

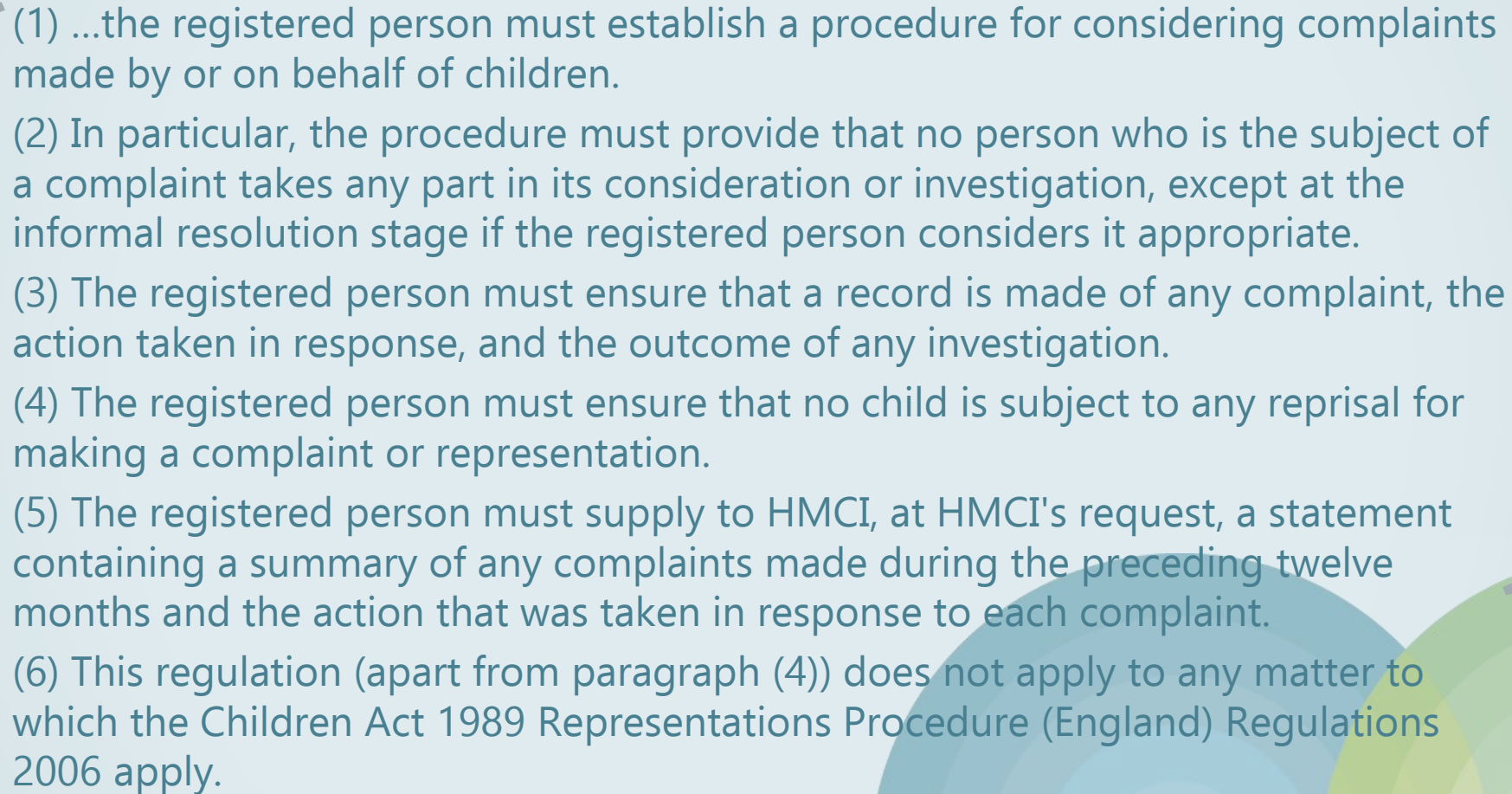
Inspection Top Tips

Complaints

July 2025



Children's Homes Regulations

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- A decorative graphic featuring large, stylized quotation marks on the left and right sides. In the bottom right corner, there are two overlapping circles with concentric rings inside them, one in a light blue color and the other in a light green color.
- (1) ...the registered person must establish a procedure for considering complaints made by or on behalf of children.
 - (2) In particular, the procedure must provide that no person who is the subject of a complaint takes any part in its consideration or investigation, except at the informal resolution stage if the registered person considers it appropriate.
 - (3) The registered person must ensure that a record is made of any complaint, the action taken in response, and the outcome of any investigation.
 - (4) The registered person must ensure that no child is subject to any reprisal for making a complaint or representation.
 - (5) The registered person must supply to HMCI, at HMCI's request, a statement containing a summary of any complaints made during the preceding twelve months and the action that was taken in response to each complaint.
 - (6) This regulation (apart from paragraph (4)) does not apply to any matter to which the Children Act 1989 Representations Procedure (England) Regulations 2006 apply.

Regulation 39

Children's Homes Regulations

“

the registered person [must] keep the children's guide and the home's complaints procedure under review and seek children's comments before revising either document

”

Regulation 7(2)(c)



Children's Homes Regulations

“

the registered person [must] ... demonstrate that practice in the home is informed and improved by taking into account and acting on ... feedback on the experiences of children, including complaints received

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Regulation 13(2)(g)(ii)



Children's Homes Guide

4.23 The children's guide should help children to understand:

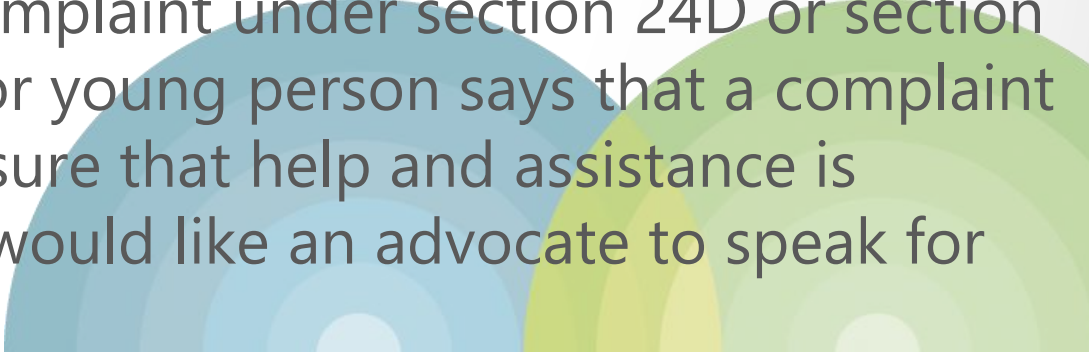
- How to make a complaint in line with the home's complaints procedure;
- How they can access advocacy support or independent advocacy if eligible;



Children's Homes Guide

4.13 Staff should encourage children to share any concerns about their care or other matters as soon as they arise. Children must be able to take up issues or make a complaint with support and without any fear that this will result in any adverse consequences. Regulation 39 sets out the requirements on the registered person to have a complaints procedure. Children must be aware of this procedure and be reminded of it, as necessary.

11.9 ...s26A of the CA89 imposes a duty on LAs to offer advocacy where young people are making or intending to make a complaint under section 24D or section 26 of the Children Act 1989... "When a child or young person says that a complaint is about to be made, the authority should ensure that help and assistance is offered and given if a child or young person would like an advocate to speak for them" (para 2.8 of Get it Sorted).



Children's Homes – complaints given high priority

- Inspection scheduling takes account of legal requirements, previous inspection findings and **complaints and concerns about the service**.
- Analysis and planning includes previous inspections, questionnaires circulated and "any concerns and complaints received".
- Assurance inspections consider whether "Leaders and managers take robust action to address complaints or issues of concern."



Children's Homes SCCIF Good Criteria

Children know how to complain. The setting's complaints policy is easy to understand, accessible, including for children who use alternative communication systems, and child-focused.

Children understand what has happened as a result of their complaint. Their complaints are treated seriously and are responded to clearly. Urgent action is taken, and practice and services improve accordingly.



Children's Homes SCCIF



Closed cultures are more likely to develop in services where "staff are drawn from a small pool of possible employees; they are often related to each other or are close friends, and so cliques develop, which makes it very difficult for staff or children to complain or raise concerns safely".



Children's Homes SCCIF Good Criteria

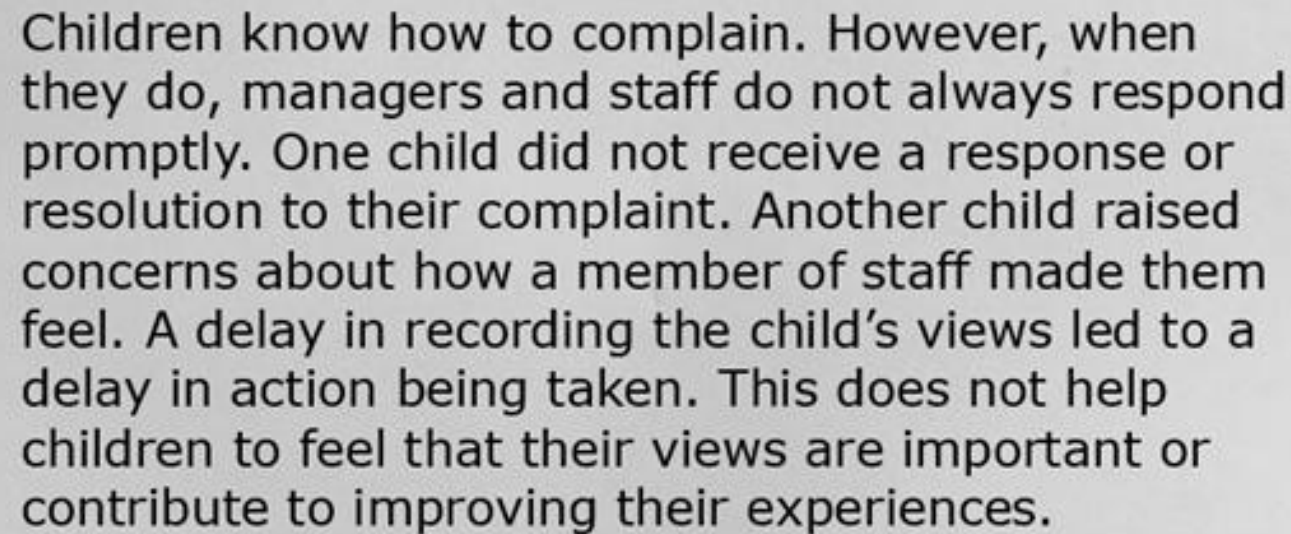
Leaders & managers ... learn from complaints.

Action is taken to address all issues of concern, including any concerns or complaints from children and local residents.

Parents feel involved in the running of the service and they are able to raise concerns and complaints.

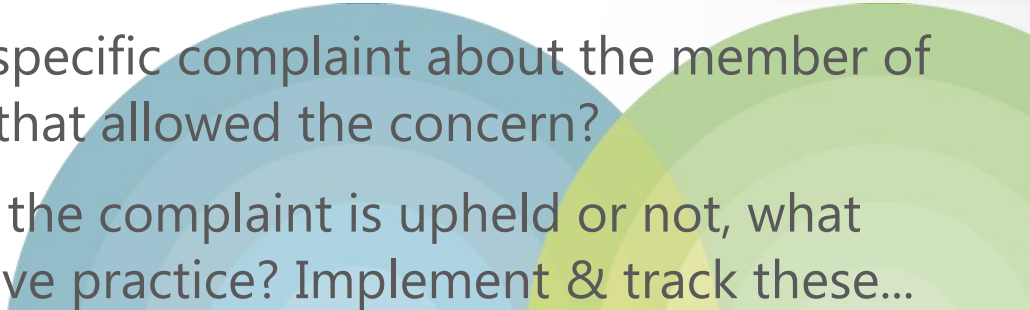


Ofsted comment from inspection – inadequate

A piece of white paper with a torn, deckled edge is centered on a dark gray background. The paper contains a paragraph of text in a black, sans-serif font.

Children know how to complain. However, when they do, managers and staff do not always respond promptly. One child did not receive a response or resolution to their complaint. Another child raised concerns about how a member of staff made them feel. A delay in recording the child's views led to a delay in action being taken. This does not help children to feel that their views are important or contribute to improving their experiences.

Top tips...

1. **Policy and Children's Guide** Is your process clear? Do they align?
 2. **Do your young people know how to complain?** Talk to them and check! Look to see that you have received complaints – no complaints is not an indication of health!
 3. **Do staff & managers know when a complaint is a complaint?** Ensure you talk about the importance of complaints. Consider when a complaint needs taken forward even when retracted. Think about how staff might differentiate between a concern and a complaint.
 4. **Independence, promptness & fairness** - Ensure the complainant will feel that this has been looked at impartially. Check with them this is the case. Where necessary, identify someone more independent. Might the manager be included within the complaint?
 5. **Look for systemic issues** - It's not just about the specific complaint about the member of staff. What were the conditions that were created that allowed the concern?
 6. **There's always learning** - Irrespective of whether the complaint is upheld or not, what changes should you make in your service to improve practice? Implement & track these...
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Wanting more...

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We get excellent feedback. For more information or references contact:

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