**Date**

**Child Protection Appeals Protocol**

Appeals procedure for the operation of Child Protection Conferences and decisions about children being made the subject of a Child Protection Plan

**February 2023**

The London Child Protection Procedures (2020) require that each safeguarding partnership and other agencies should have a local protocol in place with a policy and procedure to address professional disagreements and dissent about the outcome of child protection conferences as well as core group meetings.

**This protocol outlines:**

1. When an appeal can be made about the management of child protection conferences and their decisions.
2. Who can appeal?
3. How such appeals are to be resolved
4. How other complaints about the management of child protection cases should be dealt with.

**1. When an appeal can be made:**

An appeal can be made if:

1. The child protection conference has not been run properly and in accordance with the Tower Hamlets Safeguarding Children Protection Conference Procedures and the London Child Protection Procedures.
2. There is concern that the wrong decision has been made in making a child or children subject to a Child Protection Plan.
3. That the plans made at a Child Protection conference are not in the best interests of the child/children.

**2. Who can appeal:**

1. Children/young people, parents, carers and advocates (if they are representing and attending the Conference with, or on behalf of a person in the above category) who are the subject of conferences.
2. Any professional who attends the conference who has formally dissented at the conference.

**3. How to appeal:**

Anyone who wishes to appeal the decisions of a child protection conference should put this request in writing and address it to the Group Manager, Child Protection Chairs, the Safeguarding and Quality Assurance Service via SQA@towerhamlets.gov.uk . The appeal will not be accepted later than 5 days after a Child Protection Conference was held.

**4. What happens next:**

On receipt of a written request of the appeal, the Group Manager, Child Protection Chairs, Safeguarding and Quality Assurance Service will:

1. Acknowledge the receipt of the complaint in writing in 24 hours and outline the next steps
2. If appropriate the Group Manager will offer a restorative conference as an alternative to pursuing a formal appeal.
3. Review all the individual reports that were submitted to the Child Protection Conference.
4. Where necessary, contact the complainant to clarify that s/he understands the basis on which the appeal is being made.

**5. Outcome of an appeal:**

**Stage 1**

The Group Manager, Child Protection Chairs, Safeguarding and Quality Assurance Service will determine whether the appeal is upheld. The complainant will receive written notification of the decision within 5 working days of the receipt of the complaint.

The possible outcome of the Appeal is either not upheld or upheld

If the appeal is upheld, the Child Protection Conference will be is reconvened within 15 working

days of the outcome of Stage 1 to reconsider the decision initially made. A different CP Chair

will be allocated to chair the re-convened conference. The reconvened conference does not

assume that the outcome will change but allows for a further multi agency consideration of

whether the child is at continuing risk of significant harm. The CP Appeals process then ends.

If the Appeal is not upheld, the Safeguarding and Quality Assurance Service will take no further action. The complainant has access to Stage 2 of the procedure should they wish to appeal the outcome of Stage 1.

**Stage 2**

If the complainant disagrees with the outcome of **Stage 1** and wants the decision of the

conference to be reviewed; the complainant must write to the Group Manager,

Child Protection Chairs, Safeguarding and Quality Assurance Service; within 3 days having

received the outcome of Stage 1.

Stage 2

Following the above, the Group Manager, Child Protection Chairs, Safeguarding and Quality

Assurance Service will:

i. Acknowledge the receipt of the complaint in writing in 24 hours

ii. Pass the bundle of documents to the Multi-Agency Senior Managers Complaints Panel. The bundle of documents will include all the individual reports that were submitted to the Child Protection Conference together with the conference record and Chair’s summary, the last Single Assessment completed, Safety Plan and any other documents / records reviewed at Stage 1.

The Multi-Agency Senior Managers Complaints Panel will:

1. Consider the bundle of documents to the Multi-Agency Senior Managers Complaints Panel. The bundle of documents will include all the individual reports that were submitted to the Child Protection Conference together with the conference record and Chair’s summary; the last Single Assessment completed, Safety Plan and any other documents/ records reviewed at Stage 1
2. The complainant will receive written notification of the Stage 2 decision within 15 working days of the receipt of the escalation of complaint to Stage 2.

The possible outcome of the Stage 2 Appeal is either that the initial complaint is not upheld or upheld.

If the appeal is upheld, the Child Protection Conference will be reconvened within 15 working

days of the outcome of Stage 2 to reconsider the decision initially made. A different CP Chair

will be allocated chair the re-convened conference. The reconvened conference does not

assume that the outcome will change but allows for a further multi agency consideration of

whether the child is at continuing risk of significant harm. The CP Appeals process then

ends.

If the complaint is not upheld at Stage 2, the Safeguarding and Quality Assurance Service will

take no further action. The Appeals procedure ends.

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|  **NOTES** |

**Membership of the Multi-Agency Senior Managers Complaints Panel**:

The Panel will be Chaired by the Head of Service for the Safeguarding and Quality

Assurance Service and will include at least 2 representatives from partner agencies to

include Health, Police and Education.

**The Multi-Agency Senior Managers’ Complaints Panel** does not have the authority to

reverse a Conference decision.

**The chair of a reconvened Child Protection Conference** must ensure that all those

present have been seen or are briefed at the start of the Conference about the decision and

any recommendation(s) made by the Panel.

**Further Challenge:** If Parents continue to be dissatisfied with the Outcome of the Appeals process, they can pursue their grievance via the Local Government Ombudsman or choose to seek legal advice about alternative remedies.

**Date**