

Complaints about Child Protection Conferences

This process deals with the management of complaints about Child Protection Conferences by Service Users and other eligible persons acting on their behalf.

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1. Complaints Eligibility

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.
- Any parent and/or any person with Parental Responsibility for the child who is the subject of the.
- Where the child is subject to a Care Order or is otherwise Looked After by Surrey County Council, a person who has the care of the child at the time of the Conference e.g. a foster carer or the child's key worker in a children's home.
- Where the child has a disability, a person who attended the Conference to act as an advocate for or otherwise assist the child.
- The child's solicitor.

2. Exclusion from this Complaint Procedure

Where the complaint is in relation to the practice of a specific agency, 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. This is because it relates to a concern about an action prior to the Child Protection Conference. Therefore, the statutory Children Act Complaint process applied

or

- the Chair of the Conference was rude in their manner to the child/parents in the pre-Conference meeting. This is because it relates to a concern about an action prior to the Child Protection Conference. Therefore, the statutory Children Act Complaint process applied

Where a single agency decision, conduct or action is being challenged, the respective agency's Complaint Procedure should be followed.

If the complaint is solely 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, until a further Conference considers the threshold for the making of a Child Protection Plan.

3. Areas covered by this Complaints Procedure

- The process, conduct or administration of the conference.
- Compliance with the Surrey Child Protection Procedures and other protocols about Child Protection Conferences.
- The exclusion of any person from the Conference.
- The outcome, in terms of the process followed to reach the decision that the child should be or continue to be subject to a Child Protection Plan; and/or the category of Significant Harm on which the decision was based.

4. Outcomes of the Complaint

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

- The complaint is referred to the relevant agency procedure.
- An early Review Child Protection Conference will be convened with the same Conference Chair.

- An early Review Child Protection Conference will be convened with a new Conference Chair.
- There is no further action to be taken. The Child Protection process continues as per business as usual.

5. Immediate Resolution

An expressed concern about the Conference itself, which arises during 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. Information about the nature of the concern and how it was resolved should be provided to the Conference Chair's line manager.

If this initial attempt to resolve matters fails, the child or parent or other person eligible to make a complaint should be reminded of this Complaints Procedure by the Conference Chair, and be invited (and if necessary, assisted by the social worker) to write within 28 days of the conference, to the Assistant Director, Quality Practice and Performance, via be.heard@surreycc.gov.uk. The Assistant Director will consider complaints made outside the time limit on their merits.

6. Stage 1 - Exploration by Conference Chair's line Manager

Where the complaint concerns the personal conduct of the Conference Chair, the Conference Chair's line manager will contact Customer Relations to agree whether the Children Act's process or other process is appropriate. Where this (Safeguarding Partnership) complaints process is deemed appropriate, the Conference Chair's line manager will:

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

The Conference Chair's line manager 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.

To establish that the grounds on which the complaint could proceed have been identified or clarified, the Conference Chair's line manager 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 policy or procedures.
- A full response to the complaint.

Stage 1 response should normally be shared with the complainant within 20 working days from receipt of the complaint.

The Stage 1 response must notify the complainant of their right to request escalation within 15 working days from the date of Stage 1 response.

A copy of the Stage 1 response should be shared with the Customer Relations Team for performance and recording purposes.

7. Stage 2 - The Complaint Review

Where a complainant requests a review of the Stage 1 response, the Conference Chair's line manager will assist the Service Manager, Quality Assurance to conduct a review of the Complaint.

The Conference Chair's line manager must provide the Service Manager, Quality Assurance with the following documentation:

- The complaint.
- A copy of the relevant Child Protection Conference minutes and the reports that were made available to the Conference.
- The formal response at Stage 1.

The Service Manager, Quality Assurance will:

- Invite the person making the complaint to make representations, either in writing or in person.
- 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.
- Share the decision letter with the person making the complaint.

The person requesting the Complaint Review will receive one of these outcomes:

- The complaint is referred to the relevant agency procedure.
- An early Review Child Protection Conference will be convened with the same Conference Chair.
- An early Review Child Protection Conference will be convened with a new Conference Chair.
- There is no further action to be taken. The Child Protection process continues as per business as usual.

The Complaint Review should normally take no longer than 20 working days to complete.

8. Communicating the Complaint Review Decision

The Service Manager, Quality Assurance will write to the complainant and the Chair of the Conference within 5 working days of the completion of the Complaint Review.

9. Further Challenges

The response letter must indicate that any further challenge to the outcome of the review decision must be made within 7 working days.

Where a further challenge is received, this will be reviewed by the Decision Maker (Assistant Director, Quality Practice and Performance)

The Assistant Director's role is to consider if the Complaint Review decision at stage 2 is reasonable and appropriate.

The Assistant Director will share their decision with the complainant in writing within 5 working days of receipt of the challenge.

A person making a complaint who remains dissatisfied may wish to pursue their grievance via the Local Government and Social Care Ombudsman or may consider seeking independent legal advice about other options that may be available to them.