
LGSCO Recommendations Report

Committee considering report:	Children and Young People Scrutiny Committee
Date of Committee:	5 th June 2025
Portfolio Member:	Councillor Heather Codling
Date Portfolio Member agreed report:	April 2025
Report Author:	Sue O'Brien

1 Purpose of the Report

- 1.1. The purpose of this report is to share Local Government and Social Care Ombudsman (LGSCO) recommendations of their recent investigation (LGSCO 23018177).
- 1.2. The Local Government and Social Care Ombudsman (LGSCO) is an independent body that investigates complaints against local councils and adult social care providers. They are responsible for ensuring that these organisations act fairly and properly, and they can recommend remedies for injustices, such as compensation or policy changes.
- 1.3. Following the investigation, West Berkshire produced an action plan to address the recommendations, one of which was for this to be presented to scrutiny.

2 Recommendation(s)

For the Committee to note the recommendation and the action plan and be assured that the areas identified are being improved and addressed.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	Remedy of £200 was paid to the complainant on the recommendation of the LGSCO.
Human Resource:	There are no HR implications with this report
Legal:	There are no legal implications with this report .

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Risk Management:	Potential of further financial loss through complaint remedies if the service does not learn from the review and makes the following changes and training from the action plan produced.			
Property:	There are no property implications with this report			
Policy:	Local policies in relation to Safeguarding and Child protection policies			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:		x		
Health Impact:		x		
ICT Impact:		x		
Digital Services Impact:		x		

Council Strategy Priorities:		x		
Core Business:		x		
Data Impact:		x		
Consultation and Engagement:	Quality Assurance and Assessment Service (QAAS) & Children with Disability Team (CWDT). The Principal Social Worker, and Service Director.			

4 Executive Summary

- 4.1. Children's Services are bringing this review to the scrutiny committee as part of recommendations set out by the LGSCO in relation to a complaint that they investigated.
- 4.2. The complaint was brought by Mrs X who complained about how the Council carried out Child Protection proceedings for her child, D, in 2023 and 2024. She says the Council failed to:
 - complete the actions set out in the Child Protection Plan.
 - properly conduct Child Protection Conferences to update and make decisions about the Plan.
 - properly consider her views during the proceedings.
 - communicate properly and transparently with her about the proceedings; and
 - respond when she complained about these issues.
- 4.3. Ms X says the Council caused her distress because of its failings and the prolonged Child Protection proceedings. Mrs X wants the Council to properly complete actions in the Child Protection Plan and give the family the help they need.
- 4.4. The LGSCO found some fault in the way the Council carried out certain aspects of its Child Protection processes.
- 4.5. LGSCO found, the Council delayed its child protection processes, allowed the Child Protection Plan to drift without substantive action, and failed to properly consider Ms X's views or respond to her complaint. The LGSCO cannot say, even on the balance of probabilities, how this fault may have affected the child protection decisions the Council made. It cannot say what the Council would have decided if it had followed its procedures without fault, or if it had properly considered a complaint from Ms X about this. It may be this would not have changed anything for the family. D is now an adult so is no longer under child protection procedures, so we would not ask the Council to carry out further proceedings and make its decisions again.
- 4.6. The LGSCO decided fault by the Council caused Ms X injustice as follows.

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- Ms X missed an opportunity to have her concerns about the process considered and responded to, via the correct procedure. If the Council had considered this it is a possibility this could have resulted in a decision to reconvene an RCPC, and decisions being reconsidered. There remains uncertainty for Ms X about how things may have been different, which causes her avoidable distress.
- Ms X spent avoidable time and trouble in bringing the complaint to us because the Council did not respond to it.

4.7. The LGSCO provided recommended actions which the Council agreed to action within one month of their final decision, the Council should:

- a) apologise to Ms X for the faults identified and the impact of those faults. We publish [guidance on remedies](#) which sets out our expectations for how organisations should apologise effectively to remedy injustice. The Council should consider this guidance in making its apology;
- b) pay Ms X £200 to recognise the avoidable distress, uncertainty, time, and trouble caused; and place a copy of our final decision on its records about Ms X, so there is a record of the faults we identified with how it carried out child protection proceedings.

4.8. Within three months of our final decision the Council should:

- a) review how it handled the child protection proceedings from January 2023 to May 2024 in light of our findings.
- b) produce a dated action plan of how it will avoid recurrence of the same faults by making changes to practice and procedure or staff training; and report this review outcome and action plan to its relevant overview and scrutiny committee so it can decide how progress against the plan should be monitored.

4.9. All recommendations have been completed and outlined in the action plan.

5 Supporting Information

- 5.1. Children's Services can confirm that all recommendations from the LGSCO complaint decision are completed and want to share the review and actions with the committee for them to note and be assured by the actions.
- 5.2. The review was carried out by Quality Assurance and Safeguarding Service (QAAS) and Children with Disabilities Team (CWDT) in relation to the child protection proceedings from January 2023 to May 2024 and a report was completed and an action plan created.
- 5.3. This action plan has and will continue to ensure that future child protection conferences follow robust procedures, particularly when there are factors that could cause delays and miss statutory deadlines.
- 5.4. The service will ensure robust working with partners to remove ambiguity in shared procedures ensures that all partners fully understand their responsibilities.

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- 5.5. There are robust procedures and training in place which will ensure that Service Managers will challenge at a higher level where Child protection plans are failing to progress.
- 5.6. A robust complaints procedure is followed to address issues at a local level to ensure that families and young people have an opportunity to have their concerns addressed and we have an opportunity to investigate and support the services early to recognise some of the issues highlighted in the LGSCO report.
- 5.7. West Berkshire Children's Services will continue to learn and reduce occurrences of the same mistake by continuously learning and changing the way we work.
- 5.8. It is important to note, that over the 12 months, there has been a significant change in leadership within Children's Services, there is robust auditing in place and performance data is scrutinised regularly within a monthly Performance and Quality Assurance Board chaired by the Service Director. Child Protection processes and procedures are reviewed and adhered to and there are no significant concerns around delay in this area, Issues are raised in a timely manner and addressed accordingly.
- 5.9. Children's Services are confident that the concerns raised within this complaint has been addressed fully.

6 Appendices

See Part II

Background Papers:

03/02/2025 Final Report

Subject to Call-In:

Yes: ☐ No: ☒

The item is due to be referred to Council for final approval	<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>
Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input checked="" type="checkbox"/>

Wards affected: N/A

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