

Scottish Social Services Council (SSSC) submission of 15 March 2023

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

We thank you for the opportunity to contribute to this petition. The Scottish Social Services Council is the regulator for the social work, social care and children and young people workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.

We protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social services and their employers
- register people working in social services and make sure they adhere to the SSSC Codes of Practice
- promote and regulate the learning and development of the social service workforce
- are the national lead for workforce development and planning for social services in Scotland
- are an ONS statistics provider.

We note that the petition calls on the Scottish Government to launch an independent inquiry to look at:

- concerns regarding mishandling of allegations about child protection, child abuse, safeguarding and children's rights by public bodies
- settings not covered by the Scottish Child Abuse Inquiry

- establishing an independent whistleblower for education and children's services in Scotland.

Our views on the issues presented by this petition align with those of the Minister for Children and Young People, as given in their submission of 28 November 2022.

We work closely with the General Teaching Council Scotland and have a memorandum of understanding with them to allow our organisations to share information relevant to carrying out our respective public protection functions. We work closely with other public bodies and regulators relevant to child protection information sharing.

We continue to support the Scottish Child Abuse Inquiry (SCAI). We have given evidence to the SCAI in phases six and seven and are due to give evidence to phase eight of the inquiry on the role the SSSC's Codes of Practice for Social Service Workers and Employers and our fitness to practise process have in addressing allegations relating to child protection issues and how organisations work together. This evidence provided SCAI with information about past fitness to practise referrals to the SSSC concerning registered individuals in educational settings. The evidence also highlighted how the SSSC's fitness to practise process ensures allegations of misconduct are investigated and acted upon.

SCAI's terms of reference, sections 6 to 8, already give the Inquiry the following powers:

6. To consider the extent to which failures by state or non-state institutions (including the courts) to protect children in care in Scotland from abuse have been addressed by changes to practice, policy or legislation, up until such date as the Chair may determine.
7. To consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future.
8. To report to the Scottish Ministers on the above matters, and to make recommendations, as soon as reasonably practicable.

We believe that these powers are sufficient to allow SCAI to make recommendations to address concerns about how allegations have been handled by public bodies. We also believe that the Children and Young People's Commissioner Scotland currently has the whistleblowing

powers that are proposed by this petition. Therefore, we do not believe that a whistleblower for education and children's services in Scotland as set out in the petition is necessary.

We hope that the committee and petitioner find the information we have provided useful and we would welcome the opportunity to discuss our role further.