



Bath & North East Somerset
Local Safeguarding Children Board

Guidance for Parents/Carers/Children: How to make a Complaint/Appeal about an Initial Child Protection Conference or Review Child Protection Conference

Date approved by LSCB	February 2015 by PPPG
Author	Original Author: Jackie Deas Review Author: Jackie Deas
Date reviewed	February 2016
Detail of review amendments	No changes made after 1 year of use
Date for Review	March 2018

Who can make a complaint/appeal?

Parents, carers and children who are involved in Child Protection Conferences and Reviews, who have concerns about their Conference or Review, can make a complaint/appeal.

When can I make a complaint/appeal?

You can make a complaint/appeal if you think the Conference did not follow the correct process, used wrong information, decided on the wrong category of primary concern, or made the wrong decision about making or stopping a Child Protection Plan.

Note: During the course of thinking about your complaint, the decision made by the Conference will stand.

Can I complain about individual people or agencies?

Complaints about individual people and agencies, their performance and provision of Services are not dealt with under this process. You should deal with this by using the Children's Service complaints process. Please phone us to check who you need to talk to.

The number is 01225 393609.

How do I start my complaint/appeal?

You should tell the Chair of the Conference immediately if you have any concerns about how the Conference is proceeding. If the Chair cannot sort out the problem there and then he/she will ask you to send your complaint/appeal in writing within **10 working days** of the Conference.

Tell the Chair straight away if you need help to put your complaint/appeal into writing.

Complaints/Appeals should be addressed to:

Safeguarding Administration Team,
Bath and North East Somerset Council
Lewis House
Manvers Street
Bath
BA1 2ZH

Stage One - Informal Stage

Your complaint/appeal will be acknowledged in writing within 3 working days of receipt by the Safeguarding Administration Team. A copy of the complaint/appeal and the acknowledgment will be sent to the Complaints Procedure Manager to be recorded and monitored. An appointment will be arranged for you to meet with the Conference Chair to attempt to resolve the areas of your concern within **10 working days** of receiving your written complaint/appeal.

Following this meeting, you will receive a letter from the Chair outlining your concerns and any outcomes/actions that were agreed at that time.

If you are unhappy with this response, you have the right to move to Stage 2 (Formal Stage) of the process within 20 working days receiving the outcome of the meeting.

You can bring an advocate or friend to support you at all stages of the complaint/appeal process.

Stage Two – Formal Stage

A Complaint Meeting should be arranged and held within 25 working days of the receipt of a request to move to Stage Two.

The meeting will be chaired by the Deputy Safeguarding Lead- Children and Quality Assurance. The purpose will be to address areas of dissatisfaction and resolve the issues for the complainant/appellant. You will be asked to provide a statement of the issues that they would like the meeting to consider.

All those attending the meeting will have access to, and will consider:

- Minutes of the Child Protection Conference/Review
- Reports to the Child Protection Conference/Review
- Correspondence from the complaint at Stage One

Following the meeting you should receive a letter from the Chair of the meeting to confirm what was agreed and to advise the complainant of their right to move to Stage Three within 20 working days if they are still dissatisfied. The request must be made in writing to the Chair of the meeting.

Stage Three – Complaint and Appeal Panel

The Panel will be convened within 15 working days of receipt of written notification from Stage Two.

The Panel will consist of a Chair and two other members. The Chair will be the Chair of the Local Safeguarding Children Board or his/her nominees and two senior representatives of the Safeguarding Children Board partner agencies; none of whom have previous or present direct line management responsibility for the case in question.

What will the Complaints and Appeals Panel do?

The Panel will begin by:

- Considering all the information available about the complaint that has been made including the written request for the Panel from you
- Carefully considering the LSCB policies and procedures relevant to the issues to be considered
- Deciding what further evidence or information is needed

Scope of Decision Making

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

- That **Child Protection Conference** procedures were followed correctly;
- That Child Protection Conference procedures were not followed correctly and recommend how to remedy this by:
 - a) supporting the original Child Protection Conference decision;
 - b) recommending that the Child Protection Conference is reconvened with the same or different Conference Chair, to reconsider a 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 such decision is based;
 - c) deciding 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;

In addition the Panel will decide whether there are any learning points for a specific agency;

Following the Panel, the Panel Chair will:

- ensure minutes are sent to you, those who attended the Panel and to all those who were sent minutes of the original Child Protection Conference within 5 working days of the Panel;
- ensure any reconvened Child Protection Conference has full details of recommendations made by the panel;
- communicate any specific concerns and recommendations relating to practice or procedure on the part of any LSCB agency to the relevant Board member.

Note:

The Panel does not have the authority to reverse a Conference decision.

What happens if the Conference is reconvened?

The Chair of a reconvened Child Protection Conference will make sure that all those present have seen, or are briefed at the start of the Conference, about the decisions and any recommendations made by the Panel.

The Conference will again consider, taking fully into account any recommendations made, whether the risk of continuing significant harm criteria for a Child Protection Plan are met, and if so, the relevant category of Significant Harm.

What if I am not satisfied with the outcome?

If you are dissatisfied with the outcome of the process you may wish to take your grievance to the Local Government Ombudsman. The Local Government Ombudsman will advise if the complaint falls within her jurisdiction. The complainant/appellant might also wish to seek legal advice about other remedies such as Judicial Review.