

20 Comments and Complaints about the Operation of these Procedures

This guidance covers circumstances in which a comment or complaint relates to the application of the multi-agency Child Protection Procedures, as outlined in 'Working Together to Safeguarding Children'. **Single** agency comments or complaints will **not** be dealt with by these procedures but by individual agencies.

20.1 Comments or Complaints about the Conduct of a Professional whilst Operating these Procedures

20.1.1 Comments or complaints about joint action or decision making

Any comment or complaint about joint decision-making or joint action within the Child Protection process covered by these procedures (other than professional conduct) should be referred in writing to the Chair of the Practice Standards Sub-Committee, Rotherham Safeguarding Children Board, as soon as possible, but within **3 months** of the action or decision. Examples of exceptionally good practice will be notified to the relevant manager. The criterion for complaint will be that these procedures have not been followed. The Chair will consider in the first instance whether the case fits the criterion. If it does not, s/he will advise the complainant of that decision in writing. If the case does fit the criterion, s/he will refer the case to a Rotherham Safeguarding Children Board group for consideration, and will inform the referrer in writing that s/he has done so. This written acknowledgement will be within **15 working days**. The group will consider the case within **6 weeks**.

As soon as the case has been considered, the Chair of Rotherham Safeguarding Children Board will inform the referrer of the recommendation of one or more of the following:

- an immediate reconvening of a Child Protection Conference to consider a specific issue
- a recommendation to the Core Group via the key worker for specific action based upon implementation of Rotherham Safeguarding Children Board procedures
- specific action is recommended to an agency or inter-agency group to comply with Rotherham Safeguarding Children Board Procedures
- a recommendation is to be actioned via a strategy meeting

- a recommendation to individual agencies to respond in accordance with their own complaints process
- no action or recommendation is necessary

20.2 Comments and Complaints regarding Child Protection Conferences

Where either families or staff from partner agencies with Rotherham Safeguarding Children Board may wish to complain about Child Protection Conferences the following guidance applies:

20.2.1 Criteria

The Practice Standards Sub-Committee will receive comments or complaints from families and staff of Rotherham Safeguarding Children Board agencies in the following circumstances:

- the process of a conference not complying with Rotherham Safeguarding Children Board procedures
- the registration decision not complying with Rotherham Safeguarding Children Board procedures
- significant and unreasonable failure to complete multi-agency recommendations within Child Protection Plans
- examples of exceptionally good practice to protect a child
- advocates attendance and role at conferences.
- 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
- a decision for the child to become, or not to become, the subject of a Child Protection Plan or not to cease the child being the subject of a Child Protection Plan.

20.2.2 Guidance

Complaints about individual agencies, their performance and provision (or non-provision) of services should be dealt with in accordance with the relevant agency's complaints handling process. For example, Children's Social Care is required (by Section 26 of the Children Act 1989) to establish a Complaints Procedure to deal with complaints arising in respect of Part III of the Act.

Complaints about aspects of the functioning of Conferences described above should be addressed to the Conference Chair. Such complaints should then be passed on to Children's Social Care and, since they related to Part V of the Children Act 1989, should be responded to in accordance with 'Getting the Best from Complaints: Social Care Complaints

and Representations for Children, Young People and Others'
21a

20.2.3 Process

In considering and responding to complaints, the local authority should form an inter-agency panel made up of senior representatives from Rotherham Safeguarding Children Board member agencies. The Panel should consider whether the relevant inter-agency Protocols and Procedures have been observed correctly, and whether the decision that is being complained about follows reasonably from the proper observation of the Protocol(s).

In addition, representations and complaints may be received by individual agencies in respect of services provided (or not provided) as a consequence of assessments and conferences, including those set out in Child Protection Plans. Such concerns should be responded to by the relevant agency in accordance with its own processes for responding to such matters.

20.2.4 Procedure

- As soon as possible, but within **3 months** of the conference, a written complaint or comment will be made to the PRSG chair.
- Within 15 working days of receiving comment or complaint, the Practice Standards Sub-Committee Chair and the Designated Doctor, Child Protection, having together considered whether the case fits the criteria, will acknowledge receipt to the complainant. They will inform them that either:
 - a) the case does not fit the criteria, or
 - b) the case will be considered at the next Practice Standards Sub-Committee (within one month) or by three separate agency representatives who sit on Practice Standards Sub-Committee.

As soon as the case has been considered at PRSG, the chair will inform the referrer (copy to Conference Chair) of the recommendation of one or more of the following:

- notification of good practice to manager

^{21a} 'Getting the Best from Complaints: Social Care Complaints and Representations for Children, Young People and Others' (DfES, 2006).

- referral to a Rotherham Safeguarding Children Board group for consideration of a specified issue
- recommendation to the Core Group via the key worker for specific action based upon implementation of Rotherham Safeguarding Children Board Procedures
- an immediate reconvening of the Child Protection Conference to consider a specified issue
- no action or recommendation is considered appropriate by Practice Standards Sub-Committee.

20.2.5 Standards

- the Practice Standards Sub-Committee will apply the above criteria and procedure to each comment or complaint received
- the protection of children from abuse and neglect through the application of Rotherham Safeguarding Children Board Child Protection Procedures will remain the aim throughout the process
- recommendations in most circumstances will be based on consideration of Conference/Core Group minutes. Supplementary reports will be requested only where additional information is required
- communication from the Practice Standards Sub-Committee will be conducted in a clear and constructive manner