

COMPLAINTS POLICY

ORIGINAL ADOPTION DATE: 28 October 2014

Policy Objective

To ensure the Children Services Unit is committed to providing an appropriate avenue for all stakeholders of the service to have their grievances addressed.

Policy Statement

The Children Services Unit acknowledges the right for all persons to be able to state their view and have them heard. Our service values the feedback of Educators, staff, families, children and the wider community in helping to create a service that meets regulation and the needs of enrolled children and their families. It is important to ensure grievances are resolved by discussion and negotiation between the parties concerned. Grievances are effectively minimised by having open and honest communication and respecting each person's viewpoint.

We achieve this by:

- Maintaining the confidentiality of all parties in line with policy and legislative requirements.
- Acknowledging that the common goal is to achieve an outcome acceptable to all parties.
- Acting in good faith and in a calm and courteous manner.
- Showing respect and understanding of each other's point of view.
- Recognising that all parties have rights and responsibilities which must be balanced.
- Handling complaints objectively. Complainants will not suffer and reprisal from making a complaint.

Statutory Legislation & Considerations

Children (Education and Care Services National Law Application) Act 2010

Education and Care Services National Regulations 2011: 168, 173, 176

National Quality Standard: 7.3

Definitions

In this policy "staff" refers to staff employed by Bland Shire Council Children Services Unit and Educators registered with the Bland/Temora Family Day Care Scheme.

Making a complaint

Written guidelines detailing complaint procedures are available on the Bland Shire Council Children Services Unit website at all times and are also available on request.

Families may make a complaint directly to the child's educator, the Nominated Supervisor or the Approved Provider.

Educators will discuss complaints procedures with children and encourage them to raise any concerns they have.

Responsiveness

All complaints will be acknowledged and responded to as soon as practicable. Complaints will be dealt with in a timely manner and complainants will be kept informed about the progress of their complaint and anticipated timeframes. Allegations of suspected harm or risk of harm to a child or possible victims of crime, will be actioned immediately by urgent referral or reporting to the relevant agency.

Managing a complaint

Where possible, complaints will be dealt with immediately, by the child's educator as this is usually the person with the closest relationship with the family. If the complaint is about a concern that the educator considers to be outside their control, or the family does not feel they wish to share it with the educator, the complainant will be directed to the appropriate person for their complaint to be resolved.

Where an educator believes they will have to share in confidence with another person in order to resolve a concern, or the nature of a complaint requires that a third party has to be informed in order to meet legislative requirements, they will inform the family of the need prior to any further discussions on the matter.

- The complaint will be documented and any legal requirements in relation to the complaint considered, such as the need to notify authorities.
- The complainant will be asked to provide information regarding how the situation could be rectified to their satisfaction.
- If possible, the problem will be resolved immediately. If this is not possible, the complainant will be advised that the issue will be given high priority and dealt with as soon as possible.
- If the issues are complex the complainant will be asked to put their concerns in writing.
- Where mediation is required all parties will have the right to agree to the appointment of a mediator.

If the matter remains unresolved it can be referred to:

Ombudsman New South Wales
Level 24/580 George Street
Sydney NSW 2000
1800 451 524
www.ombo.nsw.gov.au

Notifiable Complaint

Complaints alleging that the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached must be reported by the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made.

Written reports must include:

- 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). Showing respect and understanding of each other's point of view.
- Any other information.

Written notification of complaints must be submitted using the NQA IT System portal, which is accessed on the ACECQA website: www.acecqa.gov.au

Direct Complaints

Families can make a complaint directly to the Regulatory Authority where the complaint alleges that:

- The safety, health or wellbeing of a child or children was or is being compromised while that child or children is or are being educated and cared for by the approved education and care service.
- The relevant legislation has been contravened.
- Contact details are displayed in the foyer of the service and are available in the family hand book.

Follow-Up and Review

Each complaint will be viewed as an opportunity for improvement. After the complaint or grievance has been dealt with, we will analyse the complaint to determine if any policy or procedural changes need to be implemented.

Roles and Responsibilities

Approved Provider

- When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify the Regulatory Authority within 24 hours.
- In instances where the complainant reports directly to the Regulatory Authority, the Approved Provider will still have responsibility for investigating and dealing with the complaint or grievance as outlined in this policy, in addition to co-operating with any investigation by the Regulatory Authority.
- Where reasonable identify, prevent and address potential concerns before they become formal complaints/grievances.
- Ensure that the name and telephone number of the person to whom complaints and grievances may be addressed are displayed prominently at the main entrance of the service.
- Ensure that the address and telephone number of the Regulatory Authority are displayed prominently at the main entrance of the service.
- Advise parents/guardians of the complaints and grievances policy and procedures upon enrolment.
- Ensure that this policy is available for inspection at the service at all times.
- Maintain a Complaints and Grievances Register.

Nominated Supervisor

- Respond to and resolve issues as they arise where practicable.
- Discuss minor complaints directly with the party involved as a first step towards resolution.
- Inform complainants of the service's complaints and grievances policy.
- Notify the Approved Provider if the complaint escalates or is unable to be resolved appropriately in a timely manner.
- Provide information as requested by the Approved Provider E.g. Written reports relating to the grievance.
- Comply with the service's privacy and confidentiality policy.
- Work co-operatively with the Approved Provider in any investigations related to a complaint made.

Educators

- Ensure that grievances and complaints are dealt with in accordance with this policy.
- Report any grievances and complaints to the Nominated Supervisor and maintain all relevant documentation.
- As requested, support the Nominated Supervisor and Approved Provider in the above roles.

Families

- Raise a complaint directly with the person involved or to the Nominated Supervisor, in an attempt to resolve the matter without recourse to the complaints and grievances procedures.
- Communicate any concerns relating to the management or operation of the service as soon as practicable.
- Raise any unresolved or serious concerns directly with the Approved Provider, via the Nominated Supervisor.
- Maintain complete confidentiality at all times.
- Co-operate with requests to provide relevant information when requested in relation to complaints and grievances.

References

ECA Code of Ethics (2017)

Guide to the National Quality Framework (2018)

ACECQA – www.acecqa.gov.au

Authorisation

Status	Committee	N/A
	Manex	N/A
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16 April 2013	0	15042013	September 2014
28 October 2014	1	31102014	October 2016
August 2017			August 2019
December 2019			December 2021

Related Council Policy/Procedure
BSC Procedure: Customer Requests/Complaints