



Redbridge Safeguarding Children Partnership

# **Redbridge Safeguarding Children's Partnership (RSCP)**

## **Procedure for Complaints about a Child Protection Conference**

**3<sup>rd</sup> Edition – October 2019**

## **1. Introduction to the Redbridge Safeguarding Children Partnership (RSCP)**

- 1.1 The RSCP provides guidance on policy and practice in safeguarding children to its constituent agency members. Its work is informed by [Working Together to Safeguard Children, A guide to inter-agency working to safeguard and promote the welfare of children](#).
- 1.2 The RSCP membership consists of representatives of statutory, community and voluntary agencies concerned with the well-being and safeguarding of children. These agencies are expected to co-operate and collaborate with each other. RSCP members are accountable to the agencies which they represent. These agencies are jointly responsible for the actions of the RSCP.
- 1.3 At each Children Protection Case Conference, the Conference Chair will make available to all participants information about the complaints procedure to follow.

## **2. Scope**

- 2.1 This Procedure covers complaints about:
  - the conduct or process of the Child Protection Conference;
  - whether or not the [London Child Protection Procedures](#) guidance on Child Protection Conferences, and other protocols were followed;
  - 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;
  - other decisions or recommendations made by the conference;
  - the decision for the child to become, to continue or not to become, the subject of a Child Protection Plan; or
  - the exclusion of any person from the conference.

## **3. Exclusions from this complaint procedure:**

- 3.1 Issues outside of the above scope, which do not relate to the conduct or content of a Child Protection Conference, should be addressed to the relevant individual agency's complaint procedure.

3.2 If the complaint is solely about the decision to make or maintain a child 'subject to the Child Protection Plan', the complaints process cannot itself change the decision made by the conference, which will stand.

#### 4. **Complaint eligibility**

- the child who is 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 Child Protection Conference;
- where the child is subject to a care order or is otherwise looked after by the London Borough of Redbridge, 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;
- the child's solicitor.

#### 5. **How to make the complaint**

5.1 Complaints can be made in writing and sent to the RSCP Manager:

RSCP Manager  
Redbridge Safeguarding Children Partnership (RSCP)  
5<sup>th</sup> Floor (Front)  
Lynton House  
255-259 High Road  
ILFORD  
Essex IG1 1NN

Alternatively, they can be e-mailed to: [RedbridgeSCP@redbridge.gov.uk](mailto:RedbridgeSCP@redbridge.gov.uk) or made verbally by calling 020 8708 5282. In order to minimise any confusion with regards to the issue giving rise to the complaint, all verbal complaints must be recorded in writing and confirmed by the complainant within **28 days** of the date of the conference to which the complaint relates. The RSCP Manager can provide a [form](#) on which a complaint can be made; the completed form should be emailed to [RedbridgeSCP@redbridge.gov.uk](mailto:RedbridgeSCP@redbridge.gov.uk).

5.2 If the complainant needs help to complete the form they should ask a relative, friend or professional person to help. The RSCP Manager will be able to arrange for assistance to be provided by a member of the Borough's Children's Services staff who has not been involved in the case. The person making the complaint can also approach the Children's Services Complaint and Investigations Team for assistance – **the Complaint and**

**Investigation Manager** can be contacted at Lynton House, 255-259 High Road, Ilford, Essex IG1 1NN (Telephone: 020 8708 5174) or e-mail [childrenscomplaints@redbridge.gov.uk](mailto:childrenscomplaints@redbridge.gov.uk) .

## **Stage One: Informal Complaints Meeting**

### **6. Action taken when the complaint is received**

- 6.1 The RSCP Manager will pass the complaint onto the Complaint and Investigation Manager, who will record that the complaint has been received and is responsible for making sure that the necessary steps are taken for it to be considered.
- 6.2 The RSCP Manager will refer the complaint to the Chair of the RSCP for confirmation that this Procedure should be used.
- 6.3 The Complaint and Investigation Manager will acknowledge the complaint in writing to the Complainant, within **three working days** of its receipt.
- 6.4 Where the Chair of the RSCP decides that the matters complained about are the concern of an individual agency, the Chair will refer the complaint directly to a senior manager within that agency, to be responded to in accordance with its own processes for responding to complaints. The RSCP Manager will inform the person who made the complaint of this decision.
- 6.5 Where the Chair of the RSCP confirms that this Procedure will be used, the RSCP Manager will provide the Borough's Safeguarding and Quality Assurance Service Manager with a copy of the complaint for sharing with the Conference Chair.
- 6.6 The complainant (who may be supported by a friend or relative) will be offered the opportunity of an informal 'complaint meeting' with the Chair of the Conference and the Safeguarding and Quality Assurance Service Manager in the first instance.
- 6.7 This meeting will normally take place within **28 days** of receipt of the complaint. The purpose of this meeting is to discuss the issues, which are the subject of the complaint, with a view to resolving the complaint. The Chair of the Conference and the Safeguarding and Quality Assurance Service Manager may request other members of the Child Protection Conference to which the complaint relates to assist at this meeting.
- 6.8 Where the complainant is not the child or a person with parental responsibility, the Safeguarding and Quality Assurance Service Manager will decide whether the child (if of sufficient age and understanding to comprehend) and/or parent will be invited to the complaint meeting, and whether or not to invite them to discuss the complaint at another time.

- 6.9 If the complainant declines the offer of a complaint meeting with the Chair of the Conference and Safeguarding and Quality Assurance Service Manager, the Safeguarding and Quality Assurance Service Manager will record the complainant's decision and provide a written response to the complaint within 20 working days.
- 6.10 If the complainant agrees to a complaint meeting, any such meeting will consider:
- the written complaint;
  - the reports placed before the relevant Child Protection Conference;
  - the minutes of that Conference; and
  - any other relevant documentation.

The Safeguarding and Quality Assurance Service Manager may request a report from any other participant who was at the conference and other documents to assist with the complaint meeting. A minute taker should be present throughout the complaint meeting and an interpreter will be made available upon request.

- 6.11 The Safeguarding and Quality Assurance Service Manager and the Conference Chair should ensure that the complainant:
- sufficiently understands the child protection process;
  - clarifies the grounds for, and the nature of, the complaint/s;
  - establishes the outcome desired by the complainant;
  - understands the scope and relevance of the complaints process with regard to their circumstances.
- 6.12 If, as a result of the complaint meeting, the complaint is resolved, the Safeguarding and Quality Assurance Service Manager will be responsible for confirming the outcome of the meeting to the complainant via letter. This should be done in writing within **five working days** of the meeting taking place. A copy of the written outcome should be provided to the RSCP Manager, the Complaints and Investigation Manager and the Chair of the conference. Copies may be provided to other persons at the discretion of the Safeguarding and Quality Assurance Manager.
- 6.13 The letter will advise the complainant that if they remain dissatisfied with the outcome of their complaint, they can, by contacting the RSCP Manager within **15 working days** of its receipt, request that the complaint is considered by a Complaints Panel.
- 6.14 If the complainant notifies the RSCP Manager within **15 working days** that s/he does wish the complaint to be considered by the Complaints Panel, the RSCP Manager will convene a Complaints Panel.

- 6.15 In the event that the complainant fails to respond within **15 working days**, the complaint will be deemed to have been concluded to the satisfaction of the complainant. Notifications received after the **15 working day** deadline may be considered at the discretion of the Chair of the RSCP.

## **Stage Two: RSCP Complaints Panel**

### **7. Terms of Reference**

- 7.1 The purpose of the Complaints Panel is to consider complaints made under the London Child Protection Procedures for Complaints about Child Protection Conference ([section 4.12](#)). The Panel will also consider whether relevant inter-agency protocols and procedures were observed correctly. The Panel will also consider whether actions and decisions of the conference, and in particular the Chair of the Conference, were reasonable in the circumstances.
- 7.2 The matters about which the Panel can consider complaints are as set out for this procedure:
- 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;
  - other decisions or recommendations made by the Conference;
  - whether the [London Child Protection Procedures](#) about child protection conferences, and other protocols, were followed; or
  - the exclusion of any person from the Conference.

### **8. Notification**

- 8.1 When the RSCP Manager receives confirmation from the complainant that s/he wishes to have their complaint considered by a Complaints Panel, the RSCP Manager would confirm with the RSCP Chair that a Panel should be convened. A copy of the complaint will be forwarded to the Borough's Complaint and Investigation Manager. The RSCP Manager will then convene a Complaints Panel Hearing.
- 8.2 The RSCP Manager will take all reasonable steps to ensure a Panel Hearing takes place without delay and at a time, date and place that is convenient to all parties. This will normally be within **15 working days** after confirmation has been received that the complainant wishes to have their complaint considered by a Complaints Panel. The RSCP Chair may decide a longer period within which the Panel Hearing will take place.
- 8.3 The Complaint and Investigation Manager, in conjunction with the RSCP Manager, is responsible for informing the complainant in writing of:

- the time, date and place of the hearing;
- the complainant's right to attend and be accompanied by a friend, relative, or adviser; and
- will inform the complainant that if s/he does not wish to attend the hearing, s/he may make written representations.

8.4 Where the complainant is a child(ren), persons with parental responsibility shall be notified of the hearing by the RSCP Manager.

8.5 Where the complainant has parental responsibility for a child(ren), that child(ren) shall be notified of the hearing (if they are of sufficient age and understanding to comprehend) by the RSCP Manager.

8.6 Where the complainant is neither the child (of sufficient age and understanding to comprehend) nor a person with parental responsibility, the child and those persons with parental responsibility will be notified of the hearing by the RSCP Manager.

8.7 The RSCP Manager shall notify the person who chaired the Conference and the Safeguarding and Quality Assurance Service Manager of the Hearing. The Chair of Conference in question shall attend the hearing for the purpose of providing information to the Panel, if so requested.

## **9. Membership of the Complaints Panel**

9.1 The RSCP Chair will select the Panel from among senior representatives of the RSCP partner agencies who are members of the RSCP. The RSCP Chair will designate a representative of the agency least directly involved with the case to the role of Chair or alternatively they themselves will act as the Panel Chair.

9.2 A Complaints Panel will include not less than three such members, and no more than one from any single partner agency. The individuals should have had no previous or present direct line management responsibility for the case in question.

## **10. Provision of documents to the Panel**

10.1 **At least seven days** in advance of the hearing, the Panel shall be provided with:

- the complaint;
- reports and minutes relating to the relevant Child Protection Conference;
- the report made by the Chair of the conference; and
- any other relevant report.

10.2 **At least seven days** in advance of the hearing, the complainant shall also be provided with the documents mentioned above, with the exception of any document to which they would have been refused access if applying for access to records, maintained by the relevant agencies, about themselves.

## **11. Procedure at the Hearing**

11.1 It shall be the responsibility of the RSCP Manager to ensure that a minute taker is available to ensure minutes are taken at the hearing of the complaint by the Panel and that the services of an interpreter are offered where appropriate.

11.2 The Panel Chair will be responsible for the conduct of the hearing.

11.3 The Panel Chair will ensure that all parties to the hearing have been introduced to each other before stating the purpose of the hearing and its structure.

11.4 The Panel Chair will be responsible for ensuring that participants are given the opportunity to present their case. The complainant will be given the first opportunity to present her/his complaint. The Panel may ask questions of the complainant.

11.5 The Chair of the Child Protection Conference will then be invited to respond to the complaint. The Panel may then ask questions of the Chair of the Child Protection Conference.

11.6 Questions for clarification will be put to the Panel Chair. Unless the Panel Chair considers it necessary to adjourn to obtain further information, the members of the Panel shall retire to consider the material before them and shall reach a decision at the conclusion of the hearing.

11.7 The Panel Chair will advise those present that the decision and recommendations of the Panel will be distributed in writing within **10 working days**.

11.8 In the event that the Panel cannot agree unanimously on any specific matter, this can be decided by a vote among Panel members, determined by a show of hands. The Panel Chair shall have a second or casting vote.

11.9 It is the responsibility of the Panel Chair to write to the complainant to advise them of the Panel decision. The Chair of the Conference, the other Panel Members, the Complaints and Investigation Manager and the Chair of the RSCP should be sent a copy of this letter.

11.10 The Panel may make recommendations to the RSCP and these shall be recorded in the minutes of the Hearing.



## **12. Decision of the Panel**

- 12.1 The Panel must decide, supported by the Chair, as to whether the complaint is:
- justified;
  - partially justified;
  - inconclusive; or
  - not justified.
- 12.2 In any event, the Panel must decide whether or not there is a need for a rescheduled Conference date to be held in light of the outcome of the complaint. The Panel may recommend that the same Conference Chair is responsible for this rescheduled Conference, or may recommend that it should be chaired by another Conference Chair.
- 12.3 The Panel should reach a decision about whether the [London Child Protection Procedures](#), including any inter-agency protocols, have been correctly observed. The Panel should also decide whether, in their view, any decision that is being complained about follows reasonably from observing procedures and protocols.
- 12.4 If the Panel concludes that the procedures relating to the Conference were correctly followed and that the decision/s reached were reasonable, it must confirm that the conclusions of the original Conference stands and will be routinely reviewed when the Review Conference is held.
- 12.5 Irrespective of its decision, the Panel may make recommendations to the RSCP, and through the RSCP to any individual partner agency, on such matters, as it considers appropriate in the circumstances. Any recommendations should be made in writing to the Chair of the RSCP.
- 12.6 The Panel may raise issues about the conduct of any participant at the conference, directly with the RSCP representative of their employing agency. This should be in the form of a letter from the Panel Chair, with a copy sent to the RSCP Chair and Manager.

## **13. Following the Hearing**

- 13.1 It is the responsibility of the RSCP Manager to bring the outcome of the Hearing to the attention of the Chair of the RSCP, within **10 working days**.
- 13.2 At its next meeting following the Hearing, the RSCP shall note the Panel's decision and shall consider any recommendations it may make.
- 13.3 The RSCP Chair will, within **28 days of the RSCP meeting**, notify the complaint of the RSCP's considerations, and of any action taken by it as a result of the recommendations of the Panel.

#### **14. Rescheduled Conference**

- 14.1 The Chair of a rescheduled Child Protection Conference must ensure that all those present have seen or are briefed at the conference about the decisions reached by the Panel.
- 14.2 A distinction must be made by the Conference Chair between the need to discuss the conclusions of the Panel and the task of the Child Protection Conference, which is to consider the child(ren)'s current circumstances.

#### **15. Further Challenge**

- 15.1 No further route exists within the RSCP in those cases where the Panel concludes that all relevant processes were followed and that the decisions which were made were reasonable. A complainant who nonetheless remains dissatisfied may wish to pursue her/his grievances via Ombudsman or Judicial review.
- 15.2 In what are likely to be very rare cases, where a rescheduled conference has been recommended, held and the complainant does not accept the outcome, the same Panel may (at the discretion of the RSCP Chair and Children's Services Complaints and Investigation Manager, in liaison with the Safeguarding and Quality Assurance Service Manager) be asked to re-convene and review any remaining and clearly specified concerns.