



# Grievances and Complaints Policy

## BACKGROUND

An effective complaints and grievance management system confirms to educators, children, families and the community that complaints and grievances are taken seriously and investigated promptly and thoroughly. The principles of natural justice and procedural fairness will be applied when managing complaints.

Under the Education and Care Services National Law, the Approved Provider has a legal responsibility to notify the Regulatory Authority of certain matters within a stated time frame. One of these matters is where a complaint is made in relation to either of the following:

- a complaint alleging that the safety, health or wellbeing of a child was or is being compromised
- that the law has been breached.

Complaints of this nature are to be identified at a site as 'notifiable complaints' and the Approved Provider must inform the Regulatory Authority within 24 hours.

The following details are required in the notifiable complaint report:

- Date complaint received
- Complainant's name and contact details
- Name of child/children to whom complaint relates (if relevant)
- Copy of written complaint (or written summary) and any other relevant documentation (including correspondence, photographs, statements)
- Steps taken/actions planned by the site in response to the complaint.

For any service operating on a school site, the school principal or nominee, as line manager of the OSHC director, should be informed when there are complaints.

## POLICY STATEMENT

Holy Family Catholic School OSHC service we recognise that families, educators, staff and the community need to feel confident that any concerns or issues they may raise will be handled promptly and professionally. We take all complaints about the service, its staff, educators, practices and procedures seriously. There are processes in place to ensure all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

The service will address complaints by:

- Ensuring a clear, accessible and documented complaints procedure is made available to all families, educators/staff and children.
- Ensuring that the process is fair to all parties involved.
- Ensuring that complaints are dealt with promptly.
- Maintaining confidentiality.
- Maintaining records of complaints, processes and outcomes.
- Notifying the regulatory body of any complaint that alleges the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached.

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**HOW THE POLICY WILL BE IMPLEMENTED**

**1. General**

Educators and staff will access the Complaints Policy and procedures through the policy documents and staff handbook issued on employment and whenever an updated version is issued. Family and Children will access the complaints procedure through conversations with educators, clearly Service staff managing complaint must be aware that there may be situations where a conflict of interest arises, and action may need to be taken to manage such situations.

Complaints can be made in the following manner:

- Verbally, in person or by phone
- in writing, via email, fax or mail
- in the suggestion box located by the Sign In/Out iPad

**2. Procedure for families lodging a complaint**

Following families becoming aware of concerning information, they are requested to not discuss complaints in front of children. It may be that an appointment with the director will need to be made. Complaints regarding any aspect of the service should try to be resolved in an informal manner with staff in the first instance. In the event that you feel you are unable to discuss your complaint with a staff member or in the event that discussion with the staff member proves unsatisfactory, your complaint can be directed to the Director. If the complaint is about the director, it should be addressed to the Nominated Supervisor, Holy Family Catholic School Principal.

In the event that you feel uncomfortable in dealing with a complaint personally, you may nominate an advocate to mediate on your behalf.

Families have a right to lodge a complaint directly with the Regulatory Authority. The phone details for the Regulatory Authority is 1800 882 413 (toll free).

We welcome your feedback and suggestions at all times. These may help us to continuously improve our service.

**3. Procedure for educators lodging a complaint**

Where complaints are made by educators in relation to Enterprise Agreement issues, they are directed to discuss this initially with the OSHC Director in the first instance, who will consult with the Nominated Supervisor, Holy Family Catholic School Principal as appropriate. Should this not resolve the issue, educators would need to discuss this with the Nominated Supervisor, Holy Family Catholic School Principal.

- Staff may have a union representative or other person present at any meeting or interview and may withdraw from the process at any time.
- From time-to-time staff conflicts arise. In the interest of the children and the professional operation of the service, these grievances will be investigated promptly, thoroughly and confidentially.
- Some complaints may be resolved by presenting the matter for discussion at a team meeting.
- In the event that you feel you have a problem with any aspect of the service, please make a time to speak with the director.

**4. Procedure for children lodging a complaint**

The opportunity for children to make complaints should be fully explained to them. Such complaints may be in relation to incidents with other children, issues with educators or of a general nature.

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- Educators will take children’s complaints seriously and attend to them as a matter of priority whilst maintaining confidentiality.
- Where educators are unable to take, appropriate action regarding a child’s complaint, educators will inform the director.
- Complaints relating to educators, educator conduct or aspects of the program are to be directed to the director.
- Children may have a family member or other representatives to assist them raise their concerns.
- Children are encouraged to give feedback and make suggestions through our suggestion box.

**5. Complaint handling process**

The Nominated Supervisor will be responsible for ensuring that any complaint that alleges a breach of legislation or a serious incident is reported to the Approved Provider. The Nominated Supervisor, Holy Family Catholic School Principal will be responsible for ensuring that the Education and Early Childhood Services.

Registration and Standards Board is notified within 24 hours of any complaint that alleges a breach of legislation or where the safety, health or wellbeing of a child was or is being compromised.

The Nominated Supervisor will:

- Investigate complaints promptly and thoroughly with the understanding that the complainant will not be disadvantaged through the process.
- Listen to/read the complaint and document the exact details of the complaint.
- Seek further information, to clarify the issues and investigate the complaint, including speaking to other parties involved as required.
- Seek additional advice from line managers and other agencies, including legal advice as required.
- Refer to any State or National Regulations or organisational policy that may provide clarity to the complaint, as required.
- Assess the complaint fairly and determine the best possible resolution.
- Inform the complainant of the outcome in writing or verbally, as required, in a timely manner.
- Ensure that the complaint process and its outcome are documented, and that all documentation is treated and stored confidentially.

Complaints not resolved at this level may be referred by either the complainant or the Nominated Supervisor, Holy Family Catholic School Principal to the Approved Provider to investigate the matter. Families have a right to lodge a complaint directly with the Regulatory Authority.

**6. Legislative requirement**

Under the Education and Care Services National Regulations, an approved provider must ensure that policies and procedures are in place in relation to dealing with complaints (Regulation 168). The regulatory requirements related to complaints are:

- The approved provider must notify the regulatory authority within 24 hours of any complaints alleging that a serious incident has occurred at the service or that the Education and Care Services National Law has been breached (Section 174).
- The name and telephone number of the person to whom complaints can be made must be clearly displayed at the service (Section 172, Regulation 173).

**REFERENCES:**

- Quality Area 1 – Educational Program and Practice.
- Quality Area 2 – Children’s Health and Safety
- Quality Area 7 – Leadership and Service Management

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- Education and Care Services National Law Act (2010), S 168, S 174
- Education and Care Services National Regulations (2011), R 173, R 176

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