

Complaints & Grievances Policy

Feedback from families, educators, staff, and the wider community is fundamental in creating an evolving organisation working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This policy details Raleigh Street Community Children's Centre (Raleigh St) procedures for receiving and managing informal and formal complaints. Parents, educators, visitors, students, and the community can lodge a grievance, with the understanding that it will be managed conscientiously and confidentially.

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

7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.
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Education and Care Services National Regulations

168	Education and care service must have policies and procedure
173	Prescribed information to be displayed
176	Time to notify certain information to Regulatory Authority

Related Policies

- Raleigh St Code of Conduct
- Interactions with Children Policy
- Privacy and Confidentiality Policy
- Incident, Injury, Trauma, and Illness Policy
- Inclusion and Equity Policy

- Staffing Arrangement Policy
- Bullying, Discrimination and Harassment Policy

Purpose

This policy will provide guidelines for:

- receiving and dealing with complaints and grievances at Raleigh St
- procedures to be followed in investigating complaints and grievances.

(Note: This policy does not address complaints relating to staff grievances or employment matters. The relevant awards provide information on the management of such issues. For specific complaints by employees relating to bullying, harassment, or discrimination at the workplace, please refer to the Bullying, Harassment and Discrimination policy and the procedures outlined therein.)

We aim to investigate all complaints and grievances with a high standard of equity and fairness. We will ensure that all persons making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- Code of ethics and conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our philosophy

Scope

This policy applies to children, families, staff, management, CoM, students, volunteers, and visitors.

Background

Complaints or grievances may be received from anyone who comes in contact with Raleigh St including families, volunteers, students, members of the local community and other agencies.

In most cases, dealing with complaints and grievances will be the responsibility of the Committee of Management (CoM). All complaints and grievances, when lodged, need to be initially assessed to determine whether they are a general or a notifiable complaint (refer to *Definitions*).

When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify Department of Education and Training (DET) of the complaint or grievance. The

CoM will investigate the complaint or grievance and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by DET.

There may be occasions when the complainant reports the complaint or grievance directly to DET. If DET then notifies the CoM about a complaint they have received, the CoM 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 DET.

DET will investigate all complaints and grievances it receives about a service, where it is alleged that the health, safety, or wellbeing of any child within the service may have been compromised, or that there may have been a contravention of the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*.

Definitions

Complaint: An issue of a negligible nature that can be resolved within 24 hours and does not require a comprehensive investigation. Complaints include a manifestation of discontentment, such as poor service, and any verbal or written complaint directly related to Raleigh St (including general and notifiable complaints). Complaints do not include staff, industrial or employment matters, occupational health and safety matters unless associated with the safety of children.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. For example: if an educator or staff member is in breach of a regulation causing injury or possible harm to a child or adult.

Complaints and Grievances Register: (In relation to this policy) records information about complaints and grievances received at the service, together with a record of the outcomes. This register must be kept in a secure file, accessible only to educators and Responsible Persons at the service. The register can provide valuable information to the CoM on meeting the needs of children and families at the service.

Mediator: A person who attempts to assist and support people involved in a conflict come to an agreement.

Mediation: An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

General complaint: A general complaint may address any aspect of the service e.g., a lost clothing item or the service's fees. Services do not have to inform DET, but the complaint must be dealt with as soon as is practicable to avoid escalation of the issue

Notifiable complaint: A complaint that alleges a breach of the Regulation and Law, National Quality Standards or alleges that the health, safety, or wellbeing of a child at Raleigh St may have been compromised. Any complaint of this nature must be reported by the Approved Provider (CoM) or Nominated Supervisor (Director) to the Department of Early Childhood Education and Care within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

If the Director is unsure whether the matter is a notifiable complaint, it is good practice to contact The Department of Early Childhood Education and Care for confirmation. 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)
- any other relevant information

Serious incident: An incident resulting in the death of a child, or an injury, trauma, or illness for which the attention of a registered medical practitioner, emergency services, or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the centre in contravention of the Regulations, or is mistakenly locked in/out of the centre premises (Regulation 12).

A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* as soon as possible and within 24 hours of the incident. The Regulatory Authority, the Department of Education and Training (DET) must be notified within 24 hours of a serious incident occurring at Raleigh St (Regulation 176(2)(a)). These are required to be retained for the periods specified in Regulation 183.

Privacy and Confidentiality

Management and educators will adhere to our Privacy and Confidentiality Policy when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed.

Conflict of Interest

It is important for the complainant to feel confident in being heard fairly and for them to experience an unbiased decision-making process.

Should a conflict of interest arise during a grievance or complaint that involves the CoM, Director, or other Management personnel an objective mediator will be involved in the process. Raleigh St 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 our Code of Conduct is adhered to.

Implementation

Grievances can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious, and productive work environment. The Complaints and Grievance Policy ensures that all persons are presented with procedures that:

- Value the opportunity to be heard
- Promote conflict resolution
- Encourage the development of harmonious partnerships
- Ensure that conflicts and grievances are mediated fairly
- Are transparent and equitable

Raleigh St will always aim to provide a fair and equitable workplace; this includes procedures for settling grievances and dealing with complaints amongst colleagues, families, visitors, and the community.

It is every employees' responsibility to contribute to the development of an open, healthy, and constructive work environment. All grievances or complaints, whether considered minor or not, will be dealt with promptly, thoroughly, and confidentially.

The Director and CoM will be responsible for:

- Understand and be familiar with the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*, this policy, procedure, and their duty of care
- identifying, preventing, and addressing potential concerns before they become formal complaints/grievances
- ensuring that the name and telephone number of the acting Director to whom complaints and grievances may be addressed are displayed prominently at the main entrance (Regulation 173(2)(b))
- ensuring that the address and telephone number of the Authorised Officer at the DET regional office are displayed prominently at the main entrance (Regulation 173(2)(e))
- advising families and any other new members of Raleigh St of the Complaints and Grievances Policy and procedures upon enrolment
- ensuring that this policy is always available for inspection at Raleigh St (Regulation 171)

- being aware of, and committed to, the principles of communicating and sharing information with employees, families, students, and volunteers
- responding to all complaints and grievances in the most appropriate manner and at the earliest opportunity
- treating all complainants fairly and equitably
- providing a *Complaints and Grievances Register* (refer to *Definitions*) and ensuring that staff record complaints and grievances along with outcomes
- complying with the Raleigh St's *Privacy and Confidentiality Policy* and always maintaining confidentiality (Regulations 181, 183)
- establishing a Grievances Subcommittee or appointing an investigator to investigate and resolve grievances (refer to Attachment 1 – Sample terms of reference for a Grievances Subcommittee)
- referring notifiable complaints (refer to *Definitions*), grievances (refer to *Definitions*) or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator
- informing DET in writing within 24 hours of receiving a notifiable complaint (refer to *Definitions*) (Act 174(4), Regulation 176(2)(b))
- receiving recommendations from the Grievances Subcommittee/investigator and taking appropriate action

Families are responsible for:

- raising a complaint directly with the person involved, to resolve the matter without recourse to the complaints and grievances procedures
- communicating (preferably in writing) any concerns relating to the management or operation of the service as soon as is practicable
- raising any unresolved issues or serious concerns directly with the Approved Provider, via the Nominated Supervisor/educator or through the Grievances Subcommittee/investigator
- always maintaining complete confidentiality
- co-operating with requests to meet with the Grievances Subcommittee and/or provide relevant information when requested in relation to complaints and grievances.

The CoM will:

- Treat all grievances whether verbal or written seriously and as a priority
- Ensure that there are appropriate systems and procedures:

- to investigate all grievances and complaints fairly and impartially complying with the principles of procedural fairness and natural justice
- to document, store and handle all records relating to the investigation in accordance with the Raleigh St Privacy and Confidentiality Policy and Record Keeping and Retention Policy.
- to evaluate this policy and the accompanying procedures as outlined in the Evaluation section below.

Evaluation-

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor complaints and grievances as recorded in the *Complaints and Grievances Register* to assess whether satisfactory resolutions have been achieved
- review the effectiveness of the policy and procedures to ensure that all complaints have been dealt with in a fair and timely manner
- keep the policy up to date with current legislation, research, policy, and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures

Sources

- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- *Education and Care Services National Law Act 2010*: Section 174(2)(b)
- *Education and Care Services National Regulations 2011*: Regulations 168(2)(o) and 176(2)(b)
- *Information Privacy Act 2000* (Vic)
- *National Quality Standard, Quality Area 7: Governance and Leadership*
- *Privacy Act 1988* (Cth)

Review

Policy reviewed	Modifications	CoM endorsement date-	Next review date-
October 2019	Policy created for RSCCC based on CC Desktop template- KC	April 2020	April 2023

April 2021	Policy reviewed by third party and updated to reflect best practice	Jun 2021	June 2024
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