

Cardiff & Vale Regional Safeguarding Boards

Joint Complaints Procedure

Cardiff and Vale Regional Safeguarding Boards	Date Ratified:	Status: Final
Author: Policies, Procedures & Protocols Sub Group	Previous Version: N/A	Review Date:

PURPOSE

The purpose of this procedure is to ensure a sensitive and professional multi-agency response to the management of complaints arising from the functioning of the Cardiff & Vale Regional Safeguarding Boards' multi-agency child and adult protection processes.

The procedure reflects the statutory guidance in relation to Part 7 of the Social Services and Well-being (Wales) Act 2014 and relates to the following aspects of the Boards' multi-agency safeguarding functions:

- Child Protection Conferences
- Adult Protection Meetings and Conferences
- Child and Adult Practice Reviews

Any other complaints about the child or adult protection process should be directed to the relevant Local Authority.

This process does not replace individual agencies' own complaints procedures and will not address complaints that include:

- Any other concerns or complaints about a single agency's processes
- Services that are delivered by agencies to the child, young person or adult at risk
- Complaints about an individual's professional practice or conduct of an officer attending a safeguarding meeting, or
- Complaints in relation to the contents of the written record of the conference/ practice review which will be dealt with by the person who chaired the conference/practice review

These complaints should be made via the relevant agencies complaints process.

WHO CAN MAKE A COMPLAINT?

Anyone directly involved in the adult or child protection process can make a complaint which will be considered by the Safeguarding Board. If the complaint is deemed not appropriate then an explanation will be made in writing outlining the reasons for this decision.

Timescales

The person making the complaint must do so within within two weeks of initial conference and within 4 weeks of review conferences.

CHILD PROTECTION CONFERENCES

Parents, caregivers and children/young people who are involved in the conference process may wish to raise a complaint in respect of one or more of the following aspect of the functioning of the child protection conference:

- The process of the conference in terms of adherence to procedures
- The registration decision, including the category
- The decision not to register or to de-register

Stage 1 – Resolution by the Conference Chair

The Cardiff & Vale Regional Safeguarding Boards are committed to resolving complaints at the earliest opportunity and at a local level where possible. Many issues can be resolved at this stage of the process by the Conference Chair.

A complaint should be made in writing, by telephone or in person to the Conference Chair. The Chair will attempt to resolve the complaint within 10 working days of receiving the complaint. If the matter is resolved, the Conference Chair will send a response letter to the complainant confirming the agreed resolution. It is the responsibility of the local authority Manager responsible for Child Protection to inform the Business Unit for the Regional Safeguarding Board who will keep a log of all complaints and their outcomes.

If the complaint is not resolved, the local authority Manager responsible for Child Protection will provide the complainant with an opportunity to proceed to the next stage of the procedure and make the referral to the interagency Safeguarding Board's Complaints Panel.

At this stage the complaint will need to be in written format. The person making the complaint may need assistance to put their complaint in written format (see Appendix 1). It is the complainants responsibility to complete the written complaint or to seek assistance from a third party or advocate if unable to do so.

Complaints about the Conference Chair

If the complaint is about the conduct of the Conference Chair it should be addressed in writing, by telephone or in person to the relevant Local Authority Manager for Safeguarding, who will attempt to resolve the complaint within 10 working days of the receipt of the complaint.

If the matter is resolved, the Manager concerned will send a response letter to the complainant confirming the agreed resolution and inform the relevant Complaints Department. If the matter is not resolved then the Local Authority Complaints Procedure will be initiated.

Stage 2 – Inter-Agency Complaints Panel

If the complaint cannot be resolved at Stage 1 then the relevant local authority Manager responsible for Child Protection will share all information about action taken to resolve the complaint with the Safeguarding Boards Business Manager. This information needs to be sent to the Business Manager within 10 working days of the Stage 1 outcome.

The Business Manager will convene a meeting of the Inter-Agency Complaints Panel. The panel should consist of a minimum of three representatives from the Board, one of whom will act as chair. The panel must not include any agency that has had direct involvement in the case being heard. The Business Manager will select the independent Panels from the list of approved Panel members, held by the Safeguarding Board's Business Unit.

The Business Manager will advise the local authority Manager responsible for Child Protection and the Conference Chair of the details of the Panel meeting. It is recommended good practice for the local authority Manager responsible for Child Protection to inform the social worker, if appropriate, that the complaint has reached this stage.

The Business Manager will circulate all relevant documentation to members of the panel including the original complaint and any action taken already to resolve the complaint under Stage 1, any relevant reports and the written record(s) of the meeting in question.

The complainant will be advised of the meeting and be provided with an opportunity to attend. They will be entitled to be accompanied by a person of their choice.

Prior to the Panel meeting, the Panel members should meet with the Conference Chair to establish the background to the case, the outcome of the Stage 1 complaint, the circumstances from the chair's perspective and to discuss any points of clarification.

At the panel meeting the chair will be responsible for:

- Introducing the meeting and explaining its purpose
- Explaining what the panel will and will not consider
- Outlining any previous measures that have attempted to resolve the complaint and any background issues
- Providing the complainant with an opportunity to make a statement in person or in writing to the panel and call evidence relating to his/her complaint

Both the panel and the complainant may call witnesses.

Following the meeting, the Panel may wish to ask the Conference Chair, the social worker and/or the local authority Manager responsible for Child Protection for further clarification, prior to making a decision.

The panel has 25 working days from the date that the complaint was **signed** to inform the complainant of their findings.

Decision of the panel

The complaints panel will determine:

- Whether the process followed adhered to the Wales Safeguarding Procedures;
- Whether the decision that is being complained about followed reasonably from the proper observation of the procedures;
- Whether the decision that is being complained about followed reasonably from the information available to the original conference.

The Complaints Panel cannot change the decision of the conference, but can reconvene the child protection conference to take account of the Panel's findings.

The Chair will write to the complainant informing them of the decision of the panel. Copies of the letter will be sent to:

- The child, if appropriate to their age and understanding
- Any other parent or caregiver with parental responsibility
- The Chair of the Child Protection Conference, subject to the complaint
- The Local Authority Manager for Child Protection
- Any other relevant person involved in the case that is identified by the Panel

If any part of the complaint is upheld and the Complaints Panel is of the view that this has affected the decision of the conference, the Complaints Panel will recommend that the conference be reconvened. A different Conference Chair must be nominated and the conference reconvened within 15 working days of the panel decision. The original conference decision will remain in place until the reconvened conference has taken place.

If any part of the complaint is upheld but the Complaints Panel is of the view that this has not affected the decision of the conference, they may make recommendations for future learning, including raising the matter in the appropriate Sub Group, or about specific issues to be addressed in any subsequent conference.

In some cases complaints may raise concerns about individual agencies during the course of the Panel Meeting, should this happen and the information provided raises concerns about the quality of practice within that agency, the Chair of the Panel will discuss these with the Designated Senior Manager of the agency concerned immediately following the Panel Meeting and update the Business Unit.

All complaints about conferences will be reported to the appropriate Sub Group.

ADULT PROTECTION MEETINGS AND CONFERENCES

An adult at risk, their carer or someone acting on behalf of the adult at risk (an attorney, court-appointed deputy, professional advocate or nominated individual) who is involved in the adult protection process may wish to raise a complaint in respect of one or more of the following aspects of the multi-agency adult protection meeting or conference:

- The process of the conference in terms of adherence to procedures
- The decision/outcome of the conference

Stage 1 – Resolution by the Chair

The Cardiff & Vale Regional Safeguarding Board is committed to resolving complaints at the earliest opportunity and at a local level where possible. Many issues can be resolved at this stage of the process by the meeting/conference Chair.

A complaint should be made in writing, by telephone or in person to the conference Chair. The Chair will attempt to resolve the complaint within 10 working days of receiving the complaint. If the matter is resolved, the Chair will send a response letter to the complainant confirming the agreed resolution and notify the local authority Manager responsible for Adult Safeguarding. It is the responsibility of the local authority Manager responsible for Adult Safeguarding to inform the Business Unit for the Regional Safeguarding Board who will keep a log of all complaints and their outcomes.

If the complaint is not resolved, the local authority Manager responsible for Adult Safeguarding will provide the complainant with an opportunity to proceed to the next stage of the procedure and make the referral to the interagency Safeguarding Board's Complaints Panel.

The complaint at this stage will need to be in written format. The person making the complaint may need assistance to put their complaint in written format (see Appendix 1). It is the complainants responsibility to complete the written complaint or to seek assistance from a third party or advocate if unable to do so.

Complaints about the Conference Chair

If the complaint is about the conduct of the Chair it should be addressed in writing, by telephone or in person to the relevant Local Authority Manager for Safeguarding, who will attempt to resolve the complaint within 10 working days of the receipt of the complaint.

If the matter is resolved, the Manager concerned will send a response letter to the complainant confirming the agreed resolution and inform the relevant

Complaints Department, if appropriate. If the matter is not resolved then the Complaints Procedure will be initiated.

Stage 2 – Inter-Agency Complaints Panel

If the complaint cannot be resolved at Stage 1 then the relevant local authority Manager responsible for Safeguarding will share all information in relation to the complaint with the Safeguarding Boards Business Manager.

The Business Manager will convene a meeting of the Inter-Agency Complaints Panel. The panel should consist of a minimum of three representative from the Board, one of whom will act as chair. The panel must not include any agency that has had direct involvement in the case being heard. The Business Manager will select the independent Panels from the list of approved Panel members, held by the Safeguarding Board's Business Unit.

The Business Manager will circulate all relevant documentation to members of the panel including the original complaint and any relevant reports.

The complainant will be advised of the meeting and be provided with an opportunity to attend. They will be entitled to be accompanied by a person of their choice.

At the panel meeting the chair will be responsible for:

- Introducing the meeting and explaining its purpose
- Explaining what the panel will and will not consider
- Outlining any previous measures that have attempted to resolve the complaint and any background issues
- Providing the complainant with an opportunity to make a statement in person or in writing to the panel and call evidence relating to his/her complaint

Both the panel and the complainant may call witnesses.

The panel has 25 working days from the date that the complaint was **signed** to inform the complainant of their findings.

Decision of the panel

The complaints panel will determine:

- Whether the process followed adhered to the Wales Safeguarding Procedures
- Whether the decision that is being complained about followed reasonably from the proper observation of the procedures
- Whether the decision that is being complained about followed reasonably from the information available to the original conference

The complaints panel cannot change the decision of the meeting/conference, but can reconvene the meeting/conference to take account of the Panel's findings.

The Chair will write to the complainant informing them of the decision of the panel. Copies of the letter will be sent to:

- The adult, if they have capacity
- Any other person with care-giving responsibility (if the adult lacks mental capacity to consent to this information sharing and it is in their best interests to share)
- The Chair of the Adult Protection Meeting/Conference, subject to the complaint
- The Local Authority Manager for Adult Protection/Safeguarding
- Any other relevant person involved in the case that is identified by the Panel

If any part of the complaint is upheld the Complaints Panel will refer their recommendations to a reconvened Adult Protection Meeting/Conference. A different Chair must be nominated and the meeting/conference reconvened within 15 working days of the panel decision. The original meeting/conference decision will remain in place until the reconvened meeting/conference has taken place.

In some cases, complaints may raise concerns about individual agencies during the course of the Panel Meeting, should this happen and the information provided raises concerns about the quality of practice within that agency, the Chair of the Panel will discuss these with the Designated Senior Manager of the agency concerned immediately following the Panel Meeting.

CHILD AND ADULT PRACTICE REVIEWS

The Welsh Government statutory guidance (Volumes 2 & 3 of 'Working Together to Safeguard People'), issued in accordance with the Social Services & Well-being (Wales) Act 2014 requires Safeguarding Boards to have a process in place to manage complaints in relation to Child & Adult Practice Reviews. This process needs to take into account the multi-agency nature of Practice Reviews.

What can be complained about?

Any person directly involved in or affected by the adult or child practice review process can make a complaint that will be considered by the Board. Complaints will be considered in respect of one or more of the following aspects of the process:

- The decision on whether or not to proceed with a Child or Adult Practice Review
- The process followed in terms of adherence to the statutory guidance
- The content of the report

Stage 1 – Resolution by the Cardiff & Vale Safeguarding Boards' Co-Chairs

The Cardiff & Vale Regional Safeguarding Boards are committed to resolving complaints at the earliest opportunity and at a local level where possible.

A complaint should be made in writing or by telephone to the Cardiff & Vale Safeguarding Boards' Co-Chairs via the Business Manager. The Co-Chairs will attempt to resolve the complaint within 10 working days of receiving the complaint. If the matter is resolved, the Business Manager will send a response letter to the complainant confirming the agreed resolution and inform the Chair of the relevant Sub Group and Chair of the Review Panel, if appropriate.

If the complaint is not resolved, the Business Manager should inform the Chair of the CPR/APR Sub Group that the complainant wishes to go to the next stage of the procedure, the Inter-Agency Safeguarding Boards Complaints Panel.

The complaint at this stage will need to be in written format. The person making the complaint may need assistance to put their complaint in written format (see Appendix 1). It is the complainants responsibility to complete the written complaint or to seek assistance from a third party or advocate if unable to do so.

Stage 2 – Inter-Agency Complaints Panel

The Business Manager will convene an Inter-Agency Complaints Panel. The panel should consist of a minimum of three representative from the Board, one of whom will act as chair. The panel must not include any agency that has had direct involvement in the case/review.

The Business Manager will circulate all relevant documentation to members of the panel including the original complaint and any relevant reports.

The complainant will be advised of the meeting and be provided with an opportunity to attend. They will be entitled to be accompanied by a person of their choice.

At the panel meeting the chair will be responsible for:

- Introducing the meeting and explaining its purpose
- Explaining what the panel will and will not consider
- Outlining any previous measures that have attempted to resolve the complaint and any background issues
- Providing the complainant with an opportunity to make a statement in person or in writing to the panel and call evidence relating to his/her complaint

Both the panel and the complainant may call witnesses.

The panel has 25 working days from the date that the complaint was **signed** to inform the complainant of their findings.

Decision of the panel

The complaints panel will determine:

- Whether the process followed adhered to the statutory guidance under Part 7 of the Social Services and Well-being (Wales) Act 2014, Volumes 2 and 3 on Child and Adult Practice Reviews
- Whether the decision that is being complained about followed reasonably from the proper observation of the procedures
- Whether the decision that is being complained about followed reasonably from the information available to the original Sub Group Meeting or CPR/APR Panel

The Chair will write to the complainant informing them of the decision of the panel.

Copies of the letter will be sent to:

- The child/adult at risk, if appropriate
- Any other person with care-giving responsibility, if appropriate
- The Co-Chairs of the Cardiff & Vale Safeguarding Boards
- The Chair of the CPR/APR sub group
- Any Chair of the CPR/APR Panel, if appropriate
- Any other relevant person involved in the case that is identified by the panel

The Complaints Panel can recommend that the original Sub Group Meeting or CPR/APR Panel is reconvened to take account of the Panel's findings. A different Chair can be nominated and the meeting reconvened within 15 working days of the panel decision.

If any part of the complaint is upheld the Complaints Panel will refer their recommendations to the reconvened Meeting. The original decision will remain in place until the reconvened meeting/conference has taken place.

In some cases complaints may raise concerns about individual agencies during the course of the Panel Meeting, should this happen and the information provided raises

concerns about the quality of practice within that agency, the Chair of the Panel will discuss these with the Designated Senior Manager for complaints of the agency concerned immediately following the Panel Meeting.

UNRESOLVED COMPLAINTS

The Inter-Agency Complaints Panel is the final stage of the Safeguarding Complaints Procedure. If the complainant is dissatisfied with the way the complaint has been handled or the outcome he/she may contact the Public Service Ombudsman for Wales.

Public Service Ombudsman for Wales, 1 Ffordd yr Hen Gae, Pencoed CF35 5LJ
Tel: 0300 790 0203 Fax: 01656 641199

REPORTING

The number of complaints resolved at Stage 1 of the Child or Adult Protection Meetings or Conferences will be reported by the Business Unit to the relevant Sub Group.

Information regarding complaints made under Stage 2 of the Child or Adult Protection Meetings or Conferences will be reported to the relevant Sub Group by the Cardiff & Vale Safeguarding Boards Business Unit.

All complaints relating to the Adult or Child Practice Review process will be reported to the relevant Child or Adult Sub Group by the Cardiff & Vale Safeguarding Boards Business Unit.

Appendix 1 – Cardiff & Vale Safeguarding Boards Complaint Form

Name of person involved:	
Address:	
Date of Meeting (if applicable):	
Chair of Meeting (if applicable):	
Name of person making the complaint:	
Relationship to the person involved:	
Address:	
Telephone Number:	
E-mail address:	

Please provide details of your complaint below (continue on a separate sheet if required):

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Signed:	Date:
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Please return to:

Cardiff & Vale Regional Safeguarding Boards Business Unit

cardiffandvalersb@cardiff.gov.uk