



Draft Child-friendly Complaints Handling Guidance for PIRC and Policing Bodies

Feedback from Together (Scottish Alliance for Children's Rights)

(1) Guidance for policing bodies

Key strengths and areas for enhancement

Children's rights framing

This is a clear strength across both guidance documents. There is strong awareness of key children's rights principles, alongside practical guidance on implementation (e.g. in relation to the right to be heard, informed consent, feedback loops, and evolving capacities).

To strengthen this further, PIRC may wish to:

- Consider referencing children's rights more broadly in key sections, in addition to specific rights. For example: *"Throughout the complaint enquiry, the EO must ensure that children's rights are upheld, including that their views are taken into consideration and that their best interests are at the heart of all decisions made."* This may help avoid inadvertently narrowing the focus to specific rights only.
- Where rights are already referenced, consider whether it would be helpful to reference the relevant UNCRC articles (e.g. Articles 3 in relation to best interests, and Article 12 in relation to children's views).

Commitment to progressive realisation

It is positive to see that the guidance builds on earlier SPSO work, with adaptations made to fit the needs of children in the policing and PIRC context. We welcome the commitment to ongoing improvement and review in the cover letter. This sets out PIRC's intention to review and update the guidance in light of learning from implementation - including feedback from children and young people, which is particularly welcome and demonstrates commitment to children's participation rights through ensuring ongoing feedback loops.

To reinforce this statement, PIRC may also wish to include an express commitment to monitoring and review within the guidance itself.

Recording, reporting and information

The guidance sets out robust expectations around recording decisions and providing children and their parents/carers with summaries of discussion and decisions.

A potential area for strengthening is ensuring accessibility and flexibility in how information is shared. For example:

- Making explicit that communication (including explanations of meetings and decisions) should be provided in a child-friendly format, adapted to the child's age, preferences, and

accessibility needs. This is currently implied in the main body text, and mentioned explicitly in one of the case studies – we feel it would be beneficial to include an express requirement in the ‘main body’ of the guidance too. This would offer greater clarity and better reflect the corresponding PIRC Complaints Handling Review guidance which states: “It is essential to ensure that communication with the child throughout the process was appropriate, taking into account the child’s age and developmental stage, the nature and complexity of the complaints under review, and any communication preferences the child expressed.”

- Clarifying that a “written record” may not always be appropriate (e.g. for children with visual impairments), and that alternative formats (audio, video, etc.) should be considered.
- Extending similar flexibility to how children are supported to provide their views (e.g. “in whatever way or format they prefer”).

Clarity and accessibility

The guidance is clearly written and accessible, with helpful use of case studies, visuals and a glossary to aid readers’ understanding.

One point to consider is consistency of language between the main text and case studies. In several places, the main text uses directive language (“must”), while case studies use softer language (“should”). Aligning this language would help avoid ambiguity. For example:

- **Initial meetings:** Guidance on child-led complaints says “[o]n receipt of a complaint from a child, the EO is required to offer the child an opportunity to meet and discuss their complaint with them.” (i.e. must). Contrast with case study, which is softer: “On allocation, the EO should offer to meet with the complainer and her teacher to discuss her complaint.”
- **Outcome meetings:** Guidance on child-led complaints says “child must be given an opportunity to have an outcome discussion... The EO must make a written record of the outcome discussion and share this with the child.” Contrast this with case study, which is softer: “Following the complaint enquiry, the EO should invite the complainer to discuss the outcome of the complaint. Thereafter, a formal response should be provided to her.”

These examples are not exhaustive, so it would be beneficial to review both drafts for this issue.

Recognition of differential impacts

It is positive to see recognition of differential impacts, including references to children with additional needs.

This could be further strengthened by:

- Including more explicit guidance on how to support children with additional needs.
- Reflecting on language of “vulnerabilities,” which some Together members have noted risks being stigmatising. PIRC may wish to consider whether alternative language may be beneficial.

Additional points for consideration

- **Initial meetings:** It would be helpful to clarify what the process is (or what alternative options are available) where a child does not wish to attend a meeting (e.g. due to anxiety), and how they can still be supported to participate if they wish to progress their complaint.
- **Outcome discussions (for adult-led complaints):** we note the framing that an outcomes discussion should occur “if the child wishes” and wonder if explicit provision should be made about making sure the child is aware of this opportunity – the current framing could risk being read as placing a burden on the child to be aware of this possibility and then request a meeting. We note the equivalent wording for child-led complaints is that the child “must” be given an opportunity.
- **Wider application of the guidance:** The inclusion of groups such as those who turn 18 during the process and care-experienced young people is welcome. PIRC may wish to consider reinstating SPSO’s slightly stronger wording here (e.g. “It should, in particular, be considered...”) to emphasise this expectation.
- **Contents page:** A small structural point – the contents page currently presents “Complaints involving children” and “Procedures for adult-led complaints” as separate, equally weighted headings. This could read inconsistently with the later structure, whereby adult-led complaints involving a child are presented as one type of “complaint involving children.” PIRC may wish to reflect this hierarchy more clearly in the contents page by using nested subheadings (e.g. one for each type of “Complaint involving children,” or alternatively subheadings for “child-led” and “adult-led” complaints).

(2) Guidance for PIRC

Key strengths and areas for enhancement

Much of the positive feedback above also applies here, particularly in relation to clarity, accessibility, and the strong children's rights framing.

Preferred methods of communication

The explicit reference to ascertaining a child's preferred method of communication at page 12 is particularly strong and practical.

You may wish to consider reflecting this approach more consistently across both sets of guidance, particularly in relation to how outcomes and records are shared.

Additional points for consideration

- **Consistency of "should" and "must":** As noted above, there are some inconsistencies between the two documents in how requirements are framed. Aligning this language would strengthen clarity and expectations. For example:
 - Policing Guidance for child-led complaints says: "At the conclusion of the complaint enquiry, the child must be given an opportunity to have an outcome discussion to ensure that the findings and conclusions are fully explained to them."
 - PIRC Guidance on same issue says: "The EO should offer to meet with the child and/or their Responsible Adult at the conclusion of the complaint enquiry."
- **Complaints about PIRC:** The section heading refers to "complaints about PIRC staff," while the content also refers to complaints about PIRC more broadly (e.g. procedures or structures). You may wish to adjust the heading to reflect this wider scope.

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