

DEALING WITH COMPLAINTS/GRIEVANCE PROCEDURE (GENERAL)

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Childcare Service working towards the highest standard of care and education. In the event that feedback includes divergent views which result in complaints or a grievance, the Director/ Nominated Supervisor or Approved Provider will ensure the grievance is managed conscientiously and confidentially following the procedure below.

Working in conjunction with the Dealing with Complaints Policy (General), Dealing with Complaints (Families) and Dealing with Complaints (Staff), this procedure provides detailed steps for receiving and managing informal and formal complaints and grievances.

Education and Care Services National Law or Regulations (R.168, 173, 176 and 183) NQS QA 6 and 7: Element 6.1.2, 6.2, 7.1.2 and 7.2.1 Relationships with families and Governance practices and procedures

Related Policy: Dealing with Complaints Policy (General), Dealing with Complaints (Families) and Dealing with Complaints (Staff)

STEP 1: COMPLAINT PROCEDURE	
1	The Approved Provider/ Nominated Supervisor and educators will review the Service's <i>Dealing with Complaints Policy</i> each year in consultation with families
2	The name and email of the person to whom complaints can be made is clearly visible at the Service
3	Information about our <i>Dealing with Complaints Policy</i> will be easily accessible to all families, visitors and volunteers
4	The Director/ Nominated Supervisor or Approved Provider will treat all complaints and grievances seriously and as a priority while ensuring complaints or grievances remain confidential
5	The Director/ Nominated Supervisor or Approved Provider will ensure complaints or grievances reflect procedural fairness and natural justice
6	Families are encouraged to read through the Service's <i>Dealing with Complaints Policy</i> and <i>Family Conduct Guidelines</i> to ensure the most effective and appropriate method of communication is used when raising the complaint or grievance. Families are encouraged to contact their children's educator directly to make an appointment to discuss the complaint or grievance and raise their concerns. (In many cases an informal resolution can be achieved by communication and discussion). Complaints should be discussed privately and at an appropriate time.

	If families feel uncomfortable approaching the educator directly, we encourage them to contact Service Management to arrange a formal meeting.	
7	If the family feels as though their grievance or complaint has not been resolved when approaching the educator, management will be contacted to arrange a formal meeting. They will contact the family within 24 hours of receiving the grievance or complaint.	
8	If any complaint or grievance is made verbally to an educator, a record of the conversation must be made and shared with the Nominated Supervisor. This record, although informal, should be kept in the Complaints Register.	
9	Staff and families are encouraged to submit a written complaint through the <i>Complaints/ Grievance Form</i>	

STEP 2: UPON RECEIPT OF A COMPLAINT/FEEDBACK

1	The Director/ Nominated Supervisor or Approved Provider will discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint and will investigate and document the complaint or grievance fairly and impartially	
2	<p>Management and educators will adhere to our <i>Privacy and Confidentiality Policy</i> when conducting an investigation into complaints or grievances. However, if a complaint or grievance involves a staff member or a child protection issue, a relevant agency will need to be informed. (See: Child Protection Policy for your state/territory.) Responding to incidents, disclosures and suspicions of child abuse or harm NSW</p> <p>The Approved Provider will notify the regulatory authority of any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.</p>	
3	<p>Families who wish to raise concerns regarding the management of Child Care Subsidy (CCS) should speak with the Director/ Nominated Supervisor in the first instance. Families can raise concerns regarding management of the Child Care Subsidy to the dedicated Child Care Tip-Off Line either via phone or email:</p> <ul style="list-style-type: none"> • Phone: 1800 664 231 • Email: tipoffline@education.gov.au 	
4	A meeting will be arranged between the complainant and management of the service. The <i>Complaint Management Form</i> may be used during the meeting to fairly and impartially document the complaint or grievance.	

STEP 3: INVESTIGATING THE COMPLAINT

1	<p>The Director/ Nominated Supervisor or Approved Provider will begin an investigation of the complaint/ grievance/ feedback by:</p> <p>a) reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent</p>	
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	<ul style="list-style-type: none"> b) discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer, or visitor an opportunity to respond c) permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member) d) providing the employee with a clear written statement outlining the outcome of the investigation. 	
2	Management will use the <i>Complaint/Grievance Investigation Guide and Form</i> to record the investigation conducted, if an investigation is required.	
3	Should the Director/ Nominated Supervisor or Approved Provider decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning is to be provided to the complainant.	
4	Should a conflict of interest arise during a complaint or grievance that involves the Approved Provider or Director/ Nominated Supervisor, other Management will be nominated as an alternative mediator.	
5	Our Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is be adhered to.	

STEP 4: EVALUATION OF THE INVESTIGATION

1	The Director/ Nominated Supervisor or Approved Provider will advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint or grievance	
2	Management will provide a written response outlining the outcome and provide a copy to all parties involved	
3	If a written agreement about the resolution of the complaint or grievance is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreement	
4	The Director/ Nominated Supervisor or Approved Provider will monitor ongoing behaviour and provide support as required, and ensure the parties are protected from victimisation and bullying.	

STEP 5: KEEPING RECORDS OF COMPLAINTS AND FEEDBACK

1	The Director/ Nominated Supervisor or Approved Provider will keep appropriate records of the investigation and outcome and store these records in accordance with our <i>Privacy and Confidentiality Policy</i> and <i>Record Keeping and Retention Policy</i>	
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2	The Director/ Nominated Supervisor or Approved Provider will request feedback on the complaint or grievance process using a feedback form and review the effectiveness of the Service policy and procedures to ensure all complaints and grievances have been handled fairly and professionally	
3	The Director/ Nominated Supervisor or Approved Provider will track complaints to identify recurring issues within the Service through the <i>Complaints Register</i> .	

STEP 6: NOTIFICATIONS OF COMPLAINTS AND FEEDBACK

1	<p>The Director/ Nominated Supervisor or Approved Provider will notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. If the Director is unsure whether the matter is a notifiable complaint, it is good practice to contact the Regulatory Authority for confirmation. Written reports must include:</p> <ul style="list-style-type: none"> • details of the event or incident • the name of the person who initially made the complaint • if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant) • contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor) • any other relevant information 	
2	Written notification of complaints must be submitted to the Regulatory Authority using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).	

REVIEW OF PROCEDURE

Date procedure created	26.4.22	To be reviewed	2023
Approved by	Karmel Finch	Signature	
Procedure Reviewed Date	Modifications/Changes		
March 2022	Procedure reviewed: Additional information regarding review of policy added		