Who to send it to

The council's complaints team, by email, post or its online form, marked 'Formal complaint: adult social care'. If you are still unhappy after the council's final response, or it has not responded within a reasonable time (the Ombudsman says usually up to 16 weeks), go to the Local Government and Social Care Ombudsman online at complaints.lgo.org.uk/complaint-form or on 0300 061 0614.

The letter

Replace everything in [square brackets], keep a copy, and note the date you sent it.

[Your name]
[Your address]
[Your phone number]
[Your email address]

[Date]

Complaints Team
[Council name]
[Council address or email address]

Dear Sir or Madam,

Formal complaint: adult social care for [full name], date of birth [date of birth], [address].
Council reference: [reference number, if known]

I am making a formal complaint under the council's adult social care complaints procedure. [I am [name]'s [relationship] and make this complaint with [his/her] agreement / under a registered Lasting Power of Attorney, copy enclosed.]

What happened

[Set out the facts in date order, for example:
- On (date) I asked for a needs assessment for (name), who had fallen three times.
- On (date) I was told the assessment would take place within four weeks.
- No assessment had taken place by (date), despite my calls on (dates).]

What I believe went wrong

[For example: the council did not carry out a needs assessment within a reasonable time, as required by section 9 of the Care Act 2014 and paragraph 6.29 of the Care and Support Statutory Guidance / the council has not given (name) a written record of the financial assessment / the care arranged does not meet the needs in the care and support plan.]

The effect on [name] and our family

[For example: (name) fell again on (date) and spent four days in hospital; I have had to take unpaid leave to provide care.]

What I would like the council to do

[For example:
1. carry out the assessment by (date);
2. reimburse the care costs we paid privately from (date) to (date), totalling £(amount);
3. apologise; and
4. explain what will change so that this does not happen to others.]

Please acknowledge this complaint within 3 working days, as the regulations require, and tell me who will investigate it and when I can expect your response. I would welcome a conversation about how it will be handled.

I enclose [list of documents].

Yours faithfully,

[Your signature]
[Your name]
[Your relationship to the person]

Tips

- Keep it factual and in date order, with copies (not originals) of letters, emails and notes of calls. Say clearly what outcome you want.
- If the problem is urgent, for example the person is unsafe at home, phone adult social care as well and say so. A complaint is not a substitute for asking for urgent help.
- Keep a note of every reply and deadline. If the council asks for more time, agree a date in writing.

- If you are still unhappy after the council's final response, or it has not replied within a reasonable time, complain to the Local Government and Social Care Ombudsman. It is free and covers councils and also care that people arrange and pay for themselves.
- What to tell the Ombudsman: who you are and who the complaint is about; what went wrong, in date order; what the council said in its final response and why you disagree; the injustice it caused; and what you want to happen. Attach the council's final response.
- The Ombudsman's phone line (0300 061 0614) is open Monday, Tuesday, Thursday and Friday 10am to 1pm, and Wednesday 1pm to 4pm.

The law behind it

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009: a complaint should normally be made within 12 months of the problem, or of finding out about it (regulation 12); the council must acknowledge it within 3 working days and offer to discuss how it will be handled and how long it will take (regulation 13); it must investigate and send a written response explaining its conclusions and your right to go to the Local Government and Social Care Ombudsman (regulation 14). The Ombudsman's powers come from the Local Government Act 1974: Part 3 for councils and Part 3A for privately arranged or funded adult social care. Complaints to the Ombudsman should normally be made within 12 months of first knowing about the problem (section 26B).

Read more in our guide: Council funding for care: assessments, means test and charges.

Other letters

- Asking the council for a care needs assessment
- Asking the council for a carer's assessment
- Asking for the written financial assessment and a disability-related expenditure review
- Asking for a review or reassessment of care and support
- Asking for an NHS Continuing Healthcare Checklist