

PE1979/KK: 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, 16 September 2025

As PE1979 petitioners look to 8th October, when the Citizen Participation and Public Petitions Committee will next consider their petition, this submission provides an update on developments since the committee's decision to support on 5th February.

Growing MSP Support

Petitioners very much welcomed the committee's decision to recommend an independent national whistleblowing officer for education and children's services and the supportive remarks around the petition's calls and related issues. They also continue to be encouraged by the growing number of elected members from different parties and constituencies across Scotland who have taken the time to meet and for their understanding of the serious child safeguarding concerns involved.

In addition to Ash Regan MSP and Edward Mountain MSP's attendance at the February committee to speak in support of the petition, in April, Miles Briggs MSP and Stephen Kerr MSP made an effective case for an Independent National Whistleblowing Officer when proposing amendments at committee for the Education Bill. Whilst petitioners were of the opinion that the specific proposal of incorporating safeguarding into HMI school inspections would not deliver the level of independence required, the efforts of both MSPs were valued.

As part of this wider growing support, elected members have now offered to organise a cross-party meeting with petitioners to ensure more collaborative and supportive action.

Scottish Government Responses

In contrast, petitioners continue to be disappointed in the Scottish Government's defensive approach to the child safeguarding concerns raised and to the committee's recommendation of an independent national whistleblowing office.

This disappointment was starkly felt after twice writing to the Deputy First Minister. On both occasions, civil servant responses were received and it again appeared that the Scottish Government had missed key child safeguarding points that have been well made by petitioners in the course of the petition's parliamentary journey.

Of further disappointment was the lack of reference to the invite from the petitioners to meet. In their letter of 22 April, petitioners had commented on the Deputy First Minister's misapprehensions about the petition as communicated by her during general question answers on 23 January and 5 March, and invited a meeting to provide clarity on the petition's calls.

Coupled with responses from the Minister for Children, Young People and the Promise - covered by petitioners in their March submission - such a defensive approach leaves petitioners with the question, *What is the democratic purpose of*

cross-party decisions by parliamentary committees if the Scottish Government can ride rough shod over them?

GTCS Fitness to Teach Review

In previous submissions and meetings, petitioners have raised the investigative weaknesses within the GTCS Fitness to Teach process. Of particular concern is the filtering out of child safeguarding referrals at the initial consideration stage using the GTCS's own self-defined 'frivolous' threshold policy and thus placing an imbalance of power into the hands of the local authorities.

Petitioners have highlighted this as a serious child safeguarding gap. Whether it's due to resources, expertise or conflict of interest issues, it is alleged that local authorities can and do, mishandle child safeguarding complaints, and there is no sufficiently independent body with an oversight role to ensure the safety of children and whistleblowers.

In their own March 2023 submission, the GTCS refers to their investigations being '*thorough*' and '*independent*'. It would appear, however, that the Professional Standards Authority, who carried out the Fitness to Teach Review and published their report in May, are of a different view.

In their findings, the PSA recognised the risks of the threshold policy in closing cases at the initial consultation stage if they are subject to ongoing local processes, or have not been investigated.

Having reviewed a sample of cases, the PSA found that the GTCS relied solely on the referral information when closing cases at the initial consideration stage, whilst at the same time, other cases had not been progressed to investigation despite there being sufficient evidence on file. The PSA also recognised the varying quality and timescales of employer investigations, of which the GTCS have little control.

Whilst the length of the Fitness to Teach process was also criticised, often exacerbated by lengthy employer investigations, the GTCS found cases that were being rushed through in response to the 5 year arbitrary rule and when, in traumatic cases, it can take time to identify the harm involved.

Further still, the PSA also recognised the need for vulnerable witnesses to be better supported and for there to be more effective temporary restriction order powers for those under investigation.

As the review of cases involved only a small sample as selected by the GTCS, this has a bearing on the confidence we can have in GTCS's handling of wider child safeguarding referrals. This is especially so when only 26% of referrals received from the public were progressed to investigation between 2018 and 2023, compared with 92% of employer referrals.

Given this, petitioners would call for all child safeguarding referrals to be independently investigated and ultimately, through the establishment of an independent national whistleblowing officer.

Impact of delays on child safeguarding

As noted above, the petition has been 3 years within the petitions process and all the while, whistleblowers and survivors continue to approach petitioners for support.

It's clear that the delay to action the petition's callings not only risks the mishandling of even more cases, placing greater power in the hands of public bodies, but that it continues to erode the confidence that can be had in our current child safeguarding systems and personnel.

As an example, since the petition was last considered in February, petitioners have written to the Chief Executive of Edinburgh Council about current child safeguarding allegations relating to residential care. Whistleblowers, who had previously communicated these concerns to the former CE, allege a past and present mishandling and cover up of child safeguarding complaints, with staff simply being moved around to work with other children and young people. Some of the safeguarding concerns and culture are reflected in witness statements to the Scottish Child Abuse Inquiry, [such as one heard by the inquiry in January 2025](#).

Looking wider to Scotland, any failure to establish an independent office, continues to leave those raising concerns at the mercy of internal investigations where conflicts of interest can thrive.

In the course of the petition, allegations have included internal staff leading on investigations or supporting 'independent' inquiries and multi-agencies doing no more than marking their partner's homework. Petitioners themselves have also been concerned to receive responses from civil servants with the conflicting roles of supporting both Ministers and the Scottish Child Abuse Inquiry.

Scotland's children deserve better than this – support the petition's calls!