

**Bedford Borough Safeguarding Children Board &  
Central Bedfordshire Safeguarding Children Board**

**Complaints arising from  
Child Protection Conferences**

## **1. Complaints Eligibility**

1.1 The following people are the only ones who can make a complaint:

- The child who is the subject of the Child Protection Conference, where s/he is of a sufficient age and understanding
- A person who is acting on behalf of and at the written request of the child, where the child is of a sufficient age or understanding. A child should be enabled to engage the assistance of an independent advocate or a supporter of their choice.
- Any parent and/or any person with Parental Responsibility for the child who is the subject of the Child Protection Conference

## **2. Exclusion from this Complaint Procedure**

2.1 Where the complaint is in relation to the practice, decision of a specific agency or a professional and their conduct, the person who made the complaint will be directed to that agency's internal complaints procedure e.g. the complaint is that the social worker's report to the conference was not shared with the parents in good time prior to the Conference or the Chair of the Conference was rude in their manner to the child/parents in the pre-Conference meeting.

2.2 If the complaint is about the decision to make or maintain a child subject to a Child Protection Plan, all parties must be made aware that this complaints process cannot itself change a Child Protection Conference decision and that during the course of a complaints consideration, the decision made by the Conference stands.

## **3. Areas covered by this Complaints Procedure**

3.1 Working Together 2010 states: "Parents/caregivers - and, on occasion, children - may have concerns about which they may wish to make representations or complain, in respect of one or more of the following aspects of the functioning of child protection conferences:

- the process of the conference
- the outcome, in terms of the fact of and/or the category of primary concern at the time the child became the subject of a child protection plan
- a decision for the child to become, or not to become, the subject of a child protection plan or not to cease the child being the subject of a child protection plan

## **4. Outcomes of the Complaint**

4.1 The person making the complaint will receive one of these outcomes:

- The complaint is referred to the relevant agency procedure
- The present Child Protection Conference with the same Conference Chair will review the case earlier than planned
- The Child Protection Conference will be convened with a different Conference Chair
- There is no action to be taken

## **5. Immediate Resolution**

5.1 An expressed concern about the Conference itself, which arises in the course of the meeting, must be noted and an attempt made by the Conference Chair to resolve it with the child or parent or other person eligible to make a complaint in the conference and it should be recorded as part of the minutes. If a complaint is made outside the Child Protection Conference a record should be made and kept on the service users file and the Conference & Review Service file of the complaint and the resolution. Information about the nature of the concern and how it was resolved should be provided to the Team Manager for the Conference and Review Service.

5.2 If this initial attempt to resolve matters fails, the child or parent or other person eligible to make a complaint should be reminded of the relevant agency complaints procedure or this Complaints Procedure if the complaint falls within the remit of these procedures, by the Conference Chair, and be invited to write within 28 days of the conference, to the Team Manager for the Conference and Review Service.

## **6. Stage 1 - Exploration by the Team Manager for the Conference and Review Service**

6.1 Where the complaint concerns the personal conduct of the Conference Chair, the Team Manager for the Conference and Review Service will contact Customer Relations to agree whether the Children Act's process or other process is appropriate. Where this complaints process is deemed appropriate the Team Manager for the Conference and Review Service will:

- Acknowledge the complaint in writing within 3 working days of its receipt
- Gather further information and if required meet with the complainant

6.2 The Team Manager for the Conference and Review Service will agree the next steps with the person who has made the complaint and:

- Ensure that the person making the complaint sufficiently understands the child protection process
- Clarify the nature of the complaint/s and any additional support needed
- Establish the outcome desired by the person who has made the complaint
- Ensure the person who has made the complaint understands the scope and relevance of this complaints process with regard to their circumstances
- Gather relevant information

6.3 In order to establish that the grounds on which the complaint could proceed have been identified or clarified, the Team Manager for the Conference and Review Service will agree with the person who made the complaint any actions to be taken which may include:

- A meeting or discussion of which the outcome is confirmed in writing
- Clarification of procedures
- A full response to the complaint

- From receipt of the complaint/s, Stage 1 should normally take no longer than 20 working days to complete. The outcome of the Stage 1 should be provided to the Head of Quality Assurance.

## **7. Stage 2 – The Complaints Panel**

7.1 If the complainant does not accept or is dissatisfied with the outcome of stage 1 then they have 10 working days to respond in writing for their complaint to be considered under stage 2 of these procedures.

7.2 The Team Manager for the Conference and Review Service in liaison with the Head of Quality Assurance and the LSCB Business Manager will make arrangements for the meeting of the Complaints Panel. The role of the Panel Chair will normally be fulfilled by one of the members of the Complaints Panel. The Panel membership should include at least two senior representatives of Safeguarding Children Board member agencies who should have had no previous or present direct line management responsibility for the case in question.

7.3 The Team Manager for the Conference and Review Service will liaise with the person making the complaint throughout the process.

7.4 The Team Manager for the Conference and Review Service must provide the Panel with the following documentation:

- A formal request to convene
- The complaint
- A copy of the relevant Child Protection Conference minutes and the reports that were made available to the Conference
- The outcome of Stage 1

7.5 The Team Manager for the Conference and Review Service, Head of Quality Assurance and the LSCB Business Manager will decide who should attend the Panel meeting and send written invitations as appropriate.

7.6 The Team Manager for the Conference and Review Service and/or the Local Authority Complaints Manager will be available as appropriate to the Panel to advise on relevant processes.

7.7 The matters about which the Panel can consider complaints are:

- The decision for the child to become, to continue or not to become the subject of a Child Protection Plan
- The category(ies) of abuse, determined by the Conference Chair, under which the child is subject to a Child Protection Plan
- The process of the Child Protection Conference
- Whether the Child Protection Procedures about Child Protection Conferences and other inter-agency protocols were followed

7.8 The Panel should be convened within 28 days of the receipt of the complaint and consider whether:

- Relevant inter-agency protocols and procedures have been observed correctly
- The decisions made follow reasonably from proper observation of the relevant inter-agency protocols and procedures

7.9 The Panel will:

- Invite the person making the complaint to make representation, either in writing or in person about the existing complaint
- Consider any written or verbal submissions made by the person making the complaint, the Chair of the relevant Child Protection Conference and any other relevant person
- Consider all the written material provided
- Reach a decision in relation to the specific complaint(s)
- Agree the content of their decision letter to the person making the complaint

## **8. Decisions and Recommendations by the Complaints Panel**

8.1 The Complaints Panel must reach a majority decision on the basis of whether the Child Protection Conference Procedures were followed correctly and therefore whether:

- The complaint is upheld
- The complaint is partially upheld
- Inconclusive with no further action
- The complaint is not upheld
- There is insufficient information to make a decision and a date for a further Panel meeting needs to be established

8.2 The Complaints Panel may:

- Recommend that the Child Protection Conference be reconvened earlier and/or with a different Chair to reconsider any recommendation regarding the decision that the child should be or continue to be subject to a Child Protection Plan and the category of Significant Harm on which any such decision is based
- Identify any learning points for a specific agency.

## **9. Communicating the Panel's Decisions and Recommendations**

9.1 The Panel Chair will write to the complainant and the Chair of the Conference within 5 days of its meeting explaining the Panel's decisions and any recommendations.

## **10. Reconvened Conference**

10.1 The Chair of a reconvened Child Protection Conference must ensure that all those present have seen prior to and are further briefed at the start of the Conference about the recommendations reached by the Panel.

10.2 The Conference Chair will advise the Children Protection Conference of the outcome of the Complaints Panel any justification as given in the complaint response as to why the panel reached the decision.

10.3 The Conference should again consider, taking fully into account any recommendation made, whether the criteria for a Child Protection Plan is met (namely the risk of continuing Significant Harm), and if so, the relevant category of Significant Harm.

## **11. Further Challenges**

11.1 A person making a complaint who remains dissatisfied may wish to pursue their grievance via the Local Government Ombudsman or seek legal advice about other legal remedies such as Judicial Review.