



8.1 Complaints/Challenge about Child Protection Conferences by Children and/or their families

Contents

1. Introduction
2. Eligibility
3. Immediate Resolution
4. Reconvened Conference
5. Further Challenge

1. Introduction

Complaints about an individual organisation, its performance and services provided (or not provided), should be responded to in accordance with that organisation's complaints handling processes. This includes views or complaints about services provided (or not provided) because of assessments and conferences including child protection plans.

Complaints about the running of child protection conferences should be passed on to the local authority children's services. As child protection conferences relate to Part V of the Children Act 1989, they should be responded to in accordance with the Local Authority Children Act 1989 Representations Procedure (England) regulations 2006 with accompanying guidance Getting the Best From Complaints 2006.

2. Eligibility

Children, parents and/or carers may have complaints regarding of one or more of the following aspects of child protection conferences:

- The organisation and / or running of the conference.
- The outcome of the conference including the category of primary concern when the child became subject of a child protection plan.
- A decision for the child to become, or not to become, subject of a protection plan or to continue being subject of a child protection plan.

All parties must be made aware that during a complaint's consideration, the decision made by professionals/practitioners at the child protection conference will stand.

The result for a complainant will be either that a conference is reconvened under a different chair, that a review conference is brought forward or that it confirms the decision that has already been made.

A complaint may be generally defined as saying when something is wrong or is not good or concern in relation to an individual child or young person, and that the issue requires a response.

3. Immediate Resolution

If children and / or their families express a concern about the conference itself during the meeting, the concern must be noted in the record of the meeting. The conference chair should make an attempt to resolve the issue with the child and/or their family.

If the initial attempt to resolve matters fails, the child and/or their family should be reminded of the conference complaints process, and be invited (if necessary, assisted by the social worker or other professional present) to write to the conference chair within twenty eight days of receipt of the minutes. For conferences that take place in the Local Authority of Hampshire the child and / or their family should write to the conference chair within 28 days of requesting and receiving the minutes, as long as that request is made within 10 days of the conference having taken place.

Stage 1 - exploration by conference chair

The conference chair should inform the Children's Services Social Care Complaints Manager, the relevant service manager and lead IRO for the chair and social worker) that s/he has received the complaint.

Complaints made outside the twenty-eight-day time limit may, in exceptional circumstances and at the discretion of the conference chairperson, be accepted.

The chairperson should make arrangements to meet and / or speak with the complainant (who may be supported by a friend or relative) within ten working days of receipt of the complaint to:

- Ensure the complainant sufficiently understands the child protection process
- Clarify the grounds for, and nature of, the complaint/s.
- Establish the outcome desired by the complainant.
- Ensure the complainant understands the scope and relevance of this complaints process regarding her/his circumstances.
- Gather relevant information.
- In some circumstances, by agreement, this may be undertaken by phone or letter.

At the meeting with the complainant, the conference chair should be accompanied by a colleague/administrator who can take notes.

Within a further ten working days, the conference chair will provide a written response to the complainant including notes of the outcome of their meeting. This letter should include information on how to pursue concerns further if the complainant remains dissatisfied.

The response provided to the complainant must be copied to the Children's Services Social Care complaints manager.

Stage 2 - formal consideration by complaints manager

If, within twenty-eight days of receipt of the Stage 1 letter, the complainant notifies the complaints manager that s/he remains dissatisfied and specifies reasons, arrangements must be made to convene, within a further twenty eight days, a panel of a minimum of three senior representatives from LSCP member agencies – this can include both Safeguarding Partners and Relevant Agencies.

The Complaints Manager in liaison with the relevant service manager or Lead IRO should plan the meeting, and the representative of the agency least directly involved in the case should normally chair it.

Panel membership should include at least two from amongst the Police, Children's Services (Social Care or Education) and health commissioners/providers, and the individuals should have had no previous or present direct line management responsibility for the case.

The panel must be provided with the following documentation:

- A formal request to convene.
- A copy of the relevant conference minutes and the reports that were made available to the conference.
- Stage 1 meeting notes and correspondence.

The complaints manager will liaise with the complainant throughout, and be available at the panel, to advise on relevant processes.

The panel must be convened within twenty working days of the receipt of the complainant's request to progress the complaint to Stage 2 and consider whether:

- Relevant inter-agency protocols and procedures have been observed correctly.
- Any disputed decision follows reasonably from the processes employed and information presented.

The panel will:

- Hear (directly or in writing) from the complainant, chair of the child protection conference and any other relevant person.
- Consider written material.
- Reach a decision.
- Agree the content of their decision letter to the complainant.

The chair must ensure the panel's conclusions are put in writing to the complainant within ten working days of its meeting and will:

- Confirm membership of the panel.
- State the decision reached.
- Provide concise information about how the decision was reached.

- Include information on how to pursue concerns further if the complainant remains dissatisfied.

A recommendation must be made to re-convene the conference, under a different chair if:

- Procedures / protocols relating to the conference were not correctly followed and this may have affected the outcome of the conference or;
- The procedures / protocols were correctly followed but the decision of the conference was unreasonable.

If the panel concludes procedures relating to the conference were correctly followed and that the decision/s reached were reasonable, it must confirm that the conclusions of the original conference stands and will be reviewed when the review conference is held.

If the complaint is recommended to be upheld but is about process only, and it is not believed to have affected the outcome of the conference, the panel may consider an alternative plan of action in order to resolve the complaint. This may be in the form of recommendations to appropriate agency managers or may consist of acknowledging that procedures were not correctly followed or that practice was not in accordance with expected standards.

The panel should also consider any specific and relevant concerns and may make recommendations relating to practice or procedure to any LSCP partner agency.

4. Reconvened Conference

The chair of a reconvened child protection conference (initial or review) must ensure that all those present have seen or are briefed at the conference about the decisions reached by the panel.

A distinction must be made by the chair between the need to discuss the conclusions of the panel and the task of the child protection conference, which is to consider the child/ren's current circumstances.

5. Further Challenge

No further internal processes exist in those cases where the panel concludes that all relevant processes were followed and that the decisions which were made were reasonable.

In cases where a re-convened conference has been recommended, held and the complainant does not accept the outcome, the same panel may, at the discretion of the complaints manager in liaison with the service manager, be asked to re-convene and review any remaining and clearly specified concerns.