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Guidance

# Complain about Ofsted (for events that took place before or on 4 April 2024)

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**Applies to England**

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## Complain about Ofsted

We welcome comments and suggestions about our work, using feedback to improve what we do and how our representatives carry out their roles. If you complain to us, we will:

- deal with your complaint fairly, thoroughly and efficiently
- acknowledge if we have made a mistake and take steps to put matters right
- learn from complaints to improve the way we work

## Step 1: Resolving concerns quickly and informally

We expect that, where possible, you will raise any concerns about our work as soon as they arise and directly with the individuals involved.

For concerns about inspections or regulatory events, this means raising them with inspectors before the inspection or regulatory event ends. This gives us an opportunity to clarify any misunderstanding or to resolve matters of concern quickly and informally.

If you have recently been inspected, in most cases you should raise any comments or concerns about the process within the timeframe specified once you have received your draft inspection report. We will consider any concerns you have raised when we finalise your report. This process is set out in our guidance for each different type of inspection.

## Step 2: Making a formal complaint

If your concerns about Ofsted's work have not been resolved informally as set out in Step 1, you can raise a formal complaint using our online form.

**Please do not use this form to complain about a provider that Ofsted inspects or regulates. There are separate steps for this: please see our [complaints procedures page](#).**

[Raise a complaint about Ofsted](#)

We will base our handling of your complaint on what is submitted in the form. We will not normally accept further complaint information or enter into dialogue with you once the form has been submitted. If you cannot access the form, we will make reasonable adjustments for you.

### The process for those we have inspected recently

In most cases, if we have recently inspected your provision, you can raise any concerns when commenting on the draft inspection report. Therefore, we will not normally accept any formal complaint submission before we send you the final report.

We will only accept complaints about an inspection from the most senior leader in your provision, or the individual named in the inspection report as the responsible person (or their representative).

You should submit any formal complaint within 5 working days of us issuing the final report (we define a 'working day' to be any weekday other than a public holiday, not the days that an inspected provider might operate). We will not normally consider any complaint submitted after this deadline.

We will withhold publication of an inspection report while we consider your complaint, if you have submitted it within this deadline.

### **The process for all others**

If you are complaining about a regulatory event or a joint inspection we have carried out with other agencies, you should submit your online complaint within 5 working days of either:

- the outcome being published (if there is one)
- the regulatory event (if there is no published outcome)

If you are complaining about anything else (such as the conduct of an Ofsted representative), you should submit your online complaint within 5 working days following the incident of concern.

We will not normally consider any complaint submitted after these deadlines.

We will not normally consider a complaint about an inspection (or any other action we have taken) from a third party who is not directly involved, such as a parent or other user of the service. This is because we do not explain our inspection/regulatory findings to third parties, other than by publishing our reports or outcomes. If you are a third party, you should raise any queries directly with the provider. Those directly involved in the inspection or regulatory event are best placed to explain the process, the inspectors' findings and any action that the provider intends to take.

### **What to expect from us**

You will receive a formal acknowledgement from us when we receive your complaint. This will confirm when we aim to respond to your complaint and who to contact if you have any queries. If we receive multiple complaints about the same issue, we may consider these together and provide a single response.

We will provide a written response to your complaint as quickly as possible, and normally within 30 working days of receipt of your complaint.

The response will link together similar issues for conciseness and clarity, and will provide a conclusion on whether each main aspect of your complaint has been upheld. If it has not been possible to reach a firm decision on an issue, we will explain the reasons for this. The response will also include an explanation of any steps that we will take as a result of your complaint.

If we withheld publication of an inspection report while considering your complaint, we will normally publish the report soon after sending you the response letter.

### **How this process works alongside other procedures**

Our complaints process sits outside the [other procedures for disclosure of information held by Ofsted under the Freedom of Information Act 2000 or Data Protection Act 2018](#). We will not normally suspend a complaint while we consider a request for information, or disclose any inspection/regulatory evidence while a complaint is ongoing. However, complaint responses may include reference to evidence, when appropriate, to explain the inspection or regulatory outcomes.

Our complaints process also sits outside the procedures for appeals against Ofsted registration decisions to the [First-tier Tribunal \(Care Standards\)](#). We will not normally accept a complaint while an appeal is ongoing and will not consider issues previously settled by a tribunal.

### **Step 3: Requesting an internal review**

If you are dissatisfied with the way we have handled your complaint, you can [request an internal review](#) using our online form. You should submit your request within 15 working days of the date of the response to your complaint. We will not normally consider any request for an internal review submitted after this deadline.

We will not normally withdraw a published inspection report while we consider a request for an internal review. The internal review will consider how we handled your complaint and whether we followed our policy and procedures for complaints about Ofsted.

The internal review will be based on information that was available to Ofsted when we dealt with your formal complaint. New concerns or new evidence in relation to your complaint will not normally be considered as part of the internal review.

We will provide you with a written response as quickly as possible, and normally within 30 working days of receipt of your request for an internal review. The response will include an explanation of any steps that we will take as a result of the internal review.

The review response is the final step in our internal complaints-handling process. After the internal review, we will not normally take any further action.

### **Independent and external review**

If you remain dissatisfied after our internal review, you can refer your complaint externally to the [Independent Complaints Adjudication Service for Ofsted \(ICASO\)](#). The adjudicator will review our handling of your complaint. You must do this within 3 months of the date of the internal review response letter.

If you are not satisfied with the outcome of the review by the ICASO, you can refer your concerns to the [Parliamentary and Health Service Ombudsman](#).

## Complaints feedback

If you want to give feedback on how we handled your complaint, please refer to the details provided at the end of our complaint response letters.

## Privacy notice

We will use the personal data you give us to handle your complaint. We will share information from your complaint with people whose actions you have complained about, relevant Ofsted staff who need it to do their job and other Ofsted teams and/or external agencies as appropriate. Apart from these exceptions, the complaints process is regarded as private and Ofsted will maintain the privacy of anyone who makes or is referred to in a complaint as far as possible.

For more information on how we use personal data and our data retention policy, see our [privacy notice](#).

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