



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01836

Name of petitioner

James A Mackie

Petition title

Expand the remit of the Care Inspectorate to investigate individual child protection complaints

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to expand the remit of the Care Inspectorate to investigate individual child protection complaints.

Action taken to resolve issues of concern before submitting the petition

I have discussed the issues with MSPs and the Care Inspectorate.

Petition background information

Part of the Care Inspectorate area of scrutiny is child protection services which includes children under the control of Corporate Parents i.e. children on compulsory supervision orders and in care not at home.

Mothers, children and families often have genuine complaints about the way child protection in Scotland operates, especially when they see the stress and poor outcomes for parents and their children in care.

Where formal complaints have been made to the Care Inspectorate in individual cases, the response is that they do not investigate individual complaints about the care of looked after children. However, the Care Inspectorate do investigate individual complaints in other care settings. Why do they refuse to investigate individual cases when a child is in care or under supervision through the Children's Hearing system?

The Care Inspectorate remit appears, to me, to be restricted to checking protocols and procedures put in place by various child protection partnerships (Corporate Parents). I believe that by only checking procedures and protocols without investigating the actions in the field is putting many very vulnerable children at further risk.

There is no independent vehicle for investigating individual complaints in child protection, especially when a statutory body/local authority refuses to investigate complaints about their staff/employees/agents. The Scottish Public Services Ombudsman can only investigate the way a complaint is handled. The only other

action available is civil actions through the courts, which is beyond the finances of most families and can last for years. Children can remain in care separated from their families while civil proceedings drag on.

I believe that, by failing to investigate serious individual complaints about child protection problems, the Care Inspectorate does not protect very vulnerable children. Having written procedures and protocols in place does not mean that those working to them are following the rules correctly and, as a result, vulnerable children and their families can suffer greatly.

The Regulations/legislation should be amended to give the Care Inspectorate powers to investigate individual complaints in child protection. The Care Inspectorate appears to have those powers when dealing with Care Homes for the elderly and other institutions, why not for children in care?

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01836>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

09 / 12 / 2020

Comments to stimulate online discussion

Children in care under child protection procedures are very vulnerable. When professionals misuse the rules to the detriment of the vulnerable child and their families, should the Care Inspectorate have the powers to investigate individual complaints?