

# W: Information and records – Complaints - Childminders

## What do I need to know?

- Legal Framework
  - [Data Protection Act 2018](#)
  - [Freedom of Information Act 2000](#)
- [Statutory framework for the early years foundation stage \(publishing.service.gov.uk\)](#): page 30, paragraphs 3.82 – 3.84.

Information and records - Complaints (page 53-54 of audit)	Things to consider and discuss:
<p>Are you aware that you are not required to have a written procedure for handling complaints?</p>	<ul style="list-style-type: none"> <li>• What do you and any assistants consider to be a concern or a complaint?</li> <li>• What is your complaints procedure? Is this a written procedure?</li> <li>• How do you make parents and, or carers aware of how to make a complaint and to whom?</li> <li>• How are verbal complaints recorded and acted upon? Do you and any assistants know what to do if someone makes a verbal complaint? Can your assistants explain this procedure?</li> <li>• How do you ensure you and any assistants know how to raise a concern?</li> <li>• Do you have a whistle blowing policy and do any assistants know what this is about? How is this information shared?</li> </ul>
<p>Do you <b>ensure</b> you keep a written record of any complaints, and their outcome?</p>	<ul style="list-style-type: none"> <li>• How do you ensure a confidential recording system is in place for complaints made?</li> <li>• How long will you keep records of complaints?</li> <li>• In what situation would you contact your insurance company to notify them or request advice following a complaint?</li> <li>• What is your staff code of conduct and disciplinary procedures? Are they clear and unambiguous? How and when are these shared with any assistants?</li> </ul>

<p>Do you <b>ensure</b> you investigate written complaints relating to your fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint?</p>	<ul style="list-style-type: none"> <li>• Who will investigate any complaints?</li> <li>• How do you monitor the progress of any investigation to ensure the deadline of 28 days is adhered to?</li> <li>• How do you notify the complainant of the outcome? What will you do if they are not happy with the outcome of your investigation?</li> <li>• How do you review practice as a result of complaints? What changes have you put into place following the review of a complaint?</li> </ul>
<p>Do you <b>ensure</b> the record of complaints are made available to Ofsted or the relevant childminder agency on request?</p>	<ul style="list-style-type: none"> <li>• How are complaints securely stored to enable records to be shared with Ofsted or a childminder agency on request?</li> <li>• Who has access to the complaints records? What if that person is not available?</li> <li>• Are you aware of how long you must retain information relating to complaints?</li> <li>• How do you ensure you meet Data Protection and GDPR legislation?</li> </ul>
<p>Do you <b>ensure</b> you make available to parents and, or carers details about how to contact Ofsted or the childminder agency with which you are registered as appropriate, if they believe you are not meeting the EYFS requirements?</p>	<ul style="list-style-type: none"> <li>• How do you make parents and, or carers aware of how and when to contact Ofsted or the relevant childminder agency?</li> </ul>
<p>Do you <b>ensure</b> if you become aware that you are to be inspected by Ofsted or have a quality assurance visit by the childminder agency that you notify parents and, or carers?</p>	<ul style="list-style-type: none"> <li>• How do you notify parents and, or carers if an Ofsted inspection or quality assurance visit is about to take place?</li> </ul>
<p>Do you <b>ensure</b> after an inspection by Ofsted or a quality assurance visit by your childminder agency, you supply a copy of the report to parents and, or carers of children attending on a regular basis?</p>	<ul style="list-style-type: none"> <li>• How do you notify and supply a copy of the report to parents and, or carers of the outcomes following an Ofsted inspection or quality assurance visit?</li> </ul>

## Useful links and further help:

[Information sharing advice for safeguarding practitioners](#)

[Early Years practitioners: using cyber security to protect](#)

[General Data Protection Regulation policy - GOV.UK \(www.gov.uk\)](#)

[Guide to the UK General Data Protection Regulation \(UK GDPR\) | ICO](#)

[Data Protection Act information](#)

[Information Commissioners office](#)

[Derby and Derbyshire Safeguarding Children Partnership](#)

[Working together to safeguard children](#)

[Keeping children safe in education](#)

[Guidance for safer working practice for those working with children and young people in education](#)

[Inspecting registered childcare providers: information for parents](#)

[Complaints procedure - Ofsted](#)

[Complain about a school: State schools](#)

[Ofsted's role in regulating childcare: poster for parents](#)

[DCC Schools Retention Guidelines](#)

For advice and support regarding Data Protection and GDPR contact: [GDPRfor.EarlyYears@derbyshire.gov.uk](mailto:GDPRfor.EarlyYears@derbyshire.gov.uk)

[Derbyshire SchoolsNet - Early Years Quality Team](#)

[Derbyshire Early Years Service - Eventbrite](#)

Email: [CS.EYS@derbyshire.gov.uk](mailto:CS.EYS@derbyshire.gov.uk)