we continue to highlight the power imbalances that exist for those raising concerns. Many cannot afford legal advice and representation and, in the backdrop of a legal aid crisis, are unable to challenge any mishandling to realise the rights of children to be safe.

### **Mandatory reporting improves safeguarding**

Petitioners are supportive of mandatory reporting, and it has been alleged across cases that education and children's services professionals have failed to report. Any such move though must be coupled with robust and independent investigation, especially where there are concerns about public body cover ups.

### **The GTCS Review will strengthen investigations**

Petitioners welcome GTCS acknowledgement that local authority complaint handling and investigative processes need improved.

In [our November 2024 submission](#) we raised the safeguarding policy category termed 'frivolous' by the GTCS, and their over-reliance on the employer to robustly investigate and mark their own homework. We hope this will be independently scrutinised by the PSA.

In contrast to the GTCS view that investigation by the employer is best, we continue to highlight the existing power imbalances and the failure of local authorities to identify or manage conflicts of interest.

Importantly, we are deeply concerned about the reference to unclear child protection roles and responsibilities and the delay to urgently resolve this situation.

### **Education Bill will address school gaps**

Petitioners support incorporating specific safeguarding and child protection responsibilities into school inspections. Given though the conflicts of interest that can arise in the educational world, there should be consideration as to how this fits with a newly established INWO.

### **The petition adds duplication to a complex system**

We disagree with the GTCS that an INWO will distract from identifying child protection gaps and solutions.

Over years, whistleblowers and survivors have shared their experiences and it's often only their tenacity and courage in the face of institutional indifference or obstruction that has brought abuse and safeguarding failures to the public's attention. These voices must be better heard.

We also disagree on duplication. For example, the SPSO has been cited as the existing independent investigator. However, a recent safeguarding case highlighted that they do not provide the level of scrutiny required in identifying the validity of concerns and the safeguarding truth.

Petitioners note the SPSO quote about the complexity of the system and the care needed in creating any new role. We have previously agreed with this view as we're not calling for more of the costly and complex status quo that delivers little accountability. Instead, and as endorsed in recent committee discussions, we believe those at the heart of concerns should be supported to lead in shaping an INWO.

In conclusion, the search for solutions features in both submissions and we would suggest that these can be found in PE1979's calls.