

ECECP Procedure

Complaint/Grievance Procedure

Controlled Document

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Reviewed by:	Project Officer – ECEC Administration Assistant – ECEC				

Policies attached to this procedure	ECEC 23 Governance Policy (including CCS Governance) CCW 9 Policy Client & Stakeholder Feedback (includes Compliments & Complaints) CCW Policy 4 - Child Safeguarding - Child Safe Complaints Management
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Feedback from families, children, educators, staff and the wider community is fundamental in creating an evolving Childcare Service working towards the highest standard of care and education. In the event that feedback includes divergent views which result in complaints or a grievance, the director/ nominated supervisor or approved provider will ensure the grievance is managed conscientiously and confidentially following the procedure below.

Working in conjunction with ECEC 23 Governance Policy (including CCS Governance), CS Policy 4 Client & Stakeholder Feedback (includes Compliments & Complaints), CCW Policy 4 - Child Safeguarding - Child Safe Complaints Management, this procedure provides detailed steps for receiving and managing informal and formal complaints and grievances.

Education and Care Services National Law or Regulations (*Sec. 172, 174*) (*R. 12, 84, 149, 168, 170, 172, 173, 176 and 183*) (*NQS QA 6 and 7: Element 6.1.2, 6.2, 7.1.2 and 7.2.1 Relationships with families and Governance practices and procedures*)

STEP 1: COMPLAINT PROCEDURE

1	The approved provider, nominated supervisor and educators will review this procedure regularly.	
2	The name and telephone number of the person to whom complaints can be made is clearly visible at the Service.	
3	Information about our complaints policies and procedures as well as the complaints resources listed below will be accessible to all families, visitors, staff and volunteers	

4	The director/ nominated supervisor or approved provider will treat all complaints and grievances seriously, professionally and as a priority while ensuring complaints or grievances remain confidential.	
5	The director/ nominated supervisor or approved provider will ensure complaints or grievances reflect procedural fairness and natural justice.	
6	Families and complainants are encouraged to read through the Service's policies regarding complaints to ensure the most effective and appropriate method of communication is used when raising a complaint or grievance.	
7	Complainants are encouraged to contact an appropriate educator directly to make an appointment to discuss the complaint or grievance and raise their concerns. (In many cases an informal resolution can be achieved by communication and discussion). Complaints should be discussed privately and at an appropriate time. If complainants feel uncomfortable approaching the educator directly, we encourage them to contact Service management to arrange a formal meeting.	
8	If the complainant feels as though their grievance or complaint has not been resolved when approaching the educator, management will be contacted to arrange a formal meeting. They will contact the complainant within 24 hours of receiving the grievance or complaint.	
9	If any complaint or grievance is made verbally to an educator, a record of the conversation must be made and shared with the nominated supervisor. This record, although informal, should be documented.	
10	Staff, and families, visitors or members of the community are encouraged to submit a written complaint through the <i>CatholicCare website, via Feedback, Compliments, Complaints link</i> https://catholiccare.dow.org.au/contact-us	
11	Management, nominated supervisors and educators ensure child safe approach to complaints involving a child or young person, taking into consideration their age, intellectual development and maturity as a commitment to the National Principles for Child Safe Organisations	

STEP 2: UPON RECEIPT OF A COMPLAINT/FEEDBACK

1	The director nominated supervisor or approved provider will discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint and will investigate and document the complaint or grievance fairly and impartially	
2	Management and staff will adhere to our <i>Privacy Policy</i> CCW 14 Privacy when conducting an investigation into complaints or grievances. However, if a complaint or grievance involves a staff member or a child protection issue, a relevant agency will need to be informed. (See: <i>Child Protection Policy</i> for your state/territory.) Responding to incidents, disclosures and suspicions of child abuse or harm NSW .	

3	The approved provider will notify the regulatory authority in writing within 24 hours of any complaints that a serious incident has occurred or the Education and Care Services National Law has been breached (Sec. 174) or where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service including a complaint that alleges a child is exhibiting sexual behaviours and this behaviour may be harmful to the child or another child	
4	Families who wish to raise concerns regarding the management of Child Care Subsidy (CCS) should speak with the Education and Care Services Fees Coordinator in the first instance. Families can raise concerns regarding management of the Child Care Subsidy to the Department of Education via their online contact form . Information about potential breaches of the Child Care Subsidy can be reported anonymously through an online report to the Department of Education; for more details, visit their website: <i>Reporting fraud via a tip-off</i> .	
5	A meeting will be arranged between the complainant and management of the Service. The <i>Complaint Management Form</i> may be used during the meeting to fairly and impartially document the complaint or grievance.	

STEP 3: INVESTIGATING THE COMPLAINT

1	<p>The director nominated supervisor or approved provider will begin an investigation of the complaint/grievance/feedback by:</p> <ol style="list-style-type: none"> a. reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent b. discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer, parent or visitor an opportunity to respond c. permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member) d. providing the employee with a clear written statement outlining the outcome of the investigation e. ensuring the procedure is child-focused and addresses concerns of any child f. children will be taken seriously and any disclosures of harm from any other person including other children will be addressed effectively (including a complaint of a child exhibiting sexual behaviours that may be harmful to the child or another child) 	
2	Nominated supervisor or management will record the investigation conducted, if an investigation is required.	

3	Should the director nominated supervisor or approved provider decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning is to be provided to the complainant	
4	Should a conflict of interest arise during a complaint or grievance that involves the approved provider or director nominated supervisor, other management will be nominated as an alternative mediator	
5	Our Service 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 the Services Code of Conduct is be adhered to.	

STEP 4: EVALUATION OF THE INVESTIGATION

1	The director, nominated supervisor or approved provider will advise the complainant and all affected parties of the outcome of the verbal or written complaint or grievance.	
2	Management will provide a written response outlining the outcome and provide a copy to all parties involved	
3	If a written agreement about the resolution of the complaint or grievance is prepared, all parties will ensure the outcomes accurately reflect the resolution.	
4	The director nominated supervisor or approved provider will monitor ongoing behaviour and provide support as required, and ensure the parties are protected from victimisation and bullying	

STEP 5: KEEPING RECORDS OF COMPLAINTS AND FEEDBACK

1	The director nominated supervisor or approved provider will keep appropriate records of the investigation and outcome and store these records in accordance with our <i>Privacy Policy</i> and <i>Record Keeping and Retention Policy</i>	
2	The director nominated supervisor or approved provider will request feedback on the complaint or grievance process using a feedback form and review the effectiveness of the Service policy and procedures to ensure all complaints and grievances have been handled fairly and professionally	
3	The director, nominated supervisor or approved provider will track complaints to identify recurring issues within the Service through CatholicCare's risk register (Protech).	

STEP 6: NOTIFICATIONS OF COMPLAINTS AND FEEDBACK

1	The director nominated supervisor or approved provider will notify the regulatory authority within 24 hours if a complaint alleges a breach of the Education and Care Services National Law and Regulations, the National Quality Standard or alleges the safety, health or wellbeing of a child is being compromised. Written reports must include:	
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	<ul style="list-style-type: none"> • 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) • contact details of a nominated member of the grievances subcommittee (or nominated supervisor) • any other relevant information 	
2	Written notification of complaints must be submitted to the regulatory authority using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).	

CONCERNS OR COMPLAINTS INVOLVING CHILDREN EXHIBITING SEXUAL BEHAVIOURS

1	The approved provider, nominated supervisor, educators, staff, students and volunteers will ensure any complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child, or another child is reported to management and the regulatory authority in writing within 24 hours of the complaint being received.	
2	Educators and staff will respond to concerns or complaints, remaining calm and attentive. They will listen carefully, allow the child, family member, or other person to describe the incident, acknowledge their concern, and reassure the complainant that their concerns are being taken seriously.	
3	Educators and staff will refer to the agencies <i>Child Safeguarding Policies</i> for guidance on mandatory reporting procedures, including contacting policy and emergency services for immediate assistance when necessary	
4	The approved provider will ensure the regulatory authority is notified via the NQAITS within 24 hours of any complaint alleging that a serious incident has occurred whilst a child is educated and cared for or complaints alleging that the Law has been contravened	
5	<p>Educators and staff will follow the <i>Traffic Lights Framework</i> to manage the complaint or concern:</p> <ul style="list-style-type: none"> • RED- signals sexual behaviours which indicate immediate intervention and action • ORANGE- signals sexual behaviour which may be concerning and educators to take notice and gather information to assess appropriate action • GREEN- signals sexual behaviours that are 'normal' and age appropriate <p>[<i>Traffic Lights Framework-Age-appropriate Sexual Play and Behaviour in Children</i>]</p>	
6	Educators and staff will document the complaint or concern while maintaining confidentiality and privacy in accordance with the Service's <i>Privacy Policy</i>	