



COMPLAINTS POLICY

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COMPLAINTS POLICY

1. Introduction to the Policy

This policy sets out the framework, principles, and procedures that **Byram House** follows to receive, investigate, and respond to complaints from children and young people, their families, advocates, placing authorities, and any other person with a legitimate interest in the home's services. The policy applies to all staff, volunteers, agency workers, and anyone acting on behalf of Byram House, whether at 62 Deighton Road, 66 Deighton Road, or elsewhere.

Byram House strives for high standards in service delivery and welcomes feedback from individuals, users of our services, stakeholders, and anyone who works with us. Such feedback is invaluable in helping us evaluate and improve our work.

The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road. This policy applies equally across both residences.

The objectives of this policy are to:

- Ensure everyone knows how to make a complaint and how a complaint will be handled.
- Ensure that complaints are dealt with consistently, fairly, and sensitively within clear time frames.
- Provide individuals with a fair and effective way to complain.
- Ensure that complaints are monitored to improve our services.

Byram House will ensure that we:

- Listen carefully to complaints and treat complaints as confidential, where possible.
- Record, store, and manage all complaints accurately and in accordance with the **Data Protection Act 2018 and UK GDPR.**
- Investigate the complaint fully, objectively, and within the stated time frame.
- Notify the complainant of the results of the investigation and any right of appeal.

- Inform the complainant of any action that will be implemented to ensure that there is no re-occurrence.

Young people living within Byram House are made aware of how to make a complaint upon admission and are encouraged to feel that they can do so without any recrimination. Welcome packs and the Children's Guide contain details of the complaints procedure. Children can be provided with an appropriately qualified or experienced and independent advocate to support them through the complaint procedure.

No child will ever suffer any reprisal for making a complaint.

2. How this Policy Benefits the Home

This Complaints Policy benefits Byram House in the following ways:

- **Legal Compliance** – It meets the requirements of the **Children's Homes (England) Regulations 2015** (particularly Regulation 40 – serious event notifications, Regulation 44 – monthly visits, and Regulation 45 – annual review), the **Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004**, and the updated **Working Together to Safeguard Children 2026**.
- **Child-Centred Approach** – It ensures children's voices are heard and acted upon, aligning with the **Social Care Common Inspection Framework (SCCIF) 2026** focus on children's lived experience and what daily life feels like for them.
- **Clarity for Staff** – It sets out a clear three-stage process (Informal Resolution, Stage 1 Formal Investigation, Stage 2 Complaints Review) with defined timescales and responsibilities.
- **Multi-Agency Working** – It provides for inter-agency complaints (where issues involve both the home and the local authority) and cooperation to produce one coherent response.
- **Right to Advocacy** – It explicitly recognises the statutory right of children in care to access independent advocates and requires staff to actively support children in using advocacy services.

- **Inspection Readiness** – The SCCIF 2026 requires inspectors to review complaints handling. This policy ensures comprehensive recording, monitoring via Regulation 44 visits, and appropriate Ofsted notifications under Regulation 40.
- **Continuous Improvement** – Complaints are analysed for patterns, and learning is used to improve service delivery and prevent recurrence.

3. Definitions & Legislation

3.1 Definitions

Term	Definition
Home	Byram House, the children’s home registered with Ofsted, comprising two residences at 62 Deighton Road and 66 Deighton Road.
Company	IMS Care LTD, the registered provider and legal entity responsible for operating Byram House.
Byram House	The name used throughout this policy to refer to the home and its staff.
Complaint	An expression of dissatisfaction in relation to an individual or service, which requires a response. (Children often express complaints as “problems not being sorted out”.)
Representation	An enquiry or comment about the availability, delivery, or nature of a service that is not an overt criticism. Representations should be welcomed as a tool for continuous improvement.

Advocate	An independent person who provides confidential information, advice, representation, and support to a child or young person making a complaint, as established under the Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004.
Complainant	Any person who makes a complaint – includes children, young people, parents, carers, placing authorities, advocates, or members of the public.
Responsible Individual (RI)	The person appointed under the Children’s Homes Regulations 2015 with responsibility for ensuring the home complies with the regulations.
Registered Manager	The person registered with Ofsted as the manager of Byram House.
Informal Resolution	The first stage of the complaints procedure, where the Registered Manager attempts to resolve the issue without a formal investigation.
Stage 1 – Formal Investigation	A formal investigation conducted by a company manager (usually the Registered Manager or a senior manager from IMS Care LTD) when informal resolution fails or is inappropriate.
Stage 2 – Complaints Review	A review conducted by the Responsible Individual or Director when the complainant remains dissatisfied after Stage 1. This concludes the internal complaints procedure.

3.2 Key Legislation and Statutory Guidance (presented in a table)

Legislation / Guidance	Key Provisions	Relevance to this Policy
Children Act 1989	Section 26 – provides the statutory framework for complaints and representations for children looked after by local authorities.	Underpins the right of looked-after children to have access to an effective complaints procedure.
Children’s Homes (England) Regulations 2015	Regulation 40 – notification of serious events to Ofsted (where a complaint indicates serious harm or safeguarding failure). Regulation 44 – monthly independent person visits review complaints handling. Regulation 45 – annual review of the home’s quality, including complaints trends.	Requires the home to notify Ofsted of serious complaint-related incidents, and ensures independent oversight of complaints.
Advocacy Services and Representations Procedure (Children)	Establishes the right of children in care to access independent advocacy services to support them in making complaints and representations.	Byram House must actively support children to access an advocate. Staff must provide information and assistance.

(Amendment) Regulations 2004		
Data Protection Act 2018 & UK GDPR	Governs the processing of personal data, including complaint records and sensitive personal information.	Complaints records must be stored confidentially and shared only in accordance with data protection principles. Not a barrier to safeguarding disclosures.
Equality Act 2010	Protects complainants from discrimination, harassment, and victimisation on the basis of protected characteristics.	No child or adult should suffer detriment for making a complaint. The home must ensure equality of access to the complaints procedure.
Working Together to Safeguard Children 2026	Updated March 2026. Strengthens multi-agency accountability and anti-discriminatory practice.	Where a complaint raises safeguarding concerns, it must be handled under the Safeguarding Policy, but the complainant should be kept informed.
Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026	Effective 1 April 2026. Places strong emphasis on children's lived experience, how well the home listens to children, and whether complaints lead to genuine change.	Inspectors will review complaints handling as part of assessing whether the home is responsive and child-centred.

Children’s Wellbeing and Schools Bill (introduced December 2024)	Introduces a new Information Sharing Duty and Single Unique Identifier. Not yet fully enacted, but provisions on improving information sharing for looked-after children are relevant.	Supports better coordination when a complaint involves multiple agencies (e.g., health, education, social care).
Human Rights Act 1998	Article 10 – freedom of expression. Article 13 – right to an effective remedy.	Supports the right to complain without fear of reprisal.
Regulation 44 – Independent Visitor Guidance (updated 2025)	Clarifies that the independent visitor should review complaints as part of their monthly visits and report on the home’s responsiveness.	Byram House will provide the independent visitor with access to complaint records (redacted as necessary) for monitoring purposes.

4. The Policy

4.1 Receiving Complaints

All individuals, users of our services, stakeholders, and anyone who works with Byram House will have access to a written description of the complaints procedure. This information is summarised in the **Statement of Purpose** and the **Children’s Guide**, copies of which are provided to all significant people on or prior to a young person’s admission.

Each child/young person will have the complaints procedure explained to them as part of their induction. The procedure will be revisited periodically through key work sessions and children’s meetings.

Complaints can be made in different ways:

- Parents, carers, and significant others can contact the home directly.
- Young people may voice complaints individually or through group meetings.
- Complaints may be made orally, in writing, by email, or via an advocate.

At any stage, young people have the right to support from an **external advocate**. The home must assist them in accessing this service (see section 4.9 for detailed advocacy roles).

No child will ever suffer any reprisal for making a complaint. Staff who discourage or penalise a child for complaining will be subject to disciplinary action.

4.2 Distinguishing Between Complaints and Representations

A **representation** is an enquiry, comment, or suggestion about the service that is not a criticism. For example, a young person proposing a change to mealtimes or activities. Representations should be welcomed, considered, and responded to positively, without being framed as a complaint.

If a representation is not addressed to the young person's satisfaction, they may then choose to make a complaint about that failure.

Staff should be trained to recognise the difference and to treat comments as a valuable quality improvement tool.

4.3 Informal Resolution (Pre-Stage)

The home will seek to resolve a complaint as soon as reasonably possible through **informal resolution**. The Registered Manager (or in their absence, the Responsible Individual) should discuss and attempt to resolve the issues with the complainant.

Methods of informal resolution include:

- An apology or explanation.
- Conciliation and mediation.
- Reassessment of the child's needs.
- Practical action specific to the complainant.
- Review of practice, training, and development.
- An assurance that the home will monitor the effectiveness of its remedy.

Key requirements:

- All complaints must be **acknowledged in writing on the day of receipt** (or next working day if received out of hours), with information given as to next steps.
- Most informal complaints should be concluded within **3 working days**.
- The outcome must be put in writing to the complainant.
- If the matter is not resolved informally, the complainant has the right to request a formal investigation (Stage 1). A limit of **20 working days** is suggested for initiating Stage 1 to maintain momentum.

4.4 Stage 1 – Formal Investigation

If informal resolution fails, or if the complainant requests it from the outset, the complaint proceeds to **Stage 1 – Formal Investigation**.

Who investigates? A company manager (usually the Registered Manager of the home, or where there is a conflict of interest, a senior manager from IMS Care LTD not connected to the home).

Investigation methods may include:

- Interviewing and/or obtaining written statements from those who are the subject of the complaint.

- Inspecting relevant records (subject to data protection).
- Interviewing witnesses (staff, children, or others with appropriate consent).
- Obtaining advice from senior colleagues on technical matters.

Timescale:

- The investigation must be completed and a response sent to the complainant within **28 working days** of receipt of the complaint or the request for Stage 1.
- If it is not possible to complete within 28 days, the complainant must be informed and an extension agreed. Weekly progress updates must be provided thereafter.

Outcome of Stage 1:

- The investigator will write to the complainant with a report that includes:
 - Findings, conclusions, and outcomes against each point of the complaint (e.g., “upheld” or “not upheld”).
 - Recommendations to remedy any injustice.
 - Any action plan to prevent recurrence.
- The letter will also inform the complainant of their right to request a Stage 2 review by the Responsible Individual or Director within **5 working days** of receiving the Stage 1 response.

4.5 Stage 2 – Complaints Review

Stage 2 is available only when the complainant remains dissatisfied after Stage 1. It is a **review of the handling of the Stage 1 investigation**, not a re-investigation of the original complaint unless new evidence emerges.

Who conducts the review? The Responsible Individual (RI) or a Director of IMS Care LTD (someone not previously involved in Stage 1).

The review will consider:

- Why the complainant remains dissatisfied.
- Whether their dissatisfaction is reasonable.
- Whether any more could have been done to meet their desired outcome.
- Whether any further action can be taken to resolve the matter.

Timescale:

- The review must be completed and a response sent within **28 working days** of receipt of the Stage 2 request.
- If an extension is needed, the complainant must be informed and weekly updates provided.

Outcome of Stage 2:

- A final response letter setting out the RI's or Director's conclusions.
- If the complaint is not upheld, a clear explanation why.
- If upheld, a revised action plan.
- **The conclusion of Stage 2 completes the internal complaints procedure.** The complainant may thereafter refer the matter to the **Local Government and Social Care Ombudsman** (for complaints about local authority functions) or **Ofsted** (for complaints about the home's compliance with regulations).

4.6 Recording and Monitoring of Complaints

Detailed written records must be kept for all complaints and their outcomes. Records will be kept in a **central complaints file** (hard copy or electronic) for Byram House, accessible to both 62 and 66 Deighton Road.

Each complaint record must include:

- Date of receipt.

- Name of complainant (and whether child, parent, advocate, etc.).
- Nature of complaint (summary).
- Actions taken at each stage (including acknowledgements, investigation steps, outcomes).
- Correspondence and evidence.
- Closure date and confirmation of complainant's satisfaction or dissatisfaction.

All records must be stored confidentially and in compliance with the Data Protection Act 2018 / UK GDPR. Access is restricted to those with a legitimate need (Registered Manager, Responsible Individual, Ofsted, independent visitor under Regulation 44).

Monitoring:

- The **Regulation 44 independent visitor** will review complaints handling as part of their monthly visit and report any concerns to the Registered Manager and Responsible Individual.
- The **Regulation 45 annual review** will include analysis of complaints trends, patterns, and learning.
- The Registered Manager must share with the local authority **any complaint received from a young person** or one that relates to the quality of care.

Serious complaints may meet the threshold for a **Regulation 40 notification** to Ofsted (e.g., where a complaint indicates serious harm, safeguarding failure, or significant breach of regulations). The Registered Manager will discuss with the Responsible Individual whether a notification is required.

4.7 Inter-Agency Complaints

A young person may have complaints ongoing with different agencies simultaneously – for example, a complaint to Byram House about the home's standards, and a complaint to the local authority about its care planning or commissioning functions.

Process for inter-agency complaints:

- When a local authority receives a complaint that relates to services provided in a registered children's home, it should refer the relevant parts to the registered provider (Byram House) for investigation.
- The local authority must inform the child/young person of this referral.
- Where a complaint involves both social services functions and the home's services, the local authority and the provider must **co-operate to produce one coherent response** addressing all parts of the complaint.
- The local authority should advise the complainant which parts are being addressed by which agency.
- If a young person suffers injustice due to a significant delay by the local authority in referring the complaint, they are entitled to raise this as a complaint to the local authority itself.

Byram House will co-operate fully with local authorities and other agencies to ensure seamless complaints handling.

4.8 The Role of Advocates

The right of children in care to access independent advocacy services is established under the **Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004**.

The advocate's role in the complaints procedure is to:

- Empower the child or young person by enabling them to express their views, wishes, and feelings, or by speaking on their behalf.
- Seek resolution of problems or concerns by working in partnership with the child and only with their agreement.
- Support the child through every stage of the complaints procedure, providing information about rights and options.
- Speak for or represent the child at any stage, including informal resolution, formal interviews, or hearings.

Byram House must:

- Provide each child with **written information** about their right to an advocate on admission and periodically thereafter.

- **Actively support** children in accessing advocacy services, including making contact, arranging meetings, and allowing time for the advocate to speak with the child privately.
- Respect the confidentiality of communications between the child and their advocate.

Further detailed guidance is available in *“Get it Sorted: Providing Effective Advocacy Services for Children and Young People making a Complaint under the Children Act 1989”* (DfES, 2004).

4.9 Relationship with Other Policies

The following policies may have a significant bearing on the implementation of the complaints procedure:

- **Safeguarding Policy** – Where a complaint raises child protection concerns, the Safeguarding Policy takes precedence. Complaints cannot be used to avoid making a safeguarding referral.
- **Whistleblowing Policy** – For staff raising concerns about malpractice or safety.
- **Grievance Procedure** – For staff complaints about employment conditions. Complaints from young people are kept separate from staff grievances.
- **Disciplinary Procedure** – For allegations of staff misconduct. Where a complaint involves a disciplinary matter, the two processes may proceed in parallel, but the Registered Manager must ensure that neither compromises the other. It may be necessary to postpone a complaints investigation until a disciplinary investigation is complete.

4.10 Formal Investigation and Response Process – Summary Table

The detailed process for Stage 1 is set out in **Appendix 1** (retained from the original policy with updates to terminology and references).

5. How the Home Trains its Staff About this Policy

Byram House provides structured training to ensure all staff understand and can implement this Complaints Policy effectively.

Training Element	Frequency	Method / Content
Induction	Upon appointment	Face-to-face training covering: the complaints procedure (three stages), how to receive and acknowledge complaints, the difference between a complaint and a representation, the child's right to an advocate, recording requirements, and the dual-site operation (62 & 66 Deighton Road).
Annual refresher	Every 12 months	Classroom or virtual session covering updates to legislation (Working Together 2026, SCCIF 2026), case studies, and lessons learned from complaints received during the year.
Advocacy awareness	At induction and annually	Training on the role of advocates, how to support a child to access advocacy services, and the importance of independent representation.
Recording and data protection	At induction and as needed	Training on completing complaint records, maintaining confidentiality, sharing information appropriately, and complying with UK GDPR.
Complaints handling skills	As needed (e.g., for managers)	Specific training for Registered Managers and senior staff on investigation techniques, impartiality, conflict resolution, and report writing.
Regulation 40 notification	At induction for managers	Training on when a complaint meets the threshold for Ofsted notification, including serious events.

Record keeping	Ongoing	All training recorded on staff personnel files; managers monitor compliance.
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Staff are required to:

- Read and sign this policy annually.
- Know how to receive a complaint and who to pass it to immediately.
- Never dismiss a concern expressed by a child or discourage a complaint.
- Actively promote the right to complain and ensure children know about the Children’s Guide and how to access an advocate.

6. Related Policies and Guidance

This policy must be read in conjunction with:

- Safeguarding Policy
- Whistleblowing Policy
- Grievance Procedure
- Disciplinary Procedure
- Data Protection Policy
- Children’s Homes (England) Regulations 2015
- Working Together to Safeguard Children 2026
- Social Care Common Inspection Framework (SCCIF) for Children’s Homes 2026
- Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004
- Local safeguarding partnership procedures (Kirklees)

Appendix 1 – Formal Investigation and Response Process (Stage 1)

The following steps apply to Stage 1 (Formal Investigation). The target completion time is **28 working days** from receipt of the complaint or the request for Stage 1.

Step	Action	Timescale
1	Receive and acknowledge complaint in writing (by Registered Manager or designated manager).	Day of receipt (or next working day).
2	Enter details into the home's complaints file (electronic or hard copy).	Day of receipt (or next working day).
3	Plan the investigation (identify who will conduct it, what records to review, who to interview).	Within 2 working days of receipt.
4	Conduct investigation. Methods may include: interviews, written statements, records inspection, witness interviews (with consents), expert advice.	Within 10 working days of receipt (if possible).
5	Keep complainant informed of progress – especially if the 28-day deadline is likely to be exceeded.	Weekly updates if extension needed.
6	Consider the results of the investigation; clarify any points with those involved.	Within 28-day deadline.
7	Prepare draft response. Must include: full reply to all points, findings ("upheld" / "not upheld"), action plan to remedy injustice and prevent recurrence.	Within 28-day deadline.

8	Send final response to complainant. Include right to request Stage 2 review (within 5 working days). Copy to any person against whom the complaint was made (if appropriate).	Within 28-day deadline.
9	Confirm with complainant (where possible) that they are satisfied or otherwise. Child/young person to sign confirmation where possible. Family, placing authority, advocate encouraged to respond in writing (or call with record).	Within 5 working days of sending final response.



Byram House

Policy Name	Complaints Policy	
Home	Byram House	
Reviewed by	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
Approved by	Stacey Wagstaffe	Responsible Individual
Date	May 2026	