Kensington and Chelsea
LSCB
Local Safeguarding Children Board

Complaints
Child Protection Conferences

www.rbkc.gov.uk/lscb
1 This protocol covers

- The conduct or process of the conference
- Whether the London Child Protection Procedures were followed
- The decision of the Chair, including the category chosen, to make a child a child subject to a child protection conference or not
- The exclusion of any person from the conference

2 The protocol does not cover

Complaints about an individual agency and the decisions they have made. The complaints process cannot change the details of the child protection plan without a conference being reconvened.

3 Who can complain?

- The child who the child protection plan concerns
- A person who is deemed to be acting on behalf of the child; with written consent where appropriate
- A parent or any person with parental responsibility for the child
- The child’s solicitor

4 How to make the complaint

Complaints should be addressed to

Jonathan Williams
Child Protection and Safeguarding Manager (CPSM)
Royal Borough of Kensington and Chelsea / Kensington and Chelsea LSCB
Kensington Town Hall
Hornton Street
London W8

Tel: 0207 361 3085

5 Stage One

5.1 What happens when the complaint is received?

The child protection and safeguarding manager will pass the complaint onto the Local Authority’s complaints department, who will record that the complaint has been received and is responsible for making sure that the necessary steps are taken

The complaint will be referred to the Chair of the LSCB for confirmation that this protocol should be used

The complaints department will acknowledge the complaint in writing within 3 working days of its receipt
If the complaint fits the criteria the CPSM will provide the Chair of the conference with a copy of the complaint and will request that person to provide a report about the conduct of the conference and will inform all professionals who attended the conference that a complaint has been received.

The complainant will be offered the opportunity of an informal “complaint meeting” with the Chair and their manager in the first instance. This meeting will normally take place within 28 days of receipt of the complaint. The meeting should ensure the complainant:

- Sufficiently understands the child protection process
- Clarify the grounds for, and the nature of, the complaint(s)
- Establish the outcome desired by the complainant
- Ensure the complainant understands the scope and relevance of the complaints process with regards to their circumstances

If as a result of the complaint meeting the matter is resolved, the CPSM will be responsible for confirming the outcome of the meeting by letter to the complainant and to others involved in the complaint.

If the complainant is dissatisfied with the outcome of the complaints meeting the complainant must contact the manager within 10 working days and request that the complaint is considered by a Complaints panel; otherwise the complaint will be closed.

6 Stage Two

6.1 Terms of reference

The purpose of the complaints panel is to consider complaints made under the Pan London Procedure for complaints about child protection Conferences for the following circumstances:

- The process of the conference
- The outcome, in terms of the fact of and/or the category of primary concern at the time the child became subject of a child protection plan
- A decision for the child to become, to continue or not to become the subject of a child protection plan.

The CPSM will liaise with the LSCB Chair and identify a multi agency panel to hear the complaint.

The panel will convene within 3 weeks of the decision to convene a panel and will inform the complainant, Chair of conference and panel in writing of the arrangements and that the complainant can attend with the support of one other.

If the complainant is the parent or the child (age 12+) then the parent / child will be notified.
6.2 **Membership of the panel**

The CPSM will include multi agency partners who are also members of the LSCB. The Chair of the panel will be the agency least directly involved in the case to the role of the Chair.

6.3 **Provision of Documents to the Panel**

At least 7 days in advance of the hearing, the panel and complainant 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
- Any other relevant reports

6.4 **Procedure at Hearing**

The Chair will be responsible for

- Ensuring a minute taker will be present
- The conduct of the hearing
- Introductions are made and stating the purpose of the meeting
- Highlighting the need for confidentiality

The complainant will be given the first opportunity to present his / her complaint. The panel may ask questions of the complainant. The Chair of the child protection conference will then be invited to respond to the complaint. The panel may then ask questions of the complainant.

The panel Chair may consider it necessary to adjourn to obtain further information.

The panel Chair will be responsible and advise those present that the decisions and recommendations of the panel will be distributed in writing within 7 working days.

In the event that a panel cannot agree on any matter, the decision shall be determined by a vote. The Chair of the panel shall have a second or casting vote.

A copy of the decisions should also be taken to the LSCB.

6.5 **What can the panel decide?**

The panel must reach a decision about whether the complaint, is either:

- Justified
- Partially justified
Not justified

The panel must also consider:

- Whether the child protection procedures have been followed
- Whether a case conference should be brought forward
- Whether the right category of abuse was selected? Whether any recommendations need to be made by the LSCB

The panel may also raise any concerns about staff conduct to their particular agency.

7 Further Challenge

No further internal processes exist 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 remains dissatisfied may wish to pursue her / his grievances via Ombudsman or Judicial Review.