

## Complaints and Grievances Policy and Procedure

<b>Title:</b>	Complaints and Grievances Policy and Procedure		
<b>Last Reviewed:</b>	October 2015	<b>Next review due:</b>	October 2018
<b>NQF Reference:</b>	National Law section 172 (f) National Regulations 168, 173 NQS 6		

### Policy

All complaints and grievances will be dealt with in a prompt and confidential manner that:

- Is clear and transparent;
- Promotes procedural fairness, natural justice and positive conflict resolution;
- Encourages the development of harmonious partnerships;
- Is free from discrimination and harassment;
- Allows all a voice and values the opportunity for others to be heard;
- Ensures that conflicts and grievances are mediated fairly, allowing the opportunity for review and further investigation when needed.

Blackmans Bay Childrens Services welcomes each complaint as a means of improving its services and building open and positive relationships between the service and all stakeholders.

Everyone has the right to a positive and transparent response to their concerns, and solutions will be sought to resolve all disputes, issues or concerns in a prompt and positive manner.

### Procedure

- A copy of the *Complaints and Grievance Management Policy and Procedure* will be made available to parents. The document will be available via the Blackmans Bay Childrens Services' website as well as the Policies and Procedures Manual at each service premises.
- A current copy of the *Education and Care Services National Law Act 2010 and Education and Care Services National Regulations* will be readily available at the service.
- The name and telephone number of the person at service to whom complaints may be addressed will be displayed.
- The contact details of the Regulatory Authority, including name, address and phone number, will be displayed on each service's parent noticeboard and readily available for reference.
- Any complaints (written or verbal) that allege the service has contravened the *Education and Care Services National Law* or the *Education and Care Services National Regulations* will be reported to the regulatory authority.
- Parents, children, staff and educators will be surveyed regularly to provide them with an opportunity to identify any areas of concern, or proposed strategies the service may implement to improve. Additional means to gather feedback may also include (but not limited to):
  - Suggestion boxes;
  - Invitations to attend special or social events;
  - Email surveys;
  - Parent participation in sub-committees;
  - To ensure there are no outstanding issues when a child ceases enrolment at the service, parents will be asked to complete an Exit Questionnaire.
- Educators will discuss the complaints procedures in an age-appropriate manner with children and encourage them to raise any issues they have with the service.

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Children's complaints will be taken seriously and resolutions will be actively sought.

- Any person may bring forward a complaint. All complaints will be dealt with in a confidential manner, in line with the service's policy. The complaint will be documented and any legal requirements in relation to the complaint considered, such as the need to notify the Regulatory Authority.
- A complaint may be made directly to an educator, the nominated supervisor, responsible person, Co-ordinator, Director or CEO (i.e. Senior Management Team) at the service. Where possible, the complaint will be dealt with by the child's educator (as this is usually the person with the closest relationship to the child and family).
- Where the complaint regards an issue outside of the educator's expertise, or the family does not wish to notify the educator of the complaint, the parent may direct the complaint to the Senior Management Team.
- Where the complaint is in relation to a child protection issue, the complaint/ notification must be handled in line with the service's *Child Protection Policy and Procedure*.
- At any time within the complaint process, the complainant and/or a person dealing with the complaint may seek the assistance of an advocate or take the matter to the appropriate external authority (such as Fair Work Australia or Anti-discrimination commissioner).
- All complaints will be handled in a confidential manner and where the complainant wishes to remain anonymous this will be honoured. However, the complainant will be advised that some issues may not be able to be fully resolved if they choose to remain anonymous.  
Where the educator (or other dealing with the complaint) is required to share the complaint with a third party in order to meet legislative requirements, or with another person to resolve the complaint, the complainant will be advised of this.
- Where the complaint is outside the control of the service, the person receiving the complaint will advise the complainant of this, notifying them of the appropriate person/agency to contact if they wish to take the matter further.

- The complainant will be asked to:
  - Outline the circumstances of the complaint;
  - Where applicable, put the complaint in writing;
  - If known, identify those involved;
  - How the situation may be rectified to their satisfaction.
- The person receiving the complaint will:
  - Actively listen;
  - Note their understanding of the complaint;
  - Clarify to further understand the issue raised.
- All complaints will be dealt with in a timely manner; with initial action taken to address the complaint within one working day.
- Where an outcome is not immediately achieved, the complaint will be advised of the progress of the complaint.

- Each complaint will be viewed as an opportunity to improve and reflect on practice. When resolved, the complaint will be evaluated to determine:
  - how the problem occurred;
  - how the service responded;
  - if further action is required; and
  - if any changes to policy, procedures or practices are required.

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- The complainant will be contacted within 5 working days after being notified of the outcome of the complaint, to follow-up regarding the outcome and the manner in which the complaint was resolved.
- When reviewed, the *Complaints and Grievances Policy and Procedure* will include input from all relevant stakeholders to ensure the processes are clear and non-discriminatory.

### Links to other policies or documents

- Child Protection Policy and Procedure
- Enrolment and Orientation Policy and Procedure
- Governance Policy and Procedure
- Staffing Policy and Procedure

### Sources

- *Education and Care Services National Law 2010*
- *Education and Care Services National Regulations*