

# FAMILY, VISITORS AND CHILD GRIEVANCE AND COMPLAINTS POLICY

**Quality Areas:** NQS 7 - Governance and Leadership

**Policy Owner:** Compliance

A light teal speech bubble with a white outline, containing the text 'Why this is important' in a dark teal, cursive font.

Why this is important

## 1.0 Purpose and Introduction:

We recognised that great relationships are an essential aspect of the positive learning journey that we provide for the children, families, and others. We strive to provide open, transparent, and timely communication. We also understand that from time to time that complaints and grievances may arise and these need to need taken seriously and managed appropriately.

This policy reflects requirements as it relates to complaints made by families, children, community members, contractors and visitors. For specific management of complaints made by team members regarding other team members conduct with them, refer to the **Team Member Grievance Policy**.

Where a team members actions or allegations allege that the National Law has been breached then reporting processes will be implemented as listed below. Where a team member is also a parent, their complaint will be managed in accordance with this policy where it directly related to the care of a child.

## 2.0 Who does this policy apply to:

All Team Members, Families, Children, Board members, Contractors, Visitors and Members of the Community.

## 3.0 What is our Policy:

### 3.1 An effective grievance and complaint management system

An effective grievance and complaint management system reinforces to team members, families, children and the community that complaints and grievances are taken seriously and managed promptly, fairly and thoroughly to ensure that ongoing improvement occurs.

The following principles are embedded as part of the grievance and complaints process:

- Reinforcing that all concerns and complaints (both verbal and written) made by families, members of the community, visitors and children will be taken seriously and acted upon.
- Grievance and complaints will be managed openly and transparently.
- Open and timely communication will be maintained throughout the process.
- Complaints will be documented, and all actionable outcomes recorded.
- Confidentiality and privacy must be maintained at all times throughout the process.
- Acting in good faith, fairly and in a calm and courteous manner.
- Respect and understanding of each other's point of view and valuing difference are core values.
- Balance the rights and responsibilities of all parties
- Respecting the right for all person(s) to raise a complaint or grievance.



- Complaints or grievances can be raised by a team member, family, visitor, child, contractor or member of the community. Complaints that meet the threshold for reporting, by any of these parties, will be reported.
- Complaints will be recorded on Be Safe.
- Complaints and issues are managed respectfully. The use of abusive language or any physical violence will not be tolerated and any person displaying this type of behaviour will be ejected from the centre and where required the police will be called.

The outcome of the process will conclude, when:

- A mutually agreeable outcome is reached.
- Clarity or understanding is provided; and
- Actions are implemented to change and/ or improve the situation.

### **3.2 Family, Visitors or a Member of the Community Grievance or Complaint**

We foster a proactive approach to managing complaints and grievances that focuses on a shared expectation of outcomes and resolving these matters in a timely way. We welcome feedback.

Complaint contact information is displayed in the main entrance of the centre on the Information for display in main entrance document. This includes the contact at the centre as well as the direct information for the state-based Regulatory Authority. Additionally, families also have access to Resonate the on-line feedback system. Information about how to access this system is provided as part of the enrolment process and is documented in the parent information pack.

All feedback is taken seriously and escalated to the team member who can support the concern raised. Where a concern is not resolved, this will be escalated to the direct -line manager.

Formal complaints can be written or verbal. Where it is unclear whether the person is raising a complaint or grievance, clarification will be sought by asking the person. Clarification must be sought as soon as practicable. Reportable complaints will be lodged to the Regulatory Authority or other agencies by our Compliance Team within 24 hours.

Where it is ascertained that the issue is a grievance, the concern will be managed as per a complaint process however it will not be reported, except in the instance of a child harm incident. Any incident that is reported that is classified at a moderate level or above will be notified. Failure to manage a grievance in a timely manner may then result in it becoming a complaint.

### **3.3 Valuing Children's Voice and Opinions**

Children have the right to have their opinions heard and to be involved in decision-making. Where children are non-verbal, issues may be communicated via the child's family or another adult. Educators will support all children to be considered in decisions made on their behalf. We also recognise that responding to children's individual needs is the most basic form of valuing their voice and opinions.

Concerns relating to children may come to light via a variety of means including verbal, non-verbal, behavioural considerations or changes or through close observation and responsiveness to children. Where possible and appropriate, children will be consulted in decision-making around the strategies and solutions used for resolving grievances and complaints.

Any concerns raised by a child (or on their behalf by their family or another adult) will be taken seriously and managed as per this policy.

Teams will support children to understand that they are able to talk about their concerns openly, in a way that supports them to feel safe and to have their views heard.

### **3.4 Managing A Complaint**



Complaints will be dealt with immediately (where possible), in a timely manner, by the child's educator (where appropriate) as this is usually the person with the closest relationship with the family. Complaints management will be child-focussed, so that the children's needs and interests are at the centre of the resolution process. The **Grievance and Complaint Process** will be followed.

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 complainant will be directed to the appropriate person for their complaint to be resolved.

The complaints process will be explained to the complainant. Where information needs to be shared with another person or third party to meet reporting requirements or support resolution of the incident, this will be discussed as part of the process. Explanation of who the information is forwarded to and what is being forwarded will be part of the process. To understand what is reportable to the Regulatory Authority refer to

### **3.5 What is a Reportable Complaint.**

The complaint will be documented on BeSafe and any legal requirements in relation to the complaint considered, such as notifying the Regulatory Authority. This will include that:

- All complaints related to physical and sexual abuse of a child being reported to the Regulatory Authority by the Compliance Team
- Child Abuse allegations where children are risk of significant harm being reported to Child Protection and / or the Police.
- Complaints which are substantiated and meet the definition of the Reportable Conduct Scheme will be reported by the Compliance Team.
- The complainant will be asked to provide information regarding how the situation could be rectified to their satisfaction.
- If possible, the problem will be resolved immediately. If this is not possible, the complainant will be advised that the issue will be dealt with as soon as possible in a timely manner.
- If the issues are complex the complainant may be asked to put their concerns in writing to support understanding of the issues.
- Where mediation is required, all parties will have the right to agree to the appointment of the mediator.

### **3.6 Reportable Complaints**

Some complaints are reportable (See What Is a Reportable Complaint), these include:

- Alleging that the safety, health, or wellbeing of a child (or children) has been compromised.
- Alleging that the National Law has been contravened.
- Alleging a serious incident has occurred or is occurring at the service while a child is being, or was being, educated and cared for by the service.

It is also a requirement that the complaints procedure is implemented where harmful sexual behaviours are exhibited by a child. A child's harmful sexual behaviour is described as calculated, developmentally inappropriate, targeted and repeated sexualised play, that occurs regularly, over a period of time. In this instance harmful refers to harm to themselves and / or others.

1. Where these complaints occur, a Child Support Plan will be developed in collaboration with the family that includes supervision and planning strategies.
2. The centre will meet with the family and provide updates and advise on other resources including intervention.
3. Where the plan fails to address or reduce the incidents then the Child Support Plan Escalation Process will be followed.

### **3.7 Direct Complaints**

Families can make a complaint directly to the Regulatory Authority where the complaint alleges 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
- The relevant legislation has been contravened.

### **3.8 Follow Up and Review**

- Each complaint will be viewed as an opportunity for improvement.
- After the complaint or grievance has been dealt with, we will analyse the complaint to determine if any policy or procedural changes need to be implemented.
- We 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 were satisfied with the way the issue was resolved, and educators will be consulted about the outcome from an operational viewpoint.

## **4.0 Responsibilities:**

### **4.1 The Approved Provider will:**

1. Notify the Regulatory Authority of a reportable complaint within 24 hours. All notifications to the Regulatory Authority are the responsibility of our Compliance Team.
2. Make enquiries or investigate complaints and ensure that these are resolved, and actions implemented.
3. Advise parents/guardians and new employees of the complaints and grievances policy and procedures upon enrolment.
4. Ensure that there are systems and processes in place to ensure that Grievance and Complaints are managed in a timely manner.
5. Manage and respond to all media enquiries.
6. Manage all complaints which are classified as critical by enacting a Critical Incident Team of relevant persons, which will assign roles and responsibilities.
7. Ensure that information about complaint trends are provided to the business and centres so continuous improvement can be embedded.
8. Maintain a register of all complaints reported including those related to child harm.

### **4.2 The Centre Manager / Nominated Supervisor will:**

1. Ensure that all team members understand their role in managing any complaint and grievance, including whom to report these issues to, at the centre. This will include that where a complaint is reportable and compliance requests further information this is provided within four hours of the request.

2. Ensure that this policy is available at the centre and a copy is provided to a parent or guardian upon request.
3. Ensure that the name and telephone number of the person to whom complaints and grievances may be addressed are displayed prominently at the main entrance of the centre on the Information for display in the main entrance document.
4. Ensure that the Grievance and Complaints Process is available at the centre and used to support the management of complaints and grievances.
5. Ensure that the What is a Reportable Complaint and Notifications Table are used to support decision making about reporting a complaint.
6. Ensure that if a complaint remains unresolved or whether the party is dissatisfied, that this issue is escalated to the next line manager for resolution without delay.
7. All documents related to complaints and grievances remain confidential and are kept confidential.
8. As soon as a complaint or grievance is received that contact is made with the person and an outline of the issue is gained and desired outcomes understood. As part of this process how and when communication will be undertaken will be discussed.
9. Ensure all team members record complaints on Be Safe.
10. Ensure that there is a system to regularly check Resonate and respond to any feedback.
11. When a complaint is raised about a team members conduct with a child that the Child Harm Classification Table and Child Harm Management Process will be implemented.
12. Ensure that where a person raises a complaint or concerned that time is made to discuss that issue and that these conversations are undertaken in a confidential space.
13. Ensure that complaints are reviewed to assess themes so that improvements can be made, and outcomes improved.

#### **4.3 Team members will:**

1. Ensure that open, transparent and on-going communication occurs regularly that includes information about their child's day, changes to programming and incidents and illnesses.
2. Ensure that grievances and complaints are dealt with in accordance with this policy and the Grievance and Complaints Procedure.
3. Report any grievances and complaints to the Centre Manager) or Responsible Person(RP) as soon as possible.
4. Take all feedback seriously and report these to your Lead Educator.
5. Ensure that complaints are recorded on Be Safe.
6. Support the NS or RP with ideas, suggestions, and information to support the management of complaints and grievances.
7. Ensure that children are involved in any decisions that affect them, so their needs, thoughts and ideas are included in the weekly indoor and outdoor plan.
8. Ensure that all children's concerns and complaints are taken seriously and acted upon. Children's complaints related to breach of the National Law, will be managed in a timely manner and their families will be involved in resolution processes.
9. Respond to children's verbal and non-verbal cues so that programming meets their individual needs.
10. Continue to embed strategies so that children are engaged in discussions about decisions that affect them and how their ideas and suggestions impact planning outcomes.
11. Where concerns or issues have been raised about a child's specific behaviour ensure that a Child Support Plan is in place, if applicable.

#### **4.4 Families and Community will:**

1. Raise any concerns immediately to ensure that these can be addressed.
2. Communicate any concerns relating to the management or operation of our centre as soon as it is practicable
3. Raise any unresolved issues or serious concerns directly with the Approved Provider, via the Nominated Supervisor
4. Maintain complete confidentiality at all times
5. Co-operate with requests to provide relevant information when requested in relation to complaints and grievances.

## 5.0 Definitions

**Complaint** is an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

**A Grievance** can be described as a feeling of resentment or injustice at having been unfairly treated.

## 6.0 State Specific Requirements

National	Australian Capital Territory	New South Wales
ACECQA Phone: 1300 422 327.	Children’s Education and Care Assurance, Early Childhood Policy and Regulation, Education Directorate. <b>Email:</b> <a href="mailto:ceca@act.gov.au">ceca@act.gov.au</a> <b>Phone:</b> (02) 6207 1114	Early Childhood Education, NSW Department of Education <b>Email:</b> <a href="mailto:ececd@det.nsw.edu.au">ececd@det.nsw.edu.au</a> <b>Phone:</b> 1800 619 113 (toll free)
Queensland	South Australia	Victoria
Regulation, Assessment and Service Quality, Early Childhood and Community Engagement, Dept. of Education and Training <b>Email:</b> <a href="mailto:ecec@qed.qld.gov.au">ecec@qed.qld.gov.au</a> <b>Phone:</b> Early Childhood information service: 13 QGOV (13 7468)	Education Standards Board. <b>Email:</b> <a href="mailto:ESB.EarlyChildhoodServices@sa.gov.au">ESB.EarlyChildhoodServices@sa.gov.au</a> <b>Phone:</b> 1800 882 413 (toll free)	Department of Education and Training. <b>Email:</b> <a href="mailto:licensed.childrens.services@education.vic.gov.au">licensed.childrens.services@education.vic.gov.au</a> <b>Phone:</b> 1300 307 415

## 7.0 Tools and Resources

<b>The most important documents I need are:</b> Procedure and Process doc What is a Reportable Complaint Complaint and Grievance Process Be Safe Team Member Grievance Policy	<b>Other supporting documents will include:</b> Child Support Plan Child Support Plan Escalation Process Child Harm Classification Table Notifications Table Information for Display in the Main Entrance
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## 8.0 Links to the National Law and Regulations

Section 165 Offence to in adequately supervise children.

Section 167 Offence relating to protection children form harm and hazards. Section

174 Offence to fail to notify certain information to the Regulatory Authority .

Regulation 174 – 176 Notifying certain information to the Regulatory Authority

Regulation 168 Education and care services must have policies and procedures.



## 9.0 References

Education and Care Services National Law Act 2010  
Education and Care Services National Regulations 2018  
Guide to the National Quality Framework 2018

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