



Grievances and Complaints Management

Policy Number: 18

Date Updated: 27/07/2017

Rationale and Policy Considerations

The education and care service is required to have a documented procedure for dealing with grievances and complaints that is available at the service and to families, and has an obligation to inform the regulatory authority of complaints alleging '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, or that the Education and Care Services National Law Act 2012 has been contravened'. The service also understands that negative feedback or issues may threaten the communication between families and the service, and how these issues are responded to will determine the service's ongoing relationship with families. This procedure will also help to inform improvements for the service.

Philosophy

Merino Court Childcare Centre endeavours to provide a high quality service which embraces non-judgemental and unprejudiced philosophies. Families should feel confident that their concerns will be listened to and addressed in an appropriate manner and that their needs will be met wherever possible. The service's approach to handling complaints in a way that upholds the rights of natural justice and supports partnerships and ongoing communication with families; children's rights and interests are paramount.

Legislation and Government Requirements

- Privacy Act 1988 (Cth.)
- Education and Care Services National Law (WA) Act 2012
- Education and Care Services National Regulations 2012

Needs

Children's

Respectful and warm relationships between families and educators; ongoing harmonious positive environment at the education and care service; avenue to raise their issues with the service.

Families'

That their primary influence in their children's lives is respected and supported; ability to voice concerns in a positive and confidential manner; that their concerns are taken seriously and acted upon; opportunities to influence decisions about their child's experiences at the education and care service; to be kept informed about any issues or incidents that affect their child within the service.

Educator

Regular open two way communication with families; time to speak with families about any concerns; confidence that complaints will be dealt with in a positive and open manner.

Management

That families will approach management or the service educators/staff to raise problems or concerns; to manage concerns or complaints about the service promptly and effectively.

Scope

This Policy applies to Children, Families and Educators of Merino Court Childcare Centre

Policy Statement

The education and care service welcomes each complaint as a means of improving its services and upholding positive relationships between the service and its stakeholders. Everyone has the right to a positive and sympathetic response to their concerns. Solutions are sought to resolve all disputes, issues or concerns in a prompt and positive manner that recognises the importance of:

- procedural fairness and natural justice;
- ethical conduct;
- a service culture free from discrimination and harassment; and
- the opportunity for review and further investigation.

Policy Principles

Making complaints

- Every family is provided with clear written guidelines detailing grievance procedures, included in the service's Parent Information Handbook and displayed for reference.
- Families may make a complaint directly to their child's educator, the nominated supervisor, approved provider or by email. Junior staff, students, volunteers or casual staff are not permitted to address the concerns of parents and if approached will direct parents to an appropriate staff member.
- Families are asked to speak to the relevant staff in a calm, non-threatening manner, and in turn will be treated with the same level of respect.
- Families and children will be surveyed regularly to provide them with an opportunity to identify areas of concern, or ways in which the service could be improved along with areas of strength.
- The service will also provide other means for input such as: suggestions box; daily contact with their child's educator; invitations to attend special or social events; email surveys; advisory committees etc.
- Educators will discuss complaints procedures with children and encourage them to raise any issues they have with the service. Children's complaints will be taken seriously and resolutions will be sought.
- A current copy of the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations is available in the centre for all to read at any time.
- In order to assist families that wish to contact the regulatory authority the name address and phone number of the regulatory authority will be included in the Family Handbook and displayed in the foyer.

Education and Care Regulatory Unit
 Ground Floor
 111 Wellington St
 East Perth 6004
 Ph. 65518333
 Freecall 1800 199 383
ecru@communities.wa.gov.au

PO Box 6242
 East Perth Business Centre
 East Perth 6892

Dealing with complaints

- All complaints or grievances will be dealt with promptly and confidentially in a manner that:
 - values the opportunity to be heard;
 - promotes conflict resolution;
 - encourages the development of harmonious partnerships;
 - ensures that conflicts and grievances are mediated fairly; and
 - is transparent and equitable.
- Where possible complaints will be dealt with on the spot 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 family may be directed to the nominated supervisor/coordinator, or other appropriate person for their complaint to be resolved.
- Educators/staff will always thank a family that raises a complaint or issue of concern, and explain why they appreciate the opportunity to improve the service or rectify a mistake.

- All confidential conversations/discussions with parents/guardians will take place in a quiet area away from children, other families and educators/staff who are not involved.
- Where a family wishes their grievance to remain confidential this will be honoured. However families will be advised that issues cannot always be resolved if they choose to remain anonymous.
- Where an educator believes they will have to share a 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 this need prior to any further discussions on the matter.

Steps to managing complaints

- The complaint will be welcomed and appreciated.
- The complaint will be documented and any legal requirements in relation to the complaint considered, such as the need to notify regulatory authorities.
- The complainant will be asked to provide information regarding how the situation could be rectified to their satisfaction.
- The person receiving the complaint will clarify issues by actively listening and questioning the complainant to further understand the 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.
- 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.
- If the problem is about an issue that is outside the control of the service, the person receiving the complaint will explain this to the complainant and let them know who they should contact if they wish to take the matter further.
- Any promises made to the complainant in regard to addressing the issue will be followed up and the results given to the complainant as soon as possible.
- A few days after the incident the service will contact the complainant to find out if they are happy with the way the problem has been resolved.
- Each complaint will be evaluated to determine how the service responded and whether further action is required.

Procedures for dealing with complaints

The service will develop grievance procedures for dealing with the following possible complaints:

- Complaint made by a child against:
 - another child;
 - educators/staff; or
 - a family member or other adult
- Complaint made by a family member against:
 - a child;
 - educators/staff or
 - management/coordination unit staff
- Complaint made by educators/employees against:
 - a child;
 - family member or other adult;
 - other educators/employees;
 - management/coordination unit staff
- Complaint made by management against:
 - a family member or other adult;
 - educator/employee;
 - an individual involved in the management of the service; or
 - a member of the community
- Complaint made by a community member against the service.

Follow-up and review

- Each complaint will be viewed as an opportunity for improvement. After the complaint or grievance has been dealt with it will be analysed to find out how the problem occurred and determine if the service should implement any changes to policy or operational procedures to avoid similar problems in the future.
- Management 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 are satisfied with the way the issue was resolved, and educators/staff will be consulted about the outcome from an operational viewpoint.
- Grievances and complaints policy is reviewed and evaluated annually, or whenever an incident occurs to ensure the processes are clear and non-discriminatory. Family input is sought each time the policy is reviewed.
- Families will be asked to complete an Exit Questionnaire when they leave the service to check there are no outstanding issues that have led to their leaving and to be given the opportunity to provide feedback that could lead to further improvements to the service.
- Any complaints that allege the service has contravened the Education and Care Services National Law (WA) Act 2012, or compromised the health, safety or wellbeing of any child within the service, will be reported to the regulatory authority as required under the Act (see above). These allegations will be taken most seriously and an immediate resolution will be sought.

Related Documents

- **Education and Care Services National Law Act 2010(Vic)** - Section 3(3)(a)&(e); 174(2)(b)&(4)
- **Education and Care Services National Regulations:** 75;76; 80; 88(2); 93(2); 93(5)(b); 94(2); 99; 157
- **National Quality Standard for Early Childhood Education and Care and School Age Care (Nov 2010)** - Element 1.1.4; Standard 6.1, Standard 6.2. Element 7.3.4
- **Early Years Learning Framework for Australia** - Practice: Holistic approaches; Responsiveness to children; Continuity of learning and transitions - Outcomes: 1, 3
- **Framework for School Age Care in Australia** - Practice: Holistic approaches; Collaboration with children; Continuity and transitions - Outcomes: 1, 3
- Documenting and reporting a grievance or complaint
- Exit Questionnaire
- Orientation checklists
- Survey forms

Links to other policies

The following policies may be linked to this policy:

- Educator Code of Ethics
- Community Involvement
- Confidentiality and Privacy
- Educator, Staff Grievances and Disputes
- Enrolment and Orientation
- Equal Opportunity
- Establishing a Protective Environment
- Guiding Children's Behaviour
- Interactions with Children
- Partnerships and Communication with Families
- Recruitment of Educators, Staff and Volunteers

Source

PSCA Policies in Practice

www.pscalliance.org.au

Further sources

Cross, C. & Morton, S. - Encouraging parent involvement Learning Guide - PSCWA Factsheets - Retrieved 2 June 2011, from <http://www.pscwa.org.au/getdoc/dc42d817-34b6-4854-b8c8-367df00027d9/EncouragingParentInvolvement.aspx>

Cross, C. & Morton, S. Consultancy - Let's Discuss Managing Complaints - Retrieved 9 May 2011, from http://www.pscwa.org.au/getdoc/da00775d-1107-4632-80ec-a1bc2298e6c1/LetsDiscussManagingComplaints_000.aspx

DEEWR Child Care Service Handbook 2011 - 2012; - Retrieved 9 May 2012, from www.deewr.gov.au

Section 5.5 - Key obligations imposed on approved child care services under family assistance law
Section 6.5 - What are my services responsibilities to parents?

Early Childhood Australia (ECA). (2005). The Code of Ethics. Retrieved 9 May 2011, from http://www.earlychildhoodaustralia.org.au/code_of_ethics/early_childhood_australias_code_of_ethics.html

Privacy Law - Retrieved 9 May 2011, from www.privacy.gov.au/law

UNICEF (n.d.). Fact sheet: A summary of the rights under the Convention on the Rights of the Child. Retrieved 9 May 2011, from http://www.unicef.org/crc/files/Rights_overview.pdf

Document History

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