

Citizen Participation and Public Petitions Committee
Wednesday 8 October 2025
15th Meeting, 2025 (Session 6)

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

Introduction

Petitioner Neil McLennan, Christine Scott, Alison Dickie, and Bill Cook

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to launch an independent inquiry to examine: concerns that allegations about child protection, child abuse, safeguarding, and children's rights have been mishandled by public bodies, including local authorities and the General Teaching Council Scotland (GTCS); gaps in the Scottish Child Abuse Inquiry; and establish an independent national whistleblowing officer for Education and Children's Services in Scotland to handle these enquiries in the future.

Webpage <https://petitions.parliament.scot/petitions/PE1979>

1. [The Committee last considered this petition at its meeting on 5 February 2025](#). At that meeting, the Committee agreed to write to the Minister for Children, Young People and The Promise, and to write to the General Teaching Council for Scotland.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Minister for Children, Young People and the Promise, the General Teaching Council for Scotland and the petitioners, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 30 November 2022](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 2,066 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
October 2025

Annexe A: Summary of petition

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

Petitioner

Neil McLennan, Christine Scott, Alison Dickie, and Bill Cook

Date Lodged

3 November 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to launch an independent inquiry to examine: concerns that allegations about child protection, child abuse, safeguarding, and children's rights have been mishandled by public bodies, including local authorities and the General Teaching Council Scotland (GTCS); gaps in the Scottish Child Abuse Inquiry; and establish an independent national whistleblowing officer for Education and Children's Services in Scotland to handle these enquiries in the future.

Previous action

Have written to the Cabinet Secretary for Education and Skills in July 2021 and received a response in August 2021. We are also aware that Oliver Mundell MSP and other MSPs have corresponded with the Cabinet Secretary for Education and Skills on this issue.

We support the [#Unfeartie campaign](#), which was set up by the Children's Parliament in 2017.

Background information

The #Unfeartie pledge is to have courageous conversations regarding children's issues and speak up and stand alongside children. We take these principles very seriously, and have supported whistleblowers in raising historic and current allegations about child protection, child abuse, safeguarding and children's rights matters.

The alleged mishandling of child safeguarding concerns in many public bodies (Edinburgh, Borders, Aberdeenshire, East Lothian and the GTCS) have been well publicised, with whistleblowers calling for a public inquiry, open to existing or new whistleblowers and the public to raise recent or historic concerns.

A number of written and oral parliamentary questions highlighting these concerns have been lodged by MSPs. These include questions to the First Minister from Christine Grahame, Willie Rennie, Meghan Gallacher and Douglas Lumsden.

The Scottish Child Abuse Inquiry focuses on historic abuse and is specific to children in care. A wider inquiry into safeguarding concerns and enquiries from parents, guardians, carers, professionals and the public, which have been mishandled, is needed. This should consider gaps in the existing inquiry; mainstream and specialised settings; and regulated children's activities.

Annexe B: Extract from Official Report of last consideration of PE1979 on 5 February 2025

The Deputy Convener: Our next petition is PE1979, which was lodged by Neil McLennan, Christine Scott, Alison Dickie and Bill Cook, who join us in the public gallery this morning. Welcome to you all. We are also joined for consideration of this petition by our MSP colleagues Edward Mountain and Ash Regan. Good morning to both of you.

The petition calls on the Scottish Parliament to urge the Scottish Government to launch an independent inquiry to examine concerns that allegations about child protection, child abuse, safeguarding and children's rights have been mishandled by public bodies, including local authorities and the General Teaching Council for Scotland; to examine concerns about gaps in the Scottish child abuse inquiry; and to establish an independent national whistleblowing officer for education and children's services in Scotland to handle such inquiries in the future.

11:00

We last considered this petition at our meeting on 6 March 2024, when we agreed to write to the Minister for Children, Young People and The Promise, the Scottish Public Services Ombudsman and the Children and Young People's Commissioner Scotland. Copies of the responses that we received are included in the papers for today's meeting.

Members will note that, although the SPSO suggested that there is merit in exploring an independent national whistleblowing officer role for education and children's services, its experiences with the establishment of the national health service whistleblowing service demonstrate that it is not a straightforward process and "would require careful design".

The response from the Children and Young People's Commissioner echoes that sentiment and notes that, although she supports the exploration of a potential whistleblowing officer role, it is not a role that could be fulfilled by her office, nor does she have any evidence of children and young people wanting the commissioner to take on such a role.

We received two responses from the minister, the first of which refers to the Scottish Government's determination

"to ensure that robust child protection measures are in place across Scotland",
through implementing updated national guidelines.

The minister also indicated her willingness to meet with the petitioners. I understand that that meeting took place on 4 December and that the minister committed to keeping the petitioners updated on her work to support more robust and consistent investigations of specific cases. As the minister noted in her second response, and in response to recent questions in the chamber, that work includes engaging

“with Association of Directors of Education in Scotland representatives about the issue of how safeguarding concerns ... are investigated at local level”,

as well as establishing a national public protection leadership group

“to discuss ways public protection process in Scotland can and should improve”.

We have also received several submissions from the petitioners, which welcome the constructive and thoughtful submissions from the SPSO and the CYPCS. They highlight continued concerns about fragmented investigation systems and the power imbalance experienced by those raising safeguarding concerns, and the need to ensure that those with lived experience of such issues are part of designing an independent whistleblowing system.

The petitioners’ most recent submission comments on their meeting with the minister. Although they

“welcome any action that strengthens the protection of children and young people”,

the petitioners remain concerned that the Scottish Government has, so far, failed to address “fundamental points” such as public confidence in child safeguarding when systems, networks and personnel involved in historical and current allegations of abuse continue to be in place.

That is quite a lot of information. I ask my colleagues Edward Mountain and Ash Regan whether they have anything to say before we begin the discussion.

Edward Mountain (Highlands and Islands) (Con): Thank you, convener. I always like to come to the petitions committee because of the wide range of subjects, but this petition is particularly personal for me. It revolves around the question of safeguarding children. The simple question that we seem to be faced with is: what price do we put on safeguarding children, and do we think that what we are doing at the moment is right?

If I may, convener, I will briefly allude to a story that I have been dealing with in my constituency. It relates to a child who was approached by a teacher who was making sexual comments and innuendo to that child. The child made a complaint and left the school before they had finished their schooling. The complaint took a very long time to go through the Highland Council, and the consequence was that the teacher was found guilty. However, there were complications in that some of the investigation was prolonged by the fact that the teacher in question had had a relationship with one of the people who was investigating, and the outcome was that the child failed to complete their education.

It is actually worse than that, because it was all a secret story that resulted in the teacher being dismissed and saying, “I’ve done nothing wrong” to members of the public and the child being unable to defend themselves because nothing was made clear. I believe that Highland Council misrepresented and did not carry out its safeguarding responsibilities for that child. The council ended up marking its own homework and keeping the results quiet and not publishing them. The long-term consequences happened purely to the child.

I struggled with that and with the parents having to deal with that, because it seems so wrong. I find it difficult to accept, which is why I absolutely believe that we need an independent inquiry and an independent national whistleblowing officer, so that parents can make sure that their children are actually safeguarded in schools. At the moment, in my humble opinion, the situation favours the employee, because the employer is investigating and has a responsibility for protecting the employee, however bad they have been, from the outcomes of any inquiries.

I raised that issue with the General Teaching Council in Scotland and I did not get an acceptable outcome, which is why I believe that the committee ought to consider the matter further and push the Government harder. Frankly, it does not know who will do the role. There was a question about cost, which is unacceptable. What cost do we place on safeguarding people? What cost do we place on safeguarding our children? Frankly, I do not think that the cost is too high, because we need to get it right.

Ash Regan (Edinburgh Eastern) (Alba): I thought that it might be useful to bring to the committee's attention things that have been going on in the City of Edinburgh Council that are similar to what Edward Mountain has talked about.

I cannot go into details, but a very concerned constituent came to me to explain serious mishandling of whistleblowing and potential breaches of safeguarding of children that had been going on historically, which I believe are still unresolved. That is in Edinburgh, but I can see that the issue goes further across the country. There appears to be an unacceptably high level of safeguarding failure in the system.

We are talking about children, so I suggest to the committee that, as Edward Mountain set out, the cost should not be an issue. I do not think that the failure in the system is being adequately addressed by the current procedures and processes. I believe that certain public bodies are being defensive in the way that they interact with the Parliament and the Government.

Over the past week, we have seen that the Government, unfortunately, does not have a grip on what is going on across Scotland. As Edward Mountain did, I urge the committee to think seriously about the requests in the petition and take them forward.

The Deputy Convener: I thank both colleagues for their contributions. Do members have any suggestions or comments?

Fergus Ewing: I am persuaded by what both of our visiting MSP colleagues say. I profoundly believe that the current system is inherently flawed, as the petitioners have maintained throughout the lengthy sequence of correspondence that I have read in preparation for this meeting.

We have a lot to learn from the Romans, including the first principle of natural justice: *nemo iudex in causa sua*—which means that no one can be a judge in their own cause.

The current basis of complaints in the health world and in education—for example, the GTC, which has been mentioned—is that the organisations deal with complaints

against their employees, but it seems to me that their first instinct is usually to defend the system—the employee—against the complainant. It is almost a genuflection, and I have seen it time and again for 25 years.

I am grateful to the petitioners, because they have highlighted the existence of an inherent flaw. Child safeguarding is probably the most sensitive and important area that we could possibly conceive of, as both of our colleagues have said.

I find the cost argument to be utterly unconvincing. The petitioners have pointed out that the cost of the child abuse inquiry is likely to be £300 million. It seems to me that, in the future, we should try to tackle the cost of the existing system rather than worry about the cost of a national whistleblower's office that will be minuscule in comparison with the cost of the damage that has resulted.

I strongly support the petition and I think that we should write to the minister. If colleagues are similarly minded, I feel that we have a sufficient evidential basis, particularly given the lengthy exchange that has taken place between the minister and the petitioners. There is no point in my rehashing it, but it is full of cogent relevant facts and material that the minister has not addressed in any way. Some of the very modest, minor work that the minister says is going on, such as making inquiries about what is happening at the moment, should have been done long ago, when the petition was first lodged. It is a bit late now.

There needs to be a whistleblower. We should not shilly-shally or dither and swither around but should instead urge the Government to get on with it and make that recommendation to the committee. Given that numerous members have registered their concerns about the issue, our impression is that there is widespread concern across the parties. Therefore we should get off the fence and recommend that there be a whistleblower. That should be considered in conjunction with the petitioners and others who can provide useful information about the whistleblower's role, their remit and how the process would operate. As I have said, the costs would be very modest in comparison with the existing costs.

The Deputy Convener: Do other members want to add anything?

Foyso Choudhury: I agree that we should write to the Minister for Children, Young People and The Promise to recommend that the Scottish Government explore the merits of an independent national whistleblowing officer for education and children's services. We should also seek an update on the action that the Scottish Government is taking to support more robust and consistent investigation of specific child safeguarding cases across Scotland, including what consideration has been given to addressing perceived conflicts of interest for local authorities between their responsibilities as employers and their duty of care to children and young people.

We should seek information on what engagement the Scottish Government has had with its UK counterparts following the Home Secretary's announcement that measures to make it mandatory to report child abuse will be introduced as part of the UK Parliament's Crime and Policing Bill, including what consideration the Scottish Government has given to introducing a similar measure in Scotland. We could also write to the General Teaching Council for Scotland to seek an update on the

Professional Standards Authority's review of its fitness-to-teach process and on the wider work that it is undertaking to review the fitness-to-teach rules, including whether any consideration is being given to perceived conflicts of interests over the role of local authorities as part of that review.

The Deputy Convener: Thank you, Mr Choudhury. Are colleagues agreed that we will take those actions?

Members *indicated agreement.*

Annexe C: Written submissions

Minister for Children, Young People and The Promise written submission, 26 February 2025

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

Thank you for your letter 10 February requesting further information on how the Scottish Government are progressing petitioners' requests.

As you know I met with petitioners in early December and wrote to the Committee shortly after updating you about our discussion. Since then, officials have been working to understand what solutions can be identified to overcome the issues raised by petitioners whilst ensuring they do not duplicate existing processes and adds value.

National whistleblowing officer for education and children's services

Since I met with petitioners, officials have met with representatives from the Association of Directors of Education in Scotland (ADES) to enhance our current understanding of the different whistleblowing and case investigation arrangements. Our engagement with ADES has provided the opportunity to discuss the whistleblowing functions that are already in place in all local authorities which generally cover all council services including education. We will be continuing to discuss how these existing functions are working, including the interaction between child protection and HR processes, to understand whether improvements can be made to functions already in place.

Robust and consistent investigations of child safeguarding cases

The Scottish Government is committed to ensure that robust child protection measures are in place across Scotland, and continue to be followed at all times. This commitment is demonstrated by the significant amount of child protection work we have carried out including updated National Child Protection guidance, embedding the UNCRC into Scots law, developing practitioner training on interagency referral discussions, significant funding to third sector partners to support survivors and prevent abuse, raising awareness through public communications campaigns and online hubs, as well as improving data about the scale and nature of child abuse to better prevent and improve early identification of risk and harm.

In November and December, we held the first two meetings of the new [Child Sexual Abuse and Exploitation National Strategic Group](#). This group comprises operational partners and other expert stakeholders, including Professor Alexis Jay, to review current actions and agree where additional focus is needed to better protect children from abuse and exploitation. The group is co-chaired by senior policing and social work representatives – Detective Chief Superintendent Sarah Taylor, Police Scotland's Head of Public Protection and Iona Colvin, Scottish Government's Chief Social Work Adviser. In the coming months the group will finalise its workplan to deliver on its aims to reduce risk of children being harmed, this will include assessing

processes of statutory bodies to ensure they fully protect children and young people from abuse.

As you may be aware, the GTCS are currently reviewing the way they carry out investigations of serious concerns about the conduct or competence of teachers. The GTCS is undertaking a review of its Fitness to Teach procedures and has commissioned the Professional Standards Authority to undertake an independent review of the performance and efficiency of their Fitness to Teach process, as part of its continuous improvement process. Their procedures are rooted in law. The results of this review will inform changes to the process. The Minister for Children, Young People and the Promise is due to meet with GTCS in the coming weeks to discuss the work of the organisation and what steps they take to protect children and young people from harm.

The Scottish Child Abuse Inquiry is undertaking an extensive review of child protection policy and practice in Scotland and will report with recommendations for further development in due course. The Scottish Government has been clear that it will carefully consider its findings and recommendations. As we have discussed previously, widening the Scottish Inquiry would delay the publication of findings and recommendations which 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.

UK Government proposals on mandatory reporting

As outlined in your letter, the UK Government are planning to introduce a statutory duty to report child sexual abuse through the Crime and Policing Bill.

In Scotland, all healthcare and education professionals already have a duty to report child abuse and must raise these concerns in line with local child protection procedures.

A failure to report child abuse could constitute a breach of their employment contract, lead to disciplinary action, or give rise to a claim for civil damages. Practitioners could also be struck off from social work, teaching, or medical registers for gross misconduct.

We are keeping the case for a broader, statutory requirement of mandatory reporting of child sexual abuse under review and we are currently engaging with stakeholders on this issue, including recently with the Cross-Party Group on Adult Survivors of Childhood Abuse.

Stakeholder views on the merits of mandatory reporting have varied, and throughout our engagement, a number of advantages, but also possible risks and unintended consequences have been highlighted.

For example, children and families may be less likely to disclose abuse or seek support if they are not given the opportunity to do so at their own pace – indeed this is one of the reasons we are introducing the Bairns Hoose model in Scotland to support disclosure in a trauma-informed way.

We will, however, continue to engage with the UK Government and consider its proposed approach to implementing a statutory duty on mandatory reporting and will also consider all relevant recommendations coming out of the Scottish Child Abuse Inquiry. This work will consider all people and organisations who work with children and young people.

I trust this information answers the questions in your letter to allow the Committee to further consider the petition.

Yours sincerely,

Natalie Don-Innes MSP

Minister for Children, Young People and The Promise

**General Teaching Council for Scotland (GTCS) written submission,
10 March 2025**

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

I refer to your letter dated 10 February, in which you ask for an update on the Professional Standard Authority (PSA) review into our Fitness to Teach process, and the wider work we are undertaking to review the Fitness to Teach rules. You specifically asked whether any consideration is being given to perceived conflicts of interest over the role of local authorities as part of this review.

PSA review

The independent review that we have commissioned from the PSA forms part of our [wider review of our Fitness to Teach Rules](#).

The Fitness to Teach Rules underpin and govern our fitness to teach process.

The fitness to teach process exists to determine whether an individual teacher has the knowledge, skills and character to mean they are suitable to be on our Register. Proportionate to this purpose, the process focuses on investigating serious concerns.

The purpose of reviewing the Rules is to ensure they reflect current law and best regulatory practice, and to make the Fitness to Teach process work as efficiently as it can, while still meeting the public interest and ensuring fairness.

We proactively commissioned the PSA because of their wealth of experience reviewing the work of regulators, in their capacity as both a health sector super regulator and also [as a provider of consultancy services with expertise on professional regulation](#). We know that their review will be thorough and challenging which we welcome as a learning organisation focused on continually improving how we work.

The PSA has specifically been looking at the performance and efficiency of the Fitness to Teach conduct process in the context of the statutory framework within which it sits. The results of their review will help inform the changes we make to the Fitness to Teach process and the rules that govern it.

The PSA is carrying out its review independently and what it considers relevant is for the PSA to determine. We expect the final report to be published in May.

The role of local authorities

We know that the main focus of the Petitions Committee at its last meeting was on a perceived conflict of interest over the role of local authorities in investigating concerns about the teachers within their schools.

Investigation at local level by an employer is an essential feature of complaints handling and disciplinary processes in all sectors and professions.

A local authority led process will always be required so long as local authorities are education service providers and teacher employers in Scotland.

If it is established that the concerns relate to an individual (who may or may not be a teacher), investigation at local level is the most efficient and effective way of gathering the evidence required to reach a decision about the individual's position within their immediate working environment and how the concerns are best addressed.

Often concerns are broader, for example, they relate to the culture within a school, the resources in place, or local authority-wide policies and procedures. These concerns must be managed by the local authority.

Alongside Police Scotland and NHS Boards, local authorities are also a key agency with responsibilities for child protection – they must account for this work and its effectiveness.¹

If a conflict of interest is identified, the local authority must have a means of managing that conflict. For example, this may mean appointing an appropriately independent individual to carry out an investigation.

Based on our experience, particularly from member of the public referrals into our fitness to teach process, our view is that local authority complaint handling and investigative practices need to be improved and we have been highlighting this for some time. We believe that improved and consistent employer process and practice is required where concerns about teachers are raised. Our view is that this improvement work must be coordinated nationally and that there must be system regulation in place – effective oversight of education service providers – to make sure the required improvement actually happens. It is for this reason that we have been calling for system regulation to be ensured as part of education reform.

Establishing where the gaps lie

¹ [National Guidance for Child Protection in Scotland 2021 - updated 2023 - gov.scot](https://www.gov.scot/publications/national-guidance-for-child-protection-in-scotland-2021/pages/13/)

We have been engaging with the Scottish Government's Child Protection Unit and others within the system to clarify roles and responsibilities in relation to child protection matters, including the role of Disclosure Scotland. We are disappointed that this work appears to have stalled. We believe it is a vital step towards providing a system-wide overview of roles and responsibilities, and identifying where the gaps are and how to address them. It is also essential to ensuring that the system is coherent and has the right checks and balances within it.

In addition, the Scottish Child Abuse Inquiry is about to begin the tenth phase of its work. Having been involved in providing evidence to the inquiry, we believe that the broad range of themes under consideration will also help to highlight where the gaps in child protection and safeguarding currently are and provide recommendations for improvement.

Education (Scotland) Bill

During Stage 1 of the Education (Scotland) Bill, Scottish Liberal Democrat Education spokesperson, Willie Rennie MSP raised the issue of whether the bill could address gaps in child protection in the current regulatory landscape. Specifically, he pointed out that while GTC Scotland

“has a function in respect of individual teachers, there is concern that the system that is operated by local authorities and schools is not sufficient and that it is not inspected”².

The Education, Children and Young People Committee's Stage 1 report picked up on this point and recommended that the Bill be amended at Stage 2 to clarify this³.

By amending proposals for the new inspectorate's remit to include specific safeguarding and child protection responsibilities in the exercise of its functions, this is one way the Bill could strengthen the child protection landscape in Scotland.

PE1979

While we can understand why the petitioners are proposing a whistleblowing officer, we would refer to [the submission made by the SPSO to the Petitions Committee dated 3 April 2024](#) in which the Ombudsman noted that in

“a complex scrutiny and regulatory landscape, there are risks when creating new institutions or functions about adding to that complexity. Creation of new roles should, ideally, be after careful analysis of the issues and a full understanding of the existing landscape and where the gaps are.”

This aligns with our view that by focusing on establishing a new whistleblowing officer, attention is drawn away from identifying what and where the current gaps are and ensuring an effective solution is put in place for filling them.

² [Official Report](#), column 28

³ [Education \(Scotland\) Bill - Stage 1 Report](#), p42, para 337

We consider that developments highlighted above within the Scottish Government's Child Protection Unit, the Scottish Child Abuse Inquiry, and the Education (Scotland) Bill are all relevant to the issues raised by this Petition.

Petitioners written submission, 31 March 2025

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

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.

Petitioners written submission, 16 September 2025

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

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!