

# W: Information and record keeping – Complaints – Group and school-based providers

## What do I need to know?

- Legal Framework
  - [Data Protection Act 2018](#)
  - [Freedom of Information Act 2000](#)
- [EYFS statutory framework for group and school based providers \(publishing.service.gov.uk\)](#) page 41, paragraphs 3.83-3.85

Information and record keeping - Complaints (page 60 of audit)	Things to consider and discuss:
<p>Do you <b>ensure</b> you have and put in place a written procedure for dealing with concerns and complaints from parents and, or carers?</p> <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>• What do you and your staff 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 all staff know what to do if someone makes a verbal complaint? Can your staff explain this procedure?</li> <li>• How do you ensure all staff know how to raise a concern?</li> <li>• Do you have a whistle blowing policy and do staff know what this is about? How is this information shared?</li> <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 staff?</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 agency with which a provider of CoDP is registered request?</p>	<ul style="list-style-type: none"> <li>• How are complaints securely stored to enable records to be shared with Ofsted or the agency with which a provider of CoDP is registered 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 agency with which a provider of CoDP is 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 agency?</li> </ul>
<p>Do you <b>ensure</b> if you become aware that you are to be inspected by Ofsted 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, 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](#)

[Guide to the General Data Protection Regulation](#)

[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](#)

For advice and support regarding Data Protection and GSPR 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)