



Complaints Procedure for parents and carers in relation to Child Protection Conferences & Risk Outside the Home Reviews

Introduction

This is Kingston and Richmond Safeguarding Children Partnership (KRSCP) procedure for complaints in respect of child protection conferences and/or risk outside the home reviews, for use by parents, carers, and children (depending on their age and sufficient understanding).

Related policies and information

London Child Protection Procedure for Complaints in Relation to Child Protection Conference - https://www.londonsafeguardingchildrenprocedures.co.uk/complaints.html?zoom_highlight=complaint

Achieving for Children information on Child Protection Conference - <https://kr.afcinfo.org.uk/pages/community-information/information-and-advice/safeguarding-and-child-protection/quality-assurance-and-review-service/child-protection-conferences>

Achieving for Children information on Risk Outside the Home - <https://kr.afcinfo.org.uk/pages/community-information/information-and-advice/safeguarding-and-child-protection/quality-assurance-and-review-service/risk-outside-the-home>

[Richmond Council Children Act 1989 complaints procedure](https://www.richmond.gov.uk/council/have_your_say/complaints/childrens_complaints)
https://www.richmond.gov.uk/council/have_your_say/complaints/childrens_complaints

Eligibility to use this procedure and what may be complained about

Parents, carers, and children (with sufficient understanding), may have concerns about which they wish to complain, in respect of one or more of the following aspects of the functioning of child protection conferences and risk outside the home reviews:

- The process of the conference/review;
- 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 or risk outside the home plan;
- A decision for the child to become, or not to become, the subject of a child protection plan/risk outside the home plan, or a decision to continue a child protection plan/risk outside the home plan.

All parties must be made aware that this complaints process cannot itself change a conference or review decision and that during the course of the investigation of a complaint, the decision made by the conference/review stands.

At all stages of this complaint process, the complainant may bring an advocate or friend to support them. Complainants wishing to be supported in this way must give consent for the advocate or friend's inclusion and related information sharing. Particular consideration must be given to children who may not be as articulate or able to fully understand the process, and may need an advocate which can be arranged by the Council. Further information about can be found at the base of this document.

Complaints about individual agencies, their performance and provision (or non-provision) of services will not be dealt with under this procedure and should be raised with and responded to in accordance with the relevant agency's complaints handling process.

Grounds for challenging the decision of a child protection conference or risk outside the home review

A child protection conference will be convened where a child is thought to be suffering or likely to suffer significant harm. The conference will decide whether or not the child should be made the subject of a child protection plan and make recommendations on how best to safeguard the child in the future. An alternative outcome if it is deemed that a child is solely at risk of extrafamilial harm, is for them to be supported by a risk outside the home plan. The decision to make the child the subject of a child protection plan or risk outside the home plan may be challenged if:

- That the criteria for the decision that the child should have a child protection plan/risk outside the home plan were not met;
- That the criteria for the decision that the child should continue to have a child protection plan/risk outside the home plan were not met;
- That the criteria for the decision that the child protection plan/risk outside the home plan should be discontinued were not met; and/or
- That the information on which the conference/review decision was based proved substantially incorrect.

Stage One - Informal Stage

The manager responsible for the conference service and the conference/review chair will be the key personnel for responding to a complaint at stage one.

The complaint should be sent in writing to the conference/review chair within 10 working days of the child protection conference/risk outside the home review. If required assistance will be given to complainant to enable them to do this.

The local authority Complaints Manager should be informed of the complaint and where there are issues which fall outside of this procedure these should be discussed and directed through the appropriate channel (e.g. Statutory Children Act and Corporate Complaint Service, NHS Complaints).

The complaint should be acknowledged in writing within 3 working days and a written response provided within 10 working days. Alternatively, a meeting may be offered to attempt resolution within 10 working days.

This is a problem-solving stage in which the manager and chair will aim to seek an early resolution with the complainant.

If a meeting is held, the manager will confirm in writing the points of complaint and any actions agreed to resolve. The letter should also advise the complainant of their right to move to Stage 2 of process within 28 days, if they are still dissatisfied.

The local authority Complaints Manager and the senior manager for children's safeguarding should be informed of the outcome of Stage 1 and also receive a copy of this letter.

Stage Two - Formal Stage - Complaint Meeting

Personnel involved in this meeting will be the manager responsible for the conference service and /or senior manager for children's safeguarding.

The local authority Complaints Manager should be kept informed of the progress of this complaint.

A complaint meeting at Stage 2 should be arranged and held within 28 days to attempt to resolve the areas of concern.

The complaint meeting should have access to and will consider:

- Record of the child protection conference/risk outside the home review;
- Reports to the child protection conference/risk outside the home review; and,
- Correspondence re complaint at Stage 1.

The meeting should still aim to address areas of dissatisfaction and to resolve matters. Following the meeting the complainant should receive a letter to confirm what was agreed and to advise the complainant of their right to move to Stage 3 within 28 days, if they are still dissatisfied.

The local authority Complaints Manager should be informed of the outcome of Stage 2 and receive a copy of this letter where there are complaints which relate to issues outside the procedure or, the complainant has separate complaints which are being addressed through the Children Act Complaint process, Corporate Complaints process or NHS Complaints. The KRSCP Partnership Manager should also be informed if the complainant wishes to progress to stage three.

Stage Three - The Appeal Panel

An appeal panel will be convened within 15 working days of receipt of written notification from Stage 2.

The chair of the panel will be a senior manager from KRSCP agencies.

The panel will be an interagency panel made up of at least two senior representatives from KRSCP agencies, none of whom have previous or present direct line management responsibility for the case in question.

KRSCP will provide a minute-taker.

The panel chair has the authority to co-opt other professionals where specialist advice is needed.

The panel will consist of the panel chair and at least two members of KRSCP agencies. To communicate any specific concerns and recommendations relating to practice or procedure on the part of any agency or organisation to the relevant senior manager.

The panel may make one or more of the following decisions based on a majority view:

- That child protection conference/risk outside the home review procedures were followed correctly;
- That child protection conference/risk outside the home review procedures were not followed correctly and recommend how to remedy this;
- To support the original child protection conference/risk outside the home review decision;
- Recommend child protection conference/risk outside the home review is reconvened with the same or different conference chair, to reconsider a recommendation regarding decision that the child should be or continue to be, subject to a child protection plan/risk outside the home plan and the category of significant harm on which such decision is based as applicable;
- To decide they have insufficient information to make a decision and set out a timescale for completing the task and set a date for a further panel;
- To decide whether there are any learning points for a specific agency;
- The panel chair should ensure minutes are sent to the complainant and to all those who were sent minutes of child protection conference/risk outside the home review and also to ensure any reconvened child protection conference/risk outside the home review has full details of any recommendations made by the panel;
- To communicate any specific concerns and recommendations relating to practice or procedure on the part of any KRSCP agency.

N.B. The panel does not have the authority to reverse a conference/review decision.

Within 5 working days of the panel, the panel chair will ensure that the written decision/finding and/or minutes of the panel meeting are sent to the complainant, to all who were sent minutes of the child protection conference/risk outside the home review and a copy of the minutes will be given to the chair for any reconvened conference/review.

Within 5 working days of the panel, the panel chair will ensure that the written decision/finding and/or minutes of the panel meeting are sent to the complainant, to all who were sent minutes of the child protection conference and a copy of the minutes will be given to the chair for any reconvened conference.

Reconvened Conference/Review

The chair of a reconvened child protection conference/risk outside the home review must ensure that all those present have seen or are briefed at the start about the decision and any recommendation(s) made by the panel. Minutes of the panel meeting will also be circulated.

Conference/Review Records

All reports presented to the child protection conference/risk outside the home review that led to the submission of the complaint will be retained by children's services together with the decision

sheet(s) and minutes of the conference. Partner agencies will retain copies of their own reports together with the decision sheets) and minutes of the conference/review.

The minutes of any reconvened or subsequent conference/review will include reference to the decision and recommendations of the panel.

If, as a consequence of the complaint, a subsequent child protection conference/risk outside the home review reaches a different conclusion to that of the original conference/review, then all agencies should ensure that their records of the conference leading to the submission of the complaint are endorsed to record that the original decision was amended or updated.

Further Challenge

A complainant who continues to be dissatisfied with the outcome of the above process could pursue their grievance via the Local Government and Social Care Ombudsman or choose to seek legal advice about remedies such as judicial review.

You can write to the Ombudsman at:

The Local Government and Social Care Ombudsman

PO Box 4771

Coventry

CV4 OEH

Phone 0300 061 0614

Online form: www.lgo.org.uk/how-to-complain

Website: www.lgo.org.uk

Royal Borough of Kingston Children's Services Complaints contacts

Telephone 0208 547 5000

crm.complaints@kingston.gov.uk

London Borough of Richmond Children's Services Complaints contacts

Telephone 020 8891 7183

childrenscomplaints@richmond.gov.uk

The Advocacy People 0330 440 9000 Email: info@theadvocacypeople.org.uk Text: 80800 starting message with PEOPLE.

Coram Voice | cplondon@coramvoice.org.uk / Helpline for children and young people 0808 800 5792