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Guidance

Reporting concerns and whistleblowing about children's social care services

Updated 20 September 2019

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Ofsted's role

Ofsted can consider information you share with us and use it to inform our inspection and regulation of children's social care services. This means all the children's social care establishments, agencies, services and local authorities that we inspect or regulate. This helps us determine if these services are providing children and young people with good experiences and helping them progress.

We cannot investigate individual concerns or grievances that you might have with the social care service, such as employment matters or contractual disputes. If you have a grievance, you should refer to your organisation's policies.

We also cannot investigate concerns about children who may be at risk of harm. If you have any concerns about children who are in need of protection, contact the relevant local authority.

If a child is at risk of harm

If you're worried that a child or young person is at risk or is being harmed, contact the [children's social care team at their local council](#). This applies whether or not the child is using local authority or other children's services.

Call 999 if the child is at immediate risk, or [call the police on 101](#) if you think a crime has been committed.

Read more about [reporting child abuse](#).

Services that Ofsted regulates and inspects

We regulate and inspect children's social care services in England:

- children's homes
- residential family centres
- independent fostering agencies
- voluntary adoption agencies
- adoption support agencies
- residential holiday schemes for disabled children

These social care services must meet certain government regulations and standards in order to be registered. You can find more information about our powers and social care work in the [social care compliance handbook](#).

We inspect:

- local authority children's services
- the welfare of children in boarding schools and residential special schools
- residential provision in further education colleges
- Children and Family Court Advisory and Support Service (Cafcass)
- secure training centres

Services outside Ofsted's remit

Ofsted does not inspect or regulate services in Wales, Northern Ireland or

Scotland.

Ofsted cannot investigate concerns about services regulated by other organisations. For example, adult social care is regulated by the [Care Quality Commission](#).

Concerns and complaints

If you have an issue or concern about a children's social care service, you should contact the service first. It's usually the quickest option as it can address your concerns directly and most concerns can be resolved at this stage.

If you're an employee at the organisation you have concerns about, and your employer has a whistleblowing policy, refer to this policy.

Find out [how to whistleblow](#).

If your concern is not resolved, or you feel you did not receive an adequate response, you should follow the organisation's complaints procedure.

You should [contact us](#) if:

- you are not satisfied with the services response after you have followed their complaints procedure
- you feel unable to contact the service concerned about this particular issue

It's useful to make notes of any key people involved, dates and times, and to send us copies of any written complaints you have made.

We cannot investigate individual concerns. We use the information you provide to inform our next inspection of that service. We may also pass the information to, or advise you to contact, another organisation that does have the power to investigate complaints. We will do everything we can to keep your identity confidential if you want us to.

Find out [more about confidentiality](#).

What Ofsted looks for when you share information with us

We will review your information or complaint along with other intelligence that we have about a service. This will determine the lines of enquiry we may need to make during inspection.

However, we can only consider your information as one part of the evidence that tells us about the overall quality or suitability of that service.

Some examples of information we want to know about:

A specific child or children may be at risk of harm

For example, allegations that another worker is abusing a child in their care. In these cases, we would make sure that the allegation is passed to the appropriate investigating authority.

There are wider or systemic failures in safeguarding practice

For example, there are high numbers of unallocated cases in a children's social care team, or social workers not visiting a looked after child or children.

Children are not receiving the right quality of care

For example, children are not registered with a GP or are missing some routine medical appointments.

A social care service is not meeting regulatory requirements

For example, the registered manager of a regulated service is misusing their service's resources.

What Ofsted will do

We will look at any details you share with us along with other information we have about the service. We will use this to help us decide how best to inspect or regulate that service.

We will write to confirm that we have received your concern if you have given us an email or postal address. We may also contact you again for further information. However, we do not usually write to let you know about the actions we have taken or may take in the future.

The action we take depends on the type of children's social care service, the type of concern and whether it indicates that the service may have deteriorated.

We may do one or more of the following:

- refer the matter to the child protection team in the relevant local authority for urgent attention
- contact an appropriate person at the children's social care service and ask them to make enquiries and respond to Ofsted with more information
- review the focus and timing of the next inspection, visit or annual engagement meeting, and bring this forward if appropriate
- hold the information for follow-up at the next planned inspection, visit or annual engagement meeting – we may collate this in themes within our inspection framework rather than reviewing individual pieces of information
- hold the information for when we assess whether those providing the service are meeting the relevant regulations, standards and statutory guidance
- carry out a regulatory inspection

Whistleblowing

Whistleblowing is when an employee of an organisation passes on information that they reasonably believe shows wrongdoing or a cover up by that organisation. This might be about activity that is:

- illegal
- risks others' health and safety
- is about poor practice or leadership
- failure to meet statutory requirements

As long as you fit the [criteria for whistleblowing](#), you are protected under the law.

To be a whistleblower, you need to be a worker. This includes:

- employees
- temporary agency staff
- home workers
- trainees on vocational schemes
- people whose employment has ended

Ofsted's Chief Inspector is a [prescribed person](#) – this means they are listed in legislation as someone you can whistleblow to about children's social care services, including the welfare of children provided with accommodation by schools and colleges.

HMCI is not a prescribed person for secure training centres. You can still share information with us about secure training centres, but you may wish to contact the Ministry of Justice first. If you do contact us, we will listen to your concerns and may share them with the Ministry of Justice.

For those not covered by whistleblowing legislation, we will listen to their concerns seriously and consider them when we inspect or regulate the service. This includes:

- self-employed people
- volunteers
- or foster carers

The legislation that underpins our whistleblowing role is the [Public Interest Disclosure Act 1998](#) and the [Employment Rights Act 1996](#).

How to whistleblow

Your organisation may have a whistleblowing policy that you can follow.

If not, you can [contact us](#) or the National Society for the Prevention of Cruelty to Children (NSPCC). The [NSPCC is also a prescribed person](#) for providing protection to those making any disclosures about child welfare and protection.

If you're an employee at a children's social care organisation and you want to whistleblow to Ofsted:

- call our whistleblowing hotline on 0300 1233155 (8am to 6pm, Monday to Friday)
- email whistleblowing@ofsted.gov.uk
- write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

You can also contact the [NSPCC National Whistleblowing Advice Line](#).

Independent advice

We cannot advise whether you will receive legal protection in your specific case, but you can get independent advice for this at any time. You may also want to check who is the best person to whistleblow to, discuss how to raise your concern or simply to talk the matter through in confidence.

You can do this with:

- your union or professional body

- the local safeguarding partners for your area
- the independent whistleblowing charity [Public Concern at Work](#)
- an independent legal adviser

Annual Report

Ofsted is required to produce an [Annual Report](#) on whistleblowing disclosures made to it by workers. The aim of this is to increase transparency in the way that whistleblowing disclosures are dealt with and to reassure whistleblowers that their disclosures are taken seriously.

This report includes:

- the number of qualifying workers' disclosures received by Ofsted
- the number of disclosures where Ofsted decided to take further action in that period

We do not include information that could identify anyone involved or compromise the confidentiality of any ongoing investigations.

Confidentiality

We encourage you to share your identity with us, even if you want us to keep your identity confidential from the service you're contacting us about because:

- if we know who you are, it will help us to keep your identity confidential when we look into your concerns
- it is useful if we need to contact you for more information
- it supports whistleblowers to receive the [legal protections](#) available

We will always do everything we can to help keep your identity confidential. However, depending on the nature of the information you provide, this may not be possible. Some examples of this include:

If your information indicates a specific child is at risk, we must pass this on to the authority responsible for protecting that child. We will aim to do so in a way that protects your identity, unless you have given us consent to share your personal details. However, there may be occasions when the urgency of getting help to the child may take priority over confidentiality.

If we contact a social care service for further information or we make enquiries through inspection, others may guess that you have contacted us – this could happen if the information you provide could not have come from anyone else.

If we take any action against the service which results in a court case, or an appeal, it will not be possible to keep your identity confidential at this stage.

If your letter or email does not say whether you want us to keep your identity confidential, we will assume that you wish us to do so.

We know that there may be circumstances when you would like to contact us anonymously. If you do, we will treat your concerns just as seriously as if you had given us your personal details.

Contact us

Email enquiries@ofsted.gov.uk or call us on 0300 123 1231.

Making a complaint about a different service

Complain about:

- a local authority service via the [Local Government Ombudsman](#)
- Cafcass via the [Parliamentary and Health Service Ombudsman](#)
- [a school or childminder](#)
- [further education colleges](#)
- [secure training centres](#)

Data protection and freedom of information

We will follow all applicable UK and EU data protection laws in how we treat personal information, including the [Data Protection Act 2018](#) and [Freedom of Information Act 2000](#).

For more information see our [social care privacy notice](#) and our [personal information charter](#). If we receive a request under the Freedom of Information Act to provide information you have shared with us, we will try to maintain your confidentiality as far as legislation allows us to do so. For more information see [Ofsted's freedom of information guidance](#).

Brexit

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