

# COMPLAINTS HANDLING POLICY

Central Shoalhaven Mobile Preschool affirms that people have a right to question and influence decisions made and services provided. We take complaints seriously and manage them in a confidential, timely, transparent, and meaningful way. 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 and value difference, rather than judge and blame.
- Recognising that all parties have rights and responsibilities which must be balanced.
- Handling complaints objectively and ensuring that complainants do not suffer any reprisals from making a complaint.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality Service
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

LEGISLATIVE REQUIREMENTS / EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
Sec. 172	Offence to fail to display prescribed information
Sec.174	Offence to fail to notify certain information to Regulatory Authority
168(2)(o)	Education and care service must have policies and procedures... for dealing with complaints
173(2)(b)	Requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service
176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

## RELATED POLICIES

Child Safe Environment Policy Code of Conduct Policy Enrolment Policy Governance Policy Incident, Injury, Trauma and Illness Policy	Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Responsible Person Policy Student and Volunteer Workers Policy
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## PURPOSE

Central Shoalhaven Mobile Preschool values the feedback of educators, staff, families and the wider community as a mechanism to support the continuous improvement of our service.

## SCOPE

This policy applies to children, families, staff, management, and visitors of the Service.

## IMPLEMENTATION

### Making a Complaint

- Written guidelines detailing complaint procedures are available in our family handbook.

### Complaints

- Families may make a complaint directly to the child's educator, the Approved Provider (management committee) or the Nominated Supervisor.
- Educators/teachers will discuss complaints procedures with children and encourage them to raise any issues 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.

Refer to ACECQA for relevant timeframes: <https://www.acecqa.gov.au/resources/applications/notification-types-and-timeframes>

## 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 an issue 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 an issue, or if 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 regulatory authorities.
- The educator/teacher will attempt to diffuse emotions by acknowledging what they are feeling, and state positively that you wish to seek a solution to the issue that is causing concern.
  - » ask questions to help identify or clarify their concerns. For example, the statement, "I never know what is happening with my child" may be further clarified by asking questions such as, "What things would you like our service to share with you about your child's day?"
  - » ask the complainant if they have any strategies or solutions that they feel could be put in place to resolve their issues.
- 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 and a suitable time and place will be organised to discuss the issue.
- 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 the mediator.

## 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 (Section 174(2)(b), Regulation 176(2)(b)). Refer to the service Child Protection Policy and Procedure.

Complaints, incidents and serious incidents must be notified to the Department of education Directorate.

Approved Providers are required to notify the regulatory authority of a complaint that alleges:

- A serious incident has occurred or is occurring while a child is being educated and cared for by a service.
- The National Law and/or National Regulations have been contravened.

A serious incident can include:

- Any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.
- Any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.
- The death of a child while that child is being educated and cared for at the service or following an incident while that child was being cared for by the service.
- A serious injury or trauma while the child is being educated and cared for, which:
  - » Required urgent medical attention from a registered medical practitioner; or
  - » The child attended or should have attended a hospital.
- Any incident involving serious illness at the service, where the child attended, or should have attended a hospital (e.g. severe asthma attack, seizure or anaphylaxis).
- Any circumstance where a child appears to be missing or cannot be accounted for.
- Any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this.
- Any circumstance where a child is mistakenly locked in or locked out of the service premises or any part of the premises.
- Any emergency for which emergency services attended, including for precautionary measures.

A serious injury, illness or trauma includes but is not limited to:

- Amputation
- Anaphylactic reaction requiring hospitalisation
- Asthma requiring hospitalisation
- Broken bone/Fractures
- Bronchiolitis
- Burns
- Diarrhoea requiring hospitalisation
- Epileptic seizures

- Head injuries
- Measles
- Meningococcal infection
- Sexual assault
- Witnessing violence or a frightening event
- COVID-19 positive result

### **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 available on the prescribed information display which varies in each venue. Contact details are available in the office entry also.

### **Follow-Up and Review**

Each complaint will be viewed as an opportunity for improvement. After the complaint grievance has been dealt with:

- We will analyse the complaint to determine if any policy or procedural changes need to be implemented.
- The Approved Provider will follow through to determine that complaints and grievances have been successfully resolved to everyone's satisfaction.
- Families will be contacted to determine if they were satisfied with the way the issue was resolved, and educators' will be consulted about the outcome from an operational viewpoint.

### **APPROVED PROVIDER WILL:**

- When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify 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.
- 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 displayed prominently at the main entrance of the service.

- Advise parents/guardians and any other new members of the ELC of the complaints and grievances policy and procedures upon enrolment.
- Ensure that this policy is available for inspection at the service at all times.
- Provide a Complaints and Grievances Register.

#### NOMINATED SUPERVISOR WILL:

- 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 recording all complaints and grievances in the complaints and grievances register.
- 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 and maintaining confidentiality at all times.
- Work co-operatively with the approved provider, in any investigations related to a complaint made.

#### EDUCATORS WILL:

- Ensure that grievances and complaints are dealt with in accordance with this policy.
- Listen to and aim to resolve complaints and grievances in a positive way.
- 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 WILL:

- Raise a complaint directly with the person involved, 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 is practicable.
- Raise any unresolved issues or serious concerns directly with the approved provider, via the nominated supervisor or staff.
- Maintain complete confidentiality at all times.
- Co-operating with requests to provide relevant information when requested in relation to complaints and grievances.

## SOURCE

ACECQA – [www.acecqa.gov.au](http://www.acecqa.gov.au) ◀ NSW Ombudsman (2004) 'Effective Complaint Handling'. NSW Ombudsman 3rd Edition 28 February 2017

Complaints Management Framework June 2015 –

[www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/25375/Complaintmanagement-framework-June-2015.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0004/25375/Complaintmanagement-framework-June-2015.pdf)

Complaint Handling Toolkit for Community Services Organisations –

[www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0017/5813/BR\\_ComplaintHandling-Kit-CS-CRAMA-Brochure-2013-web.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0017/5813/BR_ComplaintHandling-Kit-CS-CRAMA-Brochure-2013-web.pdf)

Using Complaints to Support Continuous Improvement [www.acecqa.gov.au/sites/default/files/2018-04/QA7\\_UsingComplaintsToSupportContinuousImprovement.pdf](http://www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingComplaintsToSupportContinuousImprovement.pdf)

NSW Government Health. (2019). Questions and answers about vaccination requirements for child care:

[https://www.health.nsw.gov.au/immunisation/Pages/childcare\\_qa.aspx](https://www.health.nsw.gov.au/immunisation/Pages/childcare_qa.aspx)

Revised National Quality Standard. (2018).

Victoria State Government. Requirements for all early childhood services.

<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/reqallservices.aspx>

## REVIEW

POLICY REVIEWED	MARCH 2022	NEXT REVIEW DATE	MARCH 2023
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