



Children and Family Services - Complaints and Compliments

Annual Report 2023/2024

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1. Introduction

1.1. The purpose of this report is to provide an overview of the complaints which have been received by West Berkshire's Children & Family Services during the financial year 2023/24.

2. Complaints Processes used within West Berkshire Children & Family Services

2.1. Children Act (1989) complaints framework. This consists of 3 sequential stages:

- Stage 1: Local Resolution
- Stage 2: Independent Investigation
- Stage 3: Review Panel

2.2. In addition to the Children Act complaints, a number of complaints are processed using the Corporate Complaints framework. This is a 2 Stage process and is used when the concerns being complained about relate not to a child, but to an interaction between an adult and the Local Authority. This process consists of:

- Stage 1: Local Resolution
- Stage 2: Investigation by a Senior Manager from an unrelated service within the Council

2.3. Where it has not been possible to resolve a dispute using the processes outlined above, the complainant will be directed to the Local Government and Social Care Ombudsman (LGSCO).

2.4. West Berkshire Council believe that maintaining effective working relationships with children, young people and their families, throughout the time that they are involved with Social Care, is an important part of achieving the best outcomes for children and families. The Council has adopted a Restorative Practise approach to complaints to help promote effective working practices.

2.5. Complainants will be offered the opportunity to progress their concerns via a restorative meeting or meetings in the first instance. It is for the complainant to decide if they wish to take this route to try and resolve their concerns. They can, at any point in the process, choose to move back to the appropriate complaints process.

2.6. Should it become apparent that a service user or family member, is repeatedly raising the same or similar concerns with the Social Work team or other bodies and that this is having a negative impact on carrying out an assessment, or any on-going work, the Complaints Manager has the discretion to enter these concerns into the complaints process to help achieve a resolution. In these circumstances, the concerns do not have to have been presented to the Council as a complaint.

- 2.7. On occasions the Council will make use of Access Plans to help facilitate effective communication, this is usually done where a complainant is asking for reasonable adjustments to be made to help accommodate specified aspects of their disability.
- 2.8. Occasionally the Council may deem that it is necessary to implement the Persistent and Unreasonable Complainants Process. This process can be used;
- Where a complaint has been responded to fully and a complainant continues to raise the same or similar issues.
 - Where the frequency and/or length of complaints from an individual is preventing the day-to-day working of the Social Work teams.
- 2.9. In these circumstances the Council can introduce a Single Point of Contact (SPOC) arrangement and /or can specify the frequency and method of contact with a particular team or the Council as a whole.
- 2.10. The full details of the Persistent and Unreasonable Complainants process can be found on the Council's website
- 2.11. A copy of the Annual Complaints Report is published on the Council's website each year.

3. Matters which fall outside the Council's Complaints Processes

- 3.1. Any legal matters – This includes Care Proceedings and parental disputes around contact with children where courts are involved
- 3.2. Education Complaints
- 3.3. Complaints about services which are provided by organisations over which the Council has no oversight.

4. Complaints: A Definition

- 4.1. A complaint is described as an expression of dissatisfaction with a service which the Council has provided. Feedback from children, young people and families is important to the Council as this provides not only an opportunity to identify why people have found our services unsatisfactory, but also a means of identifying how the services being provided can be improved.
- 4.2. Any adult or child receiving a service from West Berkshire Council is entitled to use one of the Council's complaints process. The Complaints Managers will determine which process is the most appropriate route for each complaint.
- 4.3. Complaints can also be accepted from a family member or representatives who is deemed to be acting as an agent for the service user. Every child or young person who makes use of the complaint's procedure will be advised of their right

to assistance from an independent advocate and is given information about how to access the advocacy service if they wish to do so.

- 4.4. Complaints may be presented via any employee of West Berkshire Council. Once received the complaint will be directed to the relevant department within the Council for investigation.

5. Complaints Figures and Statistical Analysis Children & Family Services 2023/24

- 5.1. During the financial year 2023/24 Children & Family Services received **193** complaints. This is slightly higher than the number of complaints received during 2022/23 when **183** complaints were received. This year the number of repeat complaints received is lower than that seen in 2022/23.

5.2. Volume of Complaints Received in 2023/24

As shown in table 1 below the percentage of referrals received by Children & Family Services which result in a complaint being made has fallen slightly since 2020/21.

	Total number of CFS Referrals	Total number of Complaints	% of referrals complained about
2016/17	1667	148	8.8%
2017/18	1620	160	9.8%
2018/19	1686	149	8.8%
2019/20	1654	143	8.6%
2020/21	1451	154	10.6%
2021/22	1990	210	10.5%
2022/23	1670	183	8.4%
2023/24	1718	193	11.2%

Table 1: Percentage of Children & Family Referrals Complained About

5.3. Breakdown of the Complaint's Processes Used to Investigate Complaints

Of the **193** complaints received **9** were considered using the Children's Services Statutory complaints process, **94** were processed using the corporate complaints process, **1** was processed using the Child Protection complaints process and **2** were processed using alternative resolution.

A further **87** contacts were processed as enquiries.

Process Used	Number of Complaint Investigated using each process	Percentage of Complaints investigated using each process
Alternative Resolution (Restorative)	2	1.0%
Childrens	9	4.7%
Corporate	94	48.7%
CP Conference Decision	1	0.5%
Enquiry	87	45.1%
Total	193	100.0%

Table 2: Breakdown of Complaints Processes Used

5.4. Compliance with Timescales

5.4.1. The timescales set out for statutory Children’s Services complaints are used to measure time scale compliance for all complaints arising within Children & Family Services.

5.4.2. Overall compliance with time scales has decreased during 2023/24 with a drop from 90% in 2022/23 to **86%** of all complaints being responded to within the allowable 20 working day **in 2023/24**.

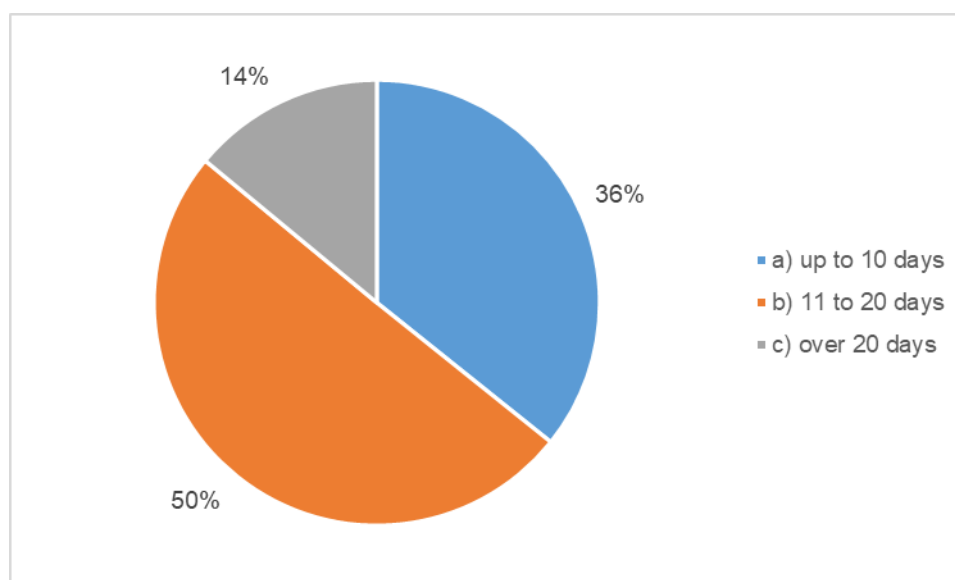


Figure 1: Compliance with Timescales

5.4.3. Table 3 below shows that in a year-on-year comparison of compliance with timescales, both the number of complaints responded to within 10 working

days and 20 working days has dropped during 2023/24, with **36%** of complaints being responded to within 10 working days and **86%** of complaints being responded to within 20 working days.

	Compliance with Time Scales Year on Year Comparison							
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
10 Working Days	69%	70%	70%	72%	63%	70%	46%	36%
20 Working Days	99%	94%	85%	87%	96%	97%	90%	86%
Over 20 working days	1%	6%	15%	13%	4%	3%	10%	14%

Table 3: Compliance with Time Scale Year on Year Comparison

5.4.4. During 2023/24 Children & Family Services has seen a high level of staff turn over in some of the long term social work teams, which has at times lead to a significant number of posts being either vacant or being held by locum workers. Where this has been the case, it has been necessary for officers to prioritise the delivery of outward facing safeguarding services rather than the 10 working day complaints respons timescale. While it remains the case that there is a national shortage of Social Workers, the Local Authority has worked hard to recruit permanent workers and it is anticipated that this will help to facilitate the stability needed to respond to the majority of complaints within 10 working days.

5.4.5. **27** of the **193** complaints received during **2023/24** exceeded the 20 working day time scale. This equates to **14%** of the complaints received. Of these

- **27** complaints an extended response periods was agreed in **9** cases
- Seeking an extended response period is allowable within the complaints process. The case recording shows that these complaints were responded to within the agreed extended period.
- **11** of the over timescale responses were provided within 21 – 30 working days.
- **6** complaint ran significantly overtime timescale in error.

5.4.6. A consideration of the underlying complaints recording shows that where complaints responses took significantly longer than 20 working days to complete this was due to the complexity of the complaints being raised, however, it is also apparent that staffing pressures have made it more

difficult to respond within 10 working days and that this pressure was a factor in tipping **11** responses into the 21 – 30 day category.

5.4.7. Difficulties in the recruitment of Social Workers is currently a national issue and is something which West Berkshire Council is working hard to overcome.

5.5. **Breakdown of Over Timescale Complaints Responses**

Days Taken	Number of complaints	Reason
21-30	11	Administrative delay in sending out completed response. Finalising details for complex responses Complainant continued to represent aspects of their complaint to different officers or agencies. Restrictions on contact in place which set different timescales.
31-40	8	Extension agreed. Complainant continued to represent aspects of their complaint to different officers within the Council. Third party complaint could not be provided until after the subject had received the primary complaints response. Alternative Resolution - PWS Review – Alternative timescale agreed. Length of complaint. Capacity Alternative timescale agreed
Over 41	8	Extension agreed. Length of complaint Capacity Oversight by SW team

Table 4: Breakdown of Over Timescale Complaints Responses

5.6. Analysis of Who Made Complaints to Children & Family Services During 2023/24

- As in previous years the majority of complaints **72.5%** were made by the parents of children and young people.
- A further **10.4%** of complaints were received from either a grandparent, step-parents or other relatives without parental responsibility.
- **5.5%** of complaints were made by professionals (for example by a school or Local MP)
- **5.5%** of complaints received were made by young people.
- **2.2%** of complaints received were made by Foster Carers.
- The final **4.4%** of complaints were received from others.

Volumes Received By Who Made Complaint	Number of Complaints received	Percentage of total number of complaints received
Foster Carer	4	2.1%
Grandparent	12	6.3%
Member of Parliament (MP)	8	4.2%
Other	5	2.6%
Other External Body	1	0.5%
Other Relative	7	3.6%
Parent	141	73.4%
Partner	2	1.0%
Professional	2	1.0%
Young Person	10	5.2%
Total	192	100.0%

Table 5: Breakdown of Who Complaints were received from.

5.6.1. 2023/24 has seen an increase in complaints from Grandparents and other relatives from 2.2% in 2022/23 to 9.9% this year.

5.7. Complaints from Young People

5.7.1. **10** Complaints were received from young people during 2023/24 this represents **5.2%** of the complaints received. This is a slight increase on the previous year when **3.3%** of complaints were raised by young people.

5.7.2. It is recognised nationally that the number of complaints from young people is low. Where a young person is undecided about making use of the complaints process, their Social Worker will offer them the opportunity to have a conversation with the Complaints Manager and/or the Advocacy Service to talk through how the complaint service works and how to make a complaint or make an enquiry. Children & Family Services welcomes all forms of feedback from the young people making use of their services.

5.8. Complaints received by team

5.8.1. As in previous years the breakdown of reason for complaint by team is largely reflective of the service which these teams provide with the two Family Safeguarding teams and the Children with Disabilities Team (CWDT) receiving a range of complaints while the Family Placement Team (FPT) received complaints associated with fostering. The level of staff churn which has been experienced during this year can be seen in the number of complaints in which concerns around service provision have been raised, where some families have experienced delays in the allocation of a case and multiple changes of work within a short period of time. As has been seen in previous years a significant number of the complaints being raised fall outside the remit of Children and Family Services, because the matters being complained about are matters which fall under the jurisdiction of the court.

5.8.2. Where the concerns being raised are complex and cover more than one team, or where there is a pattern of one complainant or family group presenting multiple complaints, these complaints will be held by the Complaints Team.

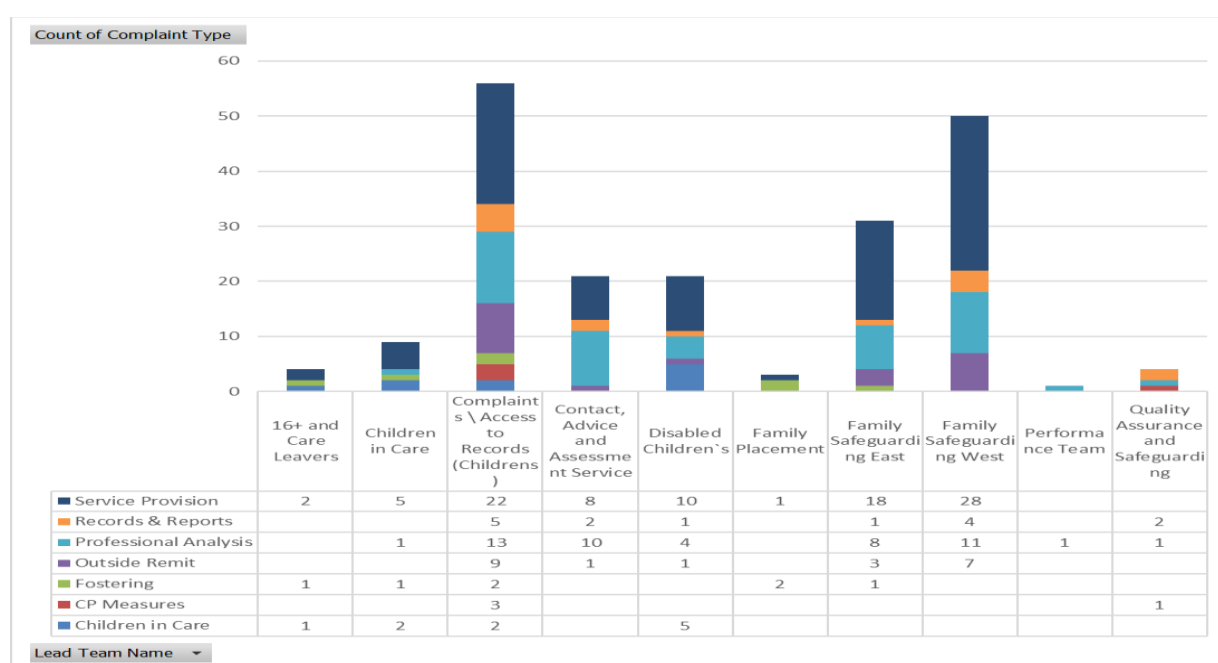


Figure 2: Volume and primary reason for complaint by team.

5.9. Nature of the Concern Raised

5.9.1. The table below sets out the categories used to describe complaints and the complaints processes used for investigations. As complainants can raise a number of concerns in a single statement of complaint, the number of concerns recorded exceeds that of the number of complaints received.

Table 3: Reasons Given for Raising a Complaint

Row Labels	Alternative Resolution /Restorative	Childrens	Corporate	CP Decision	Enquiry	Grand Total
Assessment		2	9		8	19
Care Planning			1		3	4
Confidentiality		1	7		1	9
Contact					6	6
Court Decision			8		8	16
CP Measures			2	1	1	4
Delay in paperwork			2		1	3
Direct Payment			1			1
Eligibility		1				1
Fostering		1	2		4	7
Lack of Support		1	5		4	10
Other Agency			2		3	5
Poor Communication			8		8	16
Professional Decision			15		5	20
Quality of Care					1	1
Recording Issues			2		4	6
Service Provision	1	4	19		21	45
Staff Attitude			6		4	10
Working relationship			4		5	9
Other	1	1	2		4	8
Grand Total	2	11	95	1	91	200

5.9.2. For the purpose of this analysis the complaints identified as arising from decisions made by the court have been removed. As shown in table 6 above this category accounts for **16 (8%)** of the complaints received during 2023/24. As the matter being complained about relates to a decision made by the court these complaints are not eligible for consideration via any of the Council's complaints processes. The number of complaints about court decisions has dropped from 35 (17%) in 2023/24. This can be accounted for by the drop in repeat complaints in relation to this issue.

5.9.3. Of the remaining categories the top **five** issues raised by complainants were;

- Service Provision-22.5%
- Professional Decisions-**10%**
- Assessment-12.5%– which includes disagreements around the accuracy of information included within reports.
- Communication–**8%**
- Staff Attitude **5%**

5.9.4. Concerns around service provision, professional decisions and staff attitude have been a notable element in the complaints received during 2023/24 and complaints investigations have highlighted the detrimental impact which staffing pressures have had on the way in which Council officers have been able to interact with the families members of children.

5.9.5. As in previous years the case recording which sits behind these figures demonstrates that complainants tend to identify differences in the way in which information is perceived as representing, poor report writing, poor professional decision making, or poor practice. Complaints of the sort are particularly prevalent where there has been an acrimonious relationship breakdown between those with Parental Responsibility which has given rise to significant differences in perspective between family members. Where this is the case it is not uncommon to receive multiple complaints from either a single complainant or from family groups.

6. Analysis of Repeat Complaints from Individual Complainants and Family Groups

6.1. The number of repeat and slightly differently worded complaints received from a singular complainant or family group has dropped from **89** in 2022/23 to **29** in 2023/24. This pattern indicates a higher level of dissatisfaction with the service which has been provided.

6.2. While Children & Family Services always endeavour to work restoratively with complainants to resolve any new concerns, in line with the Council's complaints policy and expectations of the Local Government and Social Care Ombudsman,

any complaints which are considered to have been responded to in full will not be re-entered into the complaints process.

7. Complaint Findings/Outcomes

7.1. **3.6%** of the complaints received in 2023/24 were upheld. This is the same percentage as in 2022/23. **4.7%** of complaints were partially upheld. **11.9% (23)** were not upheld

Volumes Received By Final Outcome	Total	%
Closed with Follow up	2	1.0%
Complaint completed - Complainant remains unhappy	8	4.1%
Court Decision	10	5.2%
Justified/ Upheld	7	3.6%
NFA - Complaint Refused	16	8.3%
NFA - Information provided	72	37.3%
NFA Information Provided	3	1.6%
No Finding	29	15.0%
Not Justified/ Upheld	23	11.9%
Not Upheld	2	1.0%
Partly Justified/ Upheld	9	4.7%
Restorative Meeting	2	1.0%
Withdrawn	10	5.2%
Grand Total	193	100.0%

Table 4: Complaints Findings / Outcomes

7.2. Of the remaining complaints:

7.3. In **5.2% (10)** of cases, the complainant either withdrew their complaint or did not progress their concerns and a further **8.3%** or 16 complaints were refused as not being eligible for entry into the available complaints processes.

7.4. The most common outcome of an enquiry or complaint being raised was that the complainant was provided with additional information **37.3% (72)**. In most instances the person raising the enquiry was clear that they did not wish to raise a complaint at this stage, but that they felt that this might become necessary if their concerns were not addressed at this point. The restorative approach which has been adopted by Children & Family Services has helped to create a very open attitude towards passing concerns to the complaints department and is considered to be beneficial in helping to recognise and respond to what might otherwise be hard to identify areas of concern and learning.

7.5. In 15% (29) of complaints no finding was made. An analysis of the background data shows that in the majority of these case the outcome which was being sought by the complainant was for additional comments (provided by the complainant) to be added to the record.

7.6. In 8 (4.1%) cases where a complaint has been recorded as completed at Stage 1, the complaint advised that they were dissatisfied with the outcome, but that they did not wish to escalate the complaint further.

8. Complaints Progressed Beyond Stage 1 during 2022/23

8.1. Where it has not been possible to resolve a complaint via restorative practice or at Stage 1 of the complaints process complaints will be escalated to the appropriate Stage 2 process for further investigation.

8.2. In 2023/24:

- 1 complaint were escalated to Stage 2 of the Children’s Services complaints process.
- 10 complaints were escalated to Stage 2 of the corporate complaints process.

8.3. Complainants may also choose to approach external regulatory bodies such as; The Local Government and Social Care Ombudsman (LGSCO), Social Work England (SWE) and Ofsted. It is for these bodies to determine if the complaints which are presented to them meet their criteria for investigation.

Family	Stage 2/ Overseeing Body	Outcome
Family 1		
-	Stage 2	On-Going
-	LGSCO	Upheld
-	Pre Action Judicial Review Letter	This is not considered to be the appropriate route of recourse
-	Pre Action Judicial Review Letter	As above
-	LGSCO	Upheld
Family 2		
-	Stage 2	Withdrawn
Family 3		
-	Stage 2	Resolved – Restorative Meeting
Family 4		
-	Stage 2	Not Upheld
Family 5		
-	Stage 2	Not Upheld
	LGSCO	On-Going
Family 6		
-	Stage 2	On-going
	MP	Response Provided
Family 7		
	Stage 2	Not Upheld
Family 8-		
	Stage 2	
Family 9		

	Stage 2	Closed with follow up
Family 10		
	Stage 2	Not Upheld
Family 11		
	LGSCO	Refused
Family 12		
	LGSCO	Not Upheld

Table 5: Escalations 2023/2024

9. Learning: What Have We Done Differently?

9.1 We have reminded all officers of the importance of fully considering parental choice around educational settings for those children who have an EHCP.

9.2 We have reminded officers of the importance and expectation of showing their ID when requested to do so.

9.3 We have reminded all officers of the importance of making use of blank template documents rather than overwriting previous plans.

9.4 We have reminded all officers of the importance of timeliness in responded to complaints to ensure complaints voices are heard and responded to appropriately.

9.5 The complaints process continues to highlight hard to identify issues and where there are differences in expectation between families and professionals and Children and Family Services. The feedback received from the complaints process has enabled us to continue to develop the 'What to Expect' information series for families.

9.6 These information leaflets directly respond to the areas of learning identified from complaints and are intended to improve communication between Children & Families Service and family members. This information continues to be designed in partnership with families, to ensure that the information provided is useful, clear, transparent and accessible. The most recent addition to this series is the 'What to Expect' - Young Carers leaflet.

10. Summary

10.1 During the financial year 2023/24 Children & Family Services have seen a high number of complaints which are presented once, however, a decrease in the number of complaints which are the same or similar being presented repeatedly. This demonstrates that we are learning from complaints and ensure continues learning and reviewing of practice.

10.2. The high number of single complaints, combined with the high level of staff churn in a number of the social work teams, has had a direct impact on the ability of the service to respond to complaints within the initial 10 working day timescale.

10.3. The overall number of complaints responded to within 20 working days has dropped slightly to 86%. A high number of the complaints received have included concerns which can be directly attributed to staffing issues.

11. Compliments

'I was dreading social services involvement, but she was lovely, she listened to us, really helped us and made some positive changes for us'

(Parent)

'Thank you for being so honest and real in the group'

(Parent)

'I just wanted to write to say a very big thank you for all you have done for us. You don't have an easy job and don't always get the thanks you deserve. Thanks for being so quick to respond to any crisis we have experienced'

(Parent)

'I wouldn't change anything'

(Parent)

'I just want to thank you for being my support, I felt like in the short t you which is a massive thing for me...You're visits never made me feel nervous or judged I was always comfortable'

(Parent)

'I cannot shout enough about how much [our social worker] helped our family. [Our Social Worker] saved our family.'

(Parent)

'Please could you pass on to K and the whole team my thanks for all the support I have received during my years fostering with West Berks. I have always felt 100% supported and it really has been a wonderful experience.'

(Foster Carer)

'The residents of West Berkshire are lucky to have such a great group of professionals working in their best interest. Thank you for your support and hard work'

(TVP)

12. Actions for 2024-2025

- 12.1. Continue to learn from complaints and Principal Social Worker to consider how learning can be improved and disseminated.
- 12.2. Consider producing quarterly learning briefs to capture themes and actions to improve practice.
- 12.3. Review and improve how family feedback is gathered more regularly, so we are learning continuously and not just when families complain.
- 12.4. Improve timeliness of complaint responses.