Procedure for Complaints about Child Protection Conferences
1. Introduction

Child Protection Conferences are held under the auspices of the Local Safeguarding Children Board (LSCB). The LSCB is responsible for conference procedures and the scrutiny and monitoring of those procedures.

Newcastle Safeguarding Children Board (NSCB) aims to deal with complaints about Child Protection Case Conferences fairly and as quickly as possible.

This procedure follows guidance from “Working Together to Safeguard Children, A guide to inter-agency working to safeguard and promote the welfare of children (DCSF 2010).

2. Publicising access and awareness of the NSCB procedure

A complaints leaflet will be sent out to all parents, carers and children invited to a Child Protection Case Conference.

3. Who can complain

- A child who is subject of the Child Protection Case Conference, where s/he is of a sufficient age and understanding;
- An advocate acting on behalf of the adult or child
- Any parent and/ or person with parental responsibility for the child who is the subject of the Child Protection Case Conference;
- Where a child is looked after; a person who has the care of the child at the time of the conference e.g. foster carer.
- Child’s solicitor

4. What is covered by the NSCB complaints procedure?

This procedure deals with complaints about:

- The conduct or process of the Child Protection Conference or related multiagency meetings.
- The decisions or recommendations that were made by the conference, including the criteria for the Child Protection Plan.
• The exclusion of any person from the conference

5. Exclusions from this complaint procedure
• This procedure does not deal with meetings that are not held under Child Protection Procedures.
• Complaints about individual agencies will not be dealt with under this procedure. A complaint should be made to the relevant agency and the complaint will be dealt with through that agency’s complaints procedure.
• The complaints procedure cannot change a decision made by a conference.
• During the course of investigating a complaint, the decision made by the conference stands.

6. Upheld complaints by individual agencies
Where a complaint has been upheld by an individual agency and it is considered that this may have had an impact on the decision making of a conference, the complaints manager of that agency will inform the NSCB Co-ordinator who will liaise with the Safeguarding Standards Manager to consider how to proceed and whether the conference should be reconvened. The expectation is that Individual agencies should have appropriate complaints procedures in place.

The NSCB Coordinator will ensure all participants of the Conference are made aware of the complaint and the outcome.

7. Receiving and recording a complaint
All complaints that involve more than one agency should be directed to a central point to be recorded by the Complaints and Customer Relations Team (CCRT) in Children’s Services.

The CCRT will acknowledge the complaint in writing within 3 working days and send the complainant a complaints leaflet.

Where complaints about one agency are received by CCRT they will be recorded and acknowledged by the CCRT within 3 working days and forwarded to the complaints manager of the relevant agency.
The CCRT will report on any complaints and recommendations dealt with under this procedure to the NSCB Standards and Effectiveness sub committee on a quarterly basis.

The CCRT will report on complaints made about Child Protection Conferences in the Children’s Services complaints annual report.

8. Immediate Resolution by the Conference Chair
Any concern about a conference should be directed to the Chair who will attempt to resolve it as soon as possible without recourse to the procedure.

If the initial attempt to resolve the matter fails, the complainant should be informed of the conference complaints procedure (given a complaints leaflet) and invited (if necessary assisted by the social worker or the Complaints and Customer Relations Team, Children’s Services) to write within 20 working days of receipt of the conference minutes to the Conference Chair.

9. Stage 1 – Resolution by the Manager of the Independent Reviewing Team

Receiving the complaint
In the first instance a complaint should be directed to the Manager of the Independent Reviewing Team.

Complaints made outside the 20 working day time limit may, in exceptional circumstances and at the discretion of the Safeguarding Standards Manager, be accepted.

Where complaints about one agency are received by the Manager of the Independent Reviewing Team s/he will forward the complaint to the relevant agency. The Manager of the Independent Reviewing Team will acknowledge the complaint in writing within 3 working days informing the complainant that the complaint has been forwarded to the relevant agency giving their contact details.
The Manager of the Independent Reviewing Team should inform the following people that a complaint has been received and briefly explain the proposed action to be taken:

- NSCB Co-ordinator
- Complaints and Customer Relations Team Lead Specialist
- Safeguarding Standards Manager, Children’s Services
- Children’s Social Care Team Manager
- All professionals that attended the conference

**Complaint enquiries and meeting with the complainant**

The Manager of the Independent Reviewing Team should make his/her enquiries and provide the complainant with a written response within 20 working days.

Following receipt of the complaint, the Manager of the Independent Reviewing Team should offer to meet with the complainant at the earliest opportunity with a view to resolving the complaint.

The complainant should be given the option to be supported by a friend, relative, advocate or solicitor at the meeting. Notes of the meeting should be taken.

The meeting should:

- Clarify the complaint
- Seek to establish with the complainant their desired resolution
- Ensure that the complainant understands the child protection process
- Ensure that the complainant understands what to expect from the complaints procedure

If the complainant declines the offer of a meeting with the Manager of the Independent Reviewing Team, this should be recorded and he/she should make his/her enquiries and provide a written response.

The Manager of the Independent Reviewing Team will make any relevant enquiries; these may include consideration of the following:

- The reports placed before the conference
• The minutes of the conference
• Any other relevant documentation
• Clarifying information with any of the conference participants

The written response to the complainant
The Manager of the Independent Reviewing Team will write his/her response to the complainant. The response should:
• Address each point the complainant has raised
• Explain what the Manager of the Independent Reviewing Team has done to investigate the complaint and where he/she has obtained their evidence e.g. interview with worker; policy or procedure
• Give the finding for each complaint giving the reasons using one of the following outcomes; upheld, not upheld, partially upheld or unproven.
• State whether the complainants desired outcomes can be met.
• Offer a suitable apology for any complaints that have been upheld or partially upheld and state any action that the chair intends to take to prevent this happening again.
• The Manager of the Independent Reviewing Team may elect to reconvene the Child Protection Conference. A child centered approach will determine if a further Child Protection Conference will be in the child’s best interest.
• Offer the opportunity to meet with the complainant to clarify the contents of the response
• Include information on how the complainant can pursue the complaint further if they remain dissatisfied.

The response to the complainant should be copied to:
• Complaints and Customer Relations Team
• NSCB Co ordinator
• Safeguarding Standards Manager
• The Chair, who will be responsible for ensuring that all those attending the conference are informed of the outcome

10. Stage 2 – Consideration by Inter Agency Complaints Panel (IACP)
Receiving a request for IACP
To request an Inter Agency Complaints Panel (IACP) the complainant should contact the CCRT in writing, stating why they are dissatisfied with the response at stage 1. A request for IACP should be made within 20 working days of the date of the response. Assistance can be given by the CCRT to assist the complainant to put their complaint in writing if necessary.

The CCRT will record and acknowledge receipt of a request for an IACP within 3 working days informing the complainant of the contact details of the NSCB Coordinator who will convene the IACP.

The CCRT will forward the written request to NSCB Coordinator to convene a panel within 20 working days of the request.

Who should be notified that a request for IACP has been requested?
The NSCB Coordinator will inform the following that a panel has been requested:

- NSCB Chair
- Where the complainant is a child, persons with parental responsibility should be notified.
- Where the complainant has parental responsibility for a child that child shall be notified of the panel meeting (if they are of sufficient age and understanding to comprehend)
- Where the complainant is neither the child nor a person with parental responsibility, the child and persons with parental responsibility should be notified
- The Chair of the Conference in question.
- Safeguarding Standards Manager
- All professionals that attended the conference.

Membership of the Panel
The Panel will be made up of a minimum of three senior members of NSCB from at least two separate agencies. They should not have had any previous or present direct line management responsibility for the case in question.
A representative of an agency that had the least direct involvement in the case should act as Chair.

The Panel Chair will decide on the precise composition of the panel based on the expertise required to resolve the complaint. The Panel Chair has the authority to co-opt other professionals where specialist advice is needed e.g. legal advice.

**Who is invited to the Panel?**

The NSCB Coordinator will inform the complainant in writing of:

- The time, date and venue of the panel
- The complainant’s right to attend and be accompanied by a friend, relative, advocate or solicitor.
- The complainants’ right to make written representations if s/he wishes not to attend.

The NSCB Coordinator will also invite:

- Manager of the Independent Reviewing Team
- NSCB Safeguarding Board Legal adviser
- Any other agency representative that the Panel Chair deems necessary

The NSCB Coordinator will ensure that a minute taker will attend the Panel to take notes of the meeting.

**Documents provided to the Panel**

The NSCB Coordinator will ensure the panel and those invited to the Panel are provided with the following documents at least 7 days in advance of the panel date:

- The complaint
- Stage 1 response by the Chair and any relevant correspondence and notes
- Written request for IACP by the complainant
• Reports and minutes relating to the relevant Child Protection Case Conference
• Any other relevant documents, correspondence, protocols or procedures.

The complainant should also be provided with the documents mentioned above with the exception of any document to which they would be refused access if applying for access to records about themselves, which are maintained by relevant agencies.

**Purpose of the panel**
The Panel should consider:

• Whether the relevant inter-agency protocols and procedures have been observed correctly and whether the complaint has been fairly and consistently dealt with in accordance with policy, procedure and good practice.

• Whether the decision that is being complained about follows reasonably from the proper observation of the protocol(s).

**Panel Process**
The Panel Chair will state the purpose of the panel, ensure all parties have been introduced to each other and remind all participants of the confidentiality of the information being considered.

The Panel Chair will be responsible for ensuring that all participants are given the opportunity to present their case.

The complainant will be given the first opportunity to present his/her complaint. The Panel may ask questions of the complainant.

The Manager of the Independent Reviewing Team will then be invited to respond to the complaint. The Panel may then ask questions of this person.

Questions for clarification will be put to the Panel Chair.
The Panel Chair will advise those present that the decisions and recommendations of the Panel will be distributed to all those that attended the Panel within 10 working days.

Members of the Panel will retire to consider the information before them and will reach a decision.

**Decisions and Recommendations of the Panel**

The Panel may make one or more decisions and recommendations based on a majority decision.

**Decisions that can be made by the Panel**

- The panel must reach a decision about whether inter agency processes relating to the conference were correctly followed and whether the complaint is upheld, partially upheld, not upheld or not proven.
- The Panel may conclude that the Child Protection Conference procedures were followed correctly and the decisions reached were reasonable. It should confirm that the conclusions of the original conference stand and will be reviewed when the review conference is held.
- The Panel may make the decision that the Child Protection Conference should be reconvened either with the same Chair or a different Chair.
- The Panel may decide they have insufficient information to make a decision and set out a timescale for completing a task and date for reconvening the Panel.

**Recommendations that can be made by the Panel**

It should be noted that recommendations made by the panel are not binding.
The Panel may conclude that the Child Protection procedures were not followed correctly, they should state in what respect and make a recommendation as to how this could be remedied.

The Panel should communicate any specific concerns and recommendations relating to practice or procedure on the part of any Local Safeguarding Children Board agency to the relevant Board member, copied to the NSCB chair. The Panel needs to consider whether there are any learning opportunities for a specific agency.

**Implementing recommendations, learning from complaints**

The Safeguarding Standards Manager will liaise with the Lead Specialist CCRT to ensure that recommendations are implemented and improve practice.

The Panel Chair will write to the complainant to advise them of the Panel decision and recommendations. The letter should:

- Confirm the membership of the Panel
- State the decision/s and any recommendations made
- Provide concise information about how the decisions were reached and why recommendations were made.

A copy of the Panel Chair’s letter to the complainant should be sent to:

- All Panel members
- The Chair of the Child Protection Conference
- To all those that received minutes of the Child Protection Case Conference
- CCRT Lead Specialist
- NSCB Chair
- NSCB Co ordinator
- Safeguarding Standards Manager

**Following the Panel**
The NSCB Coordinator will ensure that the NSCB Chair is made aware of the outcome of the Panel and that the Board should consider any recommendations made.

The NSCB Chair will within 10 working days of the IACP write to the complainant to inform them whether the recommendations are accepted and of any action they intend to take as a result of the recommendations of the panel. If the recommendations are complex, the NSCB Chair will discuss with the relevant Board Member and/or the Executive Director of Children’s Services.

The NSCB Chair will inform the complainant that this is the final stage of the procedure, if the complainant remains dissatisfied they have the right to complain to the Local Government Ombudsman.

**Reconvened Conferences**

The chair of a reconvened Child Protection Conference should ensure that all those present have seen or are briefed at the conference about the decisions reached by the Panel.

**11. Equality & Diversity**

NSCB is guided by the principles of the UN Convention on the Rights of the Child. This means that the partnership will have respect for the dignity and worth of all individuals regardless of race, colour, gender, sexual orientation, of individual difference.
Approval and Implementation

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Approval has been given for this Procedure to be implemented with immediate effect.

Implementation plan
NSCB member organisations, through their Policy and Procedure Committee representative are responsible for ensuring that all relevant staff are made aware of the revised procedure and how and where to access it.

| Approval given by whom and when | NSCB 14.07.11 |
| Planned Implementation Date | Immediate |
| Review Date | July 13 |
| Process Signed Off By | NSCB |
| Date | 14.07.11 |