

Inspection Top Tips

Notification Under Regulation 40

June 2025



Children's Homes Regulations

Regulation 40

The registered person must notify HMCI and each other relevant person without delay if -

- A child dies
- A child is suspected of being involved in or subject to CSE
- Police involvement the RP considers serious
- Allegation of abuse against the home or someone working there
- Child protection enquiry is instigated (or concludes)
- Any other incident the RP considers serious



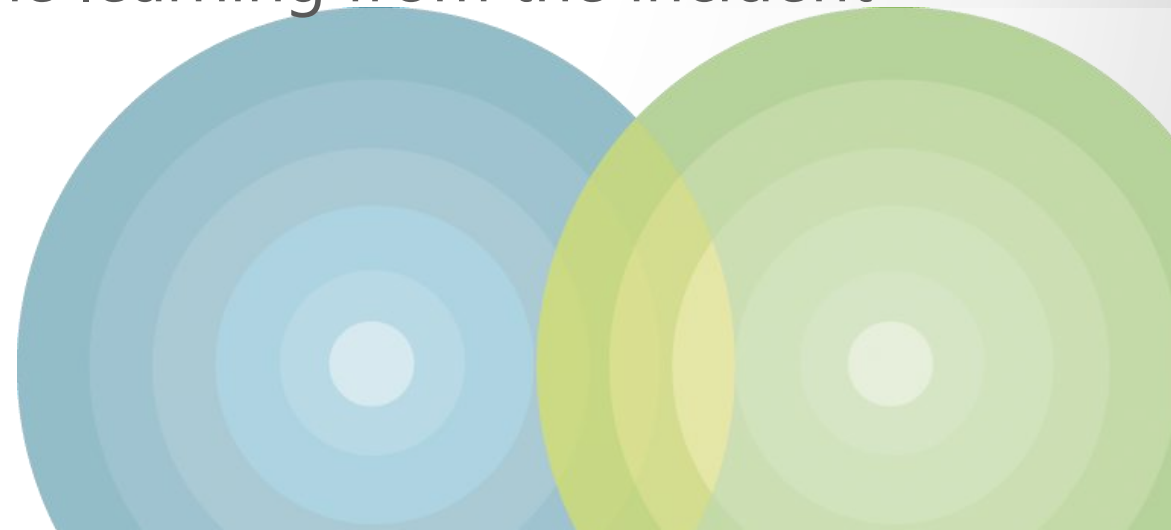
Children's Homes Guide

14.11 Homes should also consider the frequency of incidents and judge whether their cumulative effect makes notification appropriate even if in isolation each event would not warrant this.



Children's Homes SCCIF Key Elements

"Inspectors must regularly review notifications and ... usually assess the management of a recent serious incident (where relevant). This is so that they can understand how the staff team responds to complex and difficult circumstances; whether the actions and responses of leaders, managers and staff are focused on promoting and safeguarding the welfare of children; and how the provider applied the learning from the incident"



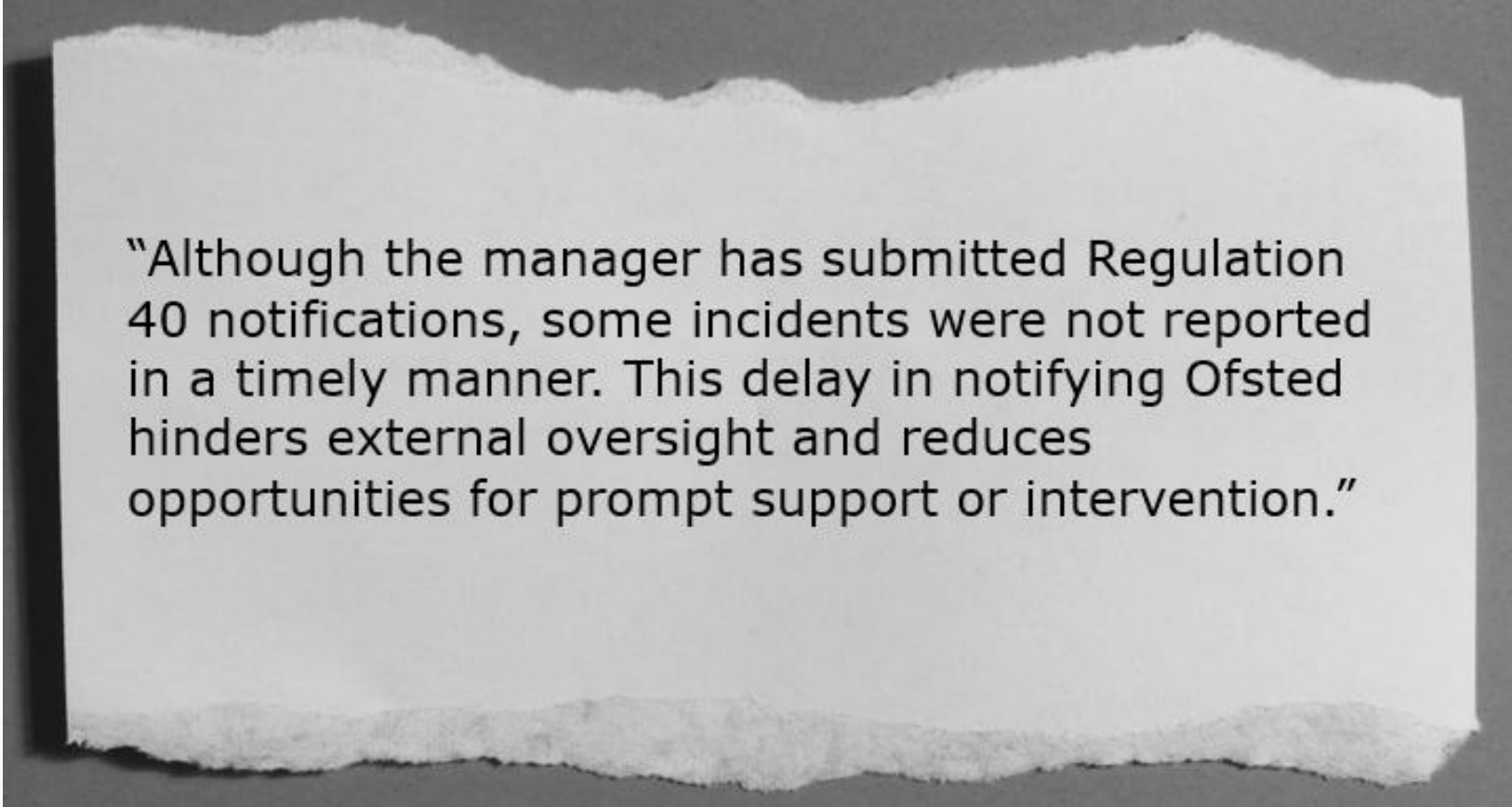
Children's Homes SCCIF Key Elements

Notifications must take place “without delay”. Inspectors will check:

- The registered person ensures that notifications of all significant events that relate to the welfare and protection of children living in the home are made to the appropriate authorities.
- The registered person takes the necessary action following the incident to ensure that the child's needs are met and that they are safe and protected.
- Leaders and managers regularly review and act on any known risks to children in the community, taking advice and guidance from local partners and agencies.

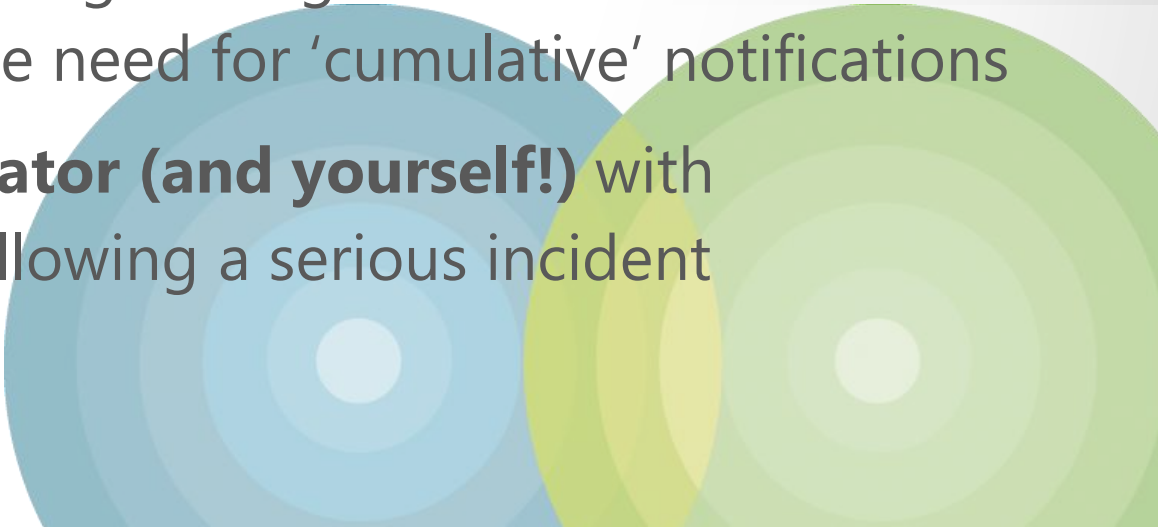


Ofsted comment from inspection – requires improvement

A black and white photograph of a rectangular piece of paper with irregular, torn edges. The paper is centered against a dark, solid background. On the paper, there is a single paragraph of text in a black, sans-serif font. The text is a quote from an Ofsted inspection report, indicating a requirement for improvement.

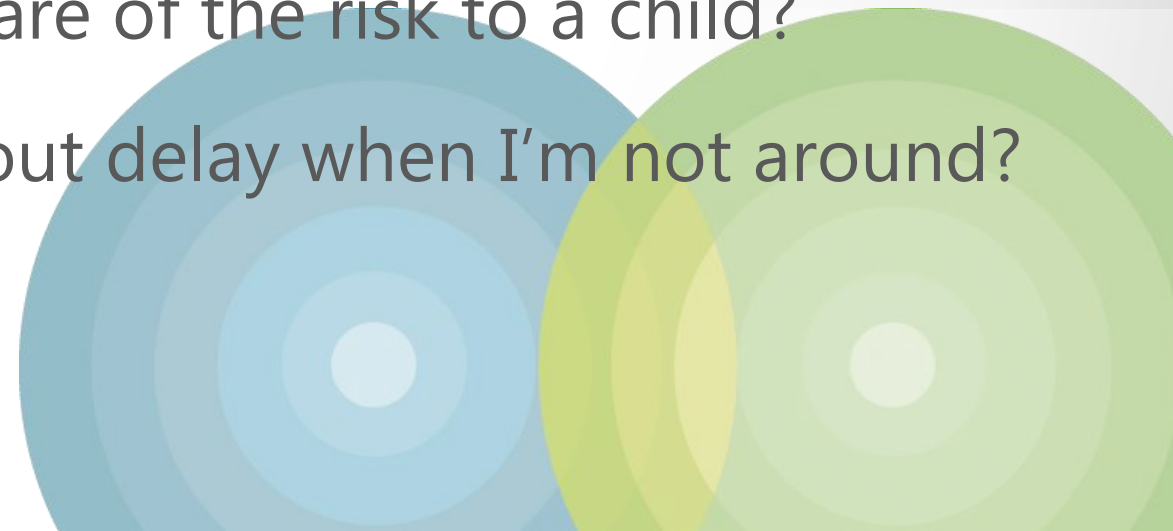
"Although the manager has submitted Regulation 40 notifications, some incidents were not reported in a timely manner. This delay in notifying Ofsted hinders external oversight and reduces opportunities for prompt support or intervention."

Top tips...

- 1. Review all regulation 40 notifications regularly** to identify patterns and trends over time
 - 2. If unsure if an incident meets the criteria for notification seek advice from your inspector and note the incident.** Dialogue members are welcome to seek initial safeguarding or regulatory advice from our helpline
 - 3. Be curious in relation to changes in the behaviours of children** that may indicate they are at risk and you suspect safeguarding concerns are involved and ensure all staff are aware. Consider the need for 'cumulative' notifications
 - 4. Create a clear plan to provide the regulator (and yourself!) with** reassurance the risks are well managed following a serious incident
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Questions to consider...

- Are the team curious and alert to behaviours of a child that may indicate something is wrong?
- If you are unsure of the need to notify concerns over cumulative incidents - have I contacted my Ofsted Inspector?
- Am I regularly reviewing the notifications, debriefs and information available to be fully aware of the risk to a child?
- Who reports serious incidents without delay when I'm not around?



Serious Incidents – FREE WEBINAR...

There's a duty on providers to notify Ofsted of serious incidents, but when is serious "serious"?

Our bite-size session explores the regulation, draws on experience and additional clarifications, and follows the process through from incident to evidencing the learning required for good practice in difficult times.

Next dates:

Our next FREE Reg40 Serious Incidents webinar is on **4th July 2025, running 10am – 11am.**

This one hour webinar will be delivered via zoom.

You can book on to this course using the link below:

[Regulation 40 Serious Incidents webinar](#)



Safeguarding for Leaders training...

It's crucial that leaders and managers have a thorough understanding of safeguarding. This course provides the further skills around analysis and communication to feel confident in such important judgement calls when staff and young people depend on us.

Next dates:

Our next training course is starting on **24th September 2025, running 9:30am – 12:30pm.**

This two-day course, is delivered via zoom over 4 sessions, costs £264+vat, reduced to **£199+vat for members.**

You can book on to this course using the link below:

[Safeguarding for Leaders training](#)

