Concerns and complaints about social care providers

We regulate social care services in England, such as children’s homes, residential family centres and fostering and adoption services. All social care providers must meet national minimum standards and the associated regulations, set by the Government, in order to qualify for registration.

From time to time parents, and others with an interest in children’s social care, have concerns about the quality of these care services.

When considering complaints, we do not act as a complaint adjudicator. We do not decide if complaints are upheld, partially upheld or are unsubstantiated. Instead we investigate concerns to make sure that the social care provider continues to meet the national minimum standards and associated regulations and remains suitable for registration.

What if I have a concern?

You should first discuss your concerns with the social care provider. Most concerns can be resolved at this stage. If you feel that your concern is not resolved through discussion, you should make a formal complaint to the provider in writing or by email.

All social care providers must have a written complaints procedure for you to follow.

If you are concerned about the safety of children looked after by the child carer, please see the section below ‘What if I have a child protection concern?’

What will the provider do?

The provider’s statement of purpose will describe its complaints procedure. The provider must follow its published policy if you make a formal complaint, in writing or by email.

Providers should tell you about any action they have taken or intend to take as a result of their findings. You can request confirmation in writing or by email.

Social care providers are required to keep a record of all complaints and their outcomes.

What should I do if I am not satisfied with the provider’s response?

Occasionally you may not be satisfied with the response after following the complaints procedure; or your complaint may relate to an issue that you feel unable to discuss with the provider such as a child protection concern.

If your concern is about the registration of the provider, you can contact us on 0300 123 1231. We will consider very carefully all complaints about the registration of social care providers and will use your information to take appropriate action.

Complaints Ofsted does not investigate

Some complaints, or aspects of complaints, are about matters that we do not investigate. We do not act upon complaints
about providers which relate to private matters between the provider and the complainant, such as:

- placement or contractual disputes
- employment matters.

In these cases we will tell you that we do not have the legal power to investigate.

Sometimes a complaint will cover some matters that fall within our remit and others that do not. In these circumstances we will make it clear to you which matters we will investigate. If you do have a problem that we are not able to investigate and the child is looked after by a local authority, you should contact the placing authority’s local authority complaints officer. Local authority telephone numbers are in telephone directories, or visit the Directgov website: http://local.direct.gov.uk/LDGRedirect/Start.do?mode=1.

**What if I have a child protection concern?**

If you think a child within a social care setting may be at risk of abuse or neglect, you should report your concerns immediately to us on 0300 123 1231. You should also inform the local authority child protection team. You can get contact details from your local telephone directory or visit the Directgov website: http://local.direct.gov.uk/LDGRedirect/Start.do?mode=1.

**How do I make a complaint to Ofsted?**

If you have not made a formal complaint to the provider before contacting us, we will ask you to do so unless you have a good reason not to.

Please make some notes before contacting us, including details of any key persons, times and dates.

You can make a complaint by letter or email (enquiries@ofsted.gov.uk), by telephone (0300 123 1231) or in person.

If your concern was initially made in writing to the provider it is helpful if you send us:

- a copy of your original written complaint
- an account of the findings given by the provider
- any action taken or that is proposed to be taken by the provider
- the reasons why you are not satisfied with provider’s response.

If your complaint is in writing, it would be helpful if you include a telephone number in case we need to contact you.

If your complaint is made by telephone we will normally ask you to put it in writing, or we will send a letter to acknowledge the complaint and confirm the information you have given us.

**Will Ofsted keep my name confidential?**

If you tell us your name, we will try to keep your details confidential even if you do not ask us to. However, this may not be possible in all cases, and sometimes the provider may be able to work out who has made the complaint. If we take any action against the provider which results in a court case or an appeal to the Health, Education and Social Care Chamber, it will not be possible to keep your identity confidential at this stage.

Sometimes a complaint about a completely separate issue can trigger child protection concerns. Where this is the case we are obliged to pass on full details to the police and children’s services so that they can carry out the necessary investigations.

**What will Ofsted do?**

We will take appropriate action according to the nature of the complaint. We may ask the provider to look into the concern and report.
back to us, particularly if the complaint involves someone in their employment. Where we do this we ask providers to tell us what they did to investigate, the conclusions they reached and any actions they took or intend to take as a result of their findings. If we believe this is not sufficient we will take further action, which may include carrying out an inspection.

We may decide to investigate by visiting the provider. An investigation visit can be either announced or unannounced, or it may be carried out as part of a prescribed inspection visit. At the end of an investigation the inspector will decide what action, if any, we or the provider must take for the provider to comply with the national minimum standards and associated regulations and remain fit for registration. In exceptional cases, we may cancel the registration of the provider or prosecute the provider if they have committed an offence.

Where there are child protection concerns, or concerns that involve other agencies such as fire safety or environmental health issues, we will share information with the appropriate agencies, which will carry out their own investigations. We will decide either during or after these investigations whether the provider continues to meet the national minimum standards and associated regulations and remains fit for registration. In exceptional cases, we may cancel the registration of the provider or prosecute the provider if they have committed an offence.

Will Ofsted act on anonymous complaints?

We will act on anonymous complaints made by a member of staff at the setting, or those which suggest that a child is at risk of harm. However, for other anonymous complaints that relate to the national minimum standards we may initially require the provider to look in to the concern and report back to us. We will refer the complaint to the provider to investigate and ask the provider to report back to us.

How will I know what Ofsted has done?

We will write to you to acknowledge your complaint, and again once our investigation is complete. We will provide you with a factual statement about the steps we took to deal with your complaint. We will also let you know any action that we took, or required the provider to take as a result of an investigation, and whether the provider continues to be suitable to provide social care.

What if I am not satisfied with Ofsted’s response?

If you are not satisfied after receiving our response to your complaint, you can contact us and we will try to resolve your concern. If you are still dissatisfied, we will tell you how to make a formal complaint about us.

Contacts

Ofsted: 0300 123 1231
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Store Street
Manchester
M1 2WD
Enquiries@ofsted.gov.uk