



Developing a Complaints Procedure

Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers, and must keep a written record of any complaints, and their outcome. – **Statutory Framework for the Early Years Foundation Stage 2024 GP 3.83 CM 3.82**

The procedure must include:

- Policies and procedures are available for all parents to see at any time. How are these shared with parents.
- where records of both staff and children are kept and who has access and the retention period.
- The process for a written complaint, how the complainant is kept informed and notified of the outcome within a set time.
- Providers must investigate all written complaints relating to the requirements and notify complainants of the outcome of the investigation within **28 days** of having received the complaint if you are registered on the Early Years Register or any part of the Childcare Register.
- The procedure explaining to parents how to make a formal complaint to OFSTED, along with contact details for OFSTED and timescales. Ensuring the Ofsted contact detail poster is displayed.
- The procedure to follow regarding a verbal informal complaint/concern and how this is recorded.
- The policy should include that parents are provided with a summary of the complaints record on request.
- How Ofsted are provided, on request, with a list of all complaints made during a specified period, and the action that was taken as a result of the complaint.
- In the event of a complaint/concern directed at a member of staff the settings disciplinary and grievance procedure will be followed. If the complaint/concern includes an allegation that a member of staff has harmed a child or behaved in a way that may have harmed a child a referral will need to be made to LADO within 24 hours.
- If the concern/complaint is a child protection issue, how the setting will proceed with the safeguarding children policy.

If you are concerned that a data breach has been made, you must report this to the Information Commissioners office within 72 hours.

ICO reporting number – 0303 123 1113.

<https://ico.org.uk/for-organisations/report-a-breach/>

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The procedure should be reviewed:

- Following any occasion when any part of the procedure has been implemented.
- Whenever changes to legislation are produced.
- At least annually.
- The policy and procedure needs to be signed by the registered person, include reviewed date and next review due date.
- If any changes are made to the policy when reviewed the staff and parents need to be informed.

This information is provided for guidance only. It is your responsibility to ensure that all statutory legal guidance is adhered to. Consideration needs to be given to any changes in legislation subsequent to the production of this information.