

	Complaints or Grievances Policy and Procedures
Version No.	Created November 2018
Authorisation	General Manager
Expiry Date	Policy to be reviewed Annually
Responsible Officer	Manager Evolve Early Learning & Kindergarten
Policy Owner	Evolve Early Learning & Kindergarten

Policy

Evolve Early Learning & Kindergarten is committed to:

- Providing an environment of mutual respect and open communication, where the expression of opinions is encouraged
- Complying with all legislative and statutory requirements
- Dealing with disputes, Complaints/Grievances and complainants with fairness and equity
- Establishing mechanisms to promote prompt, efficient and satisfactory resolution of Complaints and Grievances
- Maintaining confidentiality at all times.

Purpose

Evolve Early Learning & Kindergarten is committed to:

- Supporting the rights of parents/guardian who lodge Complaints and Grievances receiving and dealing with Complaints and Grievances that occur at Evolve Early Learning & Kindergarten
- Following procedures when investigating Complaints and Grievances.
- This policy does not address Complaints or Grievances relating to staff or employment matters. The relevant awards provide information on the management of such issues.
- This policy has been adapted from *Policy Works Manual - National Quality Framework* released by the Early Learning Association Australia.

Scope

This policy applies to Evolve Early Learning & Kindergarten who is responsible for the direct education and care of children including offsite excursions and activities.

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, Primary Nominee, Nominees, Educators, other staff, Students on placement and Volunteers, Parents/guardians, Children and others attending Evolve Early Learning & Kindergarten's programs and activities.

National Quality Standards (NQS)

Quality Area 6: Collaborative Partnerships

6.1 Supportive relationships with families – Respectful relationships with families are developed and maintained and families are supported in their parenting role.

6.1.2 Parent views are respected – The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.

6.2 Collaborative Partnerships – Collaborative partnerships enhance children's inclusion, learning and wellbeing.

Background

- Complaints or Grievances may be received from anyone who comes in contact with Evolve Early Learning & Kindergarten including parents/guardians, volunteers, students, members of the local community and other agencies.
- In most cases, dealing with Complaints and Grievances will be the responsibility of the Approved Provider (Manager). All Complaints and Grievances, when lodged, need to be initially assessed to determine whether they are a General Complaint or a Notifiable Complaint (refer to *Definitions*).
- When a Complaint or Grievance has been assessed as 'notifiable', the Approved Provider (Manager) must notify the Department of Education & Training (DET) of the Complaint or Grievance. The Approved Provider (Manager) will investigate the Complaint or Grievance and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by the DET.
- There may be occasions when the complainant reports the Complaint or Grievance directly to the DET. If the DET then notifies the Approved Provider (Manager) about a Complaint or Grievance they have received, the Approved Provider (Manager) will still have responsibility for investigating and dealing with the Complaint or Grievance as outlined in this policy, in addition to cooperating with any investigation by the DET.
- The DET will investigate all Complaints and Grievances it receives about a service, where it is alleged that the health, safety or wellbeing of any child within the service may have been compromised, or that there may have been a contravention of the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*.

Education and Care National Regulations

- Education and care services must have policies and procedures (National Regulations 168)
- Prescribed information to be displayed (National Regulations 173)
- Time to notify certain information to Regulatory Authority 176)

Responsibility/Accountability

The Approved Provider, according to Regulations is responsible for the implementation of this policy. This will be achieved through the Centre Manager and the staff:

- Identifying, preventing and addressing potential concerns before they become formal Complaints/Grievances
- That the name and telephone number of the Responsible Person/Primary Nominee (refer to *Staffing Policy*) to whom Complaints and Grievances may be addressed are displayed prominently at the main entrance of the service (National Regulations 173)
- That the address and telephone number of the Authorised Officer at the DET Regional Office are displayed prominently at the main entrance of the service (National Regulations 173)
- Advising parents/guardians and any other new members of Evolve Early Learning & Kindergarten of the *Complaints and Grievances Policy* and procedures upon enrolment
- That this policy is available for inspection at the service at all times (National Regulations 171)
- Being aware of, and committed to, the principles of open communication and information sharing
- Responding to all Complaints and Grievances in the most appropriate manner and at the earliest opportunity
- Treating all complainants fairly and equitably
- Complying with the service's *Privacy and Confidentiality Policy* and maintaining confidentiality at all times (National Regulations 181 and 183).

Certified Supervisors, Nominees and Other Educators are Responsible for:

- Responding to matters of concern to families within 24 hours of them arising where practicable
- Maintaining professionalism and integrity at all times
- Discussing minor Complaints or Grievances directly with the party involved as a first step towards resolution (the parties are encouraged to discuss the matter professionally and work openly together to achieve a desired outcome)
- Informing complainants of the service's *Complaints and Grievances Policy*
- Notifying the program coordinator if the Complaint escalates and becomes a Grievance (refer to *Definitions*)
- Notifying the Approved Provider if the Complaint or Grievance cannot be resolved by the centre manager
- Complying with the service's *Privacy and Confidentiality Policy* and maintaining confidentiality at all times (National Regulations 181 and 183)
- Working cooperatively with the DET in any investigations related to Grievances about, Evolve Early Learning & Kindergarten it's programs or staff.

Parents/Guardians are Responsible for:

- Raising a Complaint or Grievance directly with the person involved, in an attempt to resolve the matter
- Communicating (preferably in writing) any concerns relating to the management or operation of the service as soon as is practicable
- Raising any unresolved issues or serious concerns directly with Evolve Early Learning & Kindergarten, via the Nominated Supervisor/Primary Nominee, educator
- Maintaining complete confidentiality at all times.

- Volunteers and students, while at the service, are responsible for following this policy and its procedures.

Definitions

The terms defined in this section relate specifically to this policy and related procedures. For commonly used terms e.g. Approved Provider, Regulatory Authority etc. refer to the *Glossary of Terms*.

Word/Term	Definition
Complaint	(In relation to this policy) a Complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours, and does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written Complaint directly related to the service (including general and Notifiable Complaints). Complaints do not include staff, industrial or employment matters, occupational health and safety matters (unless related to the safety of the children) and issues related to the legal business entity.
General Complaint	A General Complaint may address any aspect of the service e.g. a lost clothing item or the service's fees. Services do not have to inform DET, but the Complaint must be dealt with as soon as is practicable to avoid escalation of the issue.
Grievance	A Grievance is a formal statement of Complaint that cannot be addressed immediately and involves matters of a more serious nature e.g. the service is in breach of a policy or the service did not meet the care expectations of a family.
Notifiable Complaint	A Complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any Complaint of this nature must be reported by the Approved Provider (Manager) and to the DET within 24 hours of the Complaint being made (Section 174(2)(b), Regulation 176(2)(b), National Regulations). If the Approved Provider (Manager) is unsure whether the matter is a Notifiable Complaint, it is good practice to contact DET for confirmation. Written reports to DET must include: 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) any other relevant information.

COMPLAINT OR GRIEVANCE PROCEDURES

Purpose

- This procedure will provide measures to be taken when investigating Complaints and Grievances at Evolve Early Learning & Kindergarten
- This procedure does not address Complaints or Grievances relating to staff or employment matters. The relevant awards provide information on the management of such issues.

Procedure

The following procedures will be followed in the event of a Complaint or Grievance:

If a parent/guardian has a Complaint or Grievance:

- All parties to a conflict will be treated equally and information kept confidential. All future involvement with the parties to the Complaint or Grievance will be non-prejudicial.
- The complainant should raise the Complaint or Grievance with the person involved, which may provide an opportunity for the Complaint or Grievance to be resolved immediately.
- If the situation is unable to be resolved with the person involved, the complainant should contact the service and raise the matter with the Centre Manager.
- Matters of concern to the complainant will begin investigated
- The Centre Manager, educator or other member of staff will organise a time for a confidential conversation away from children, other parents and staff that aren't involved.
- Parties involved in the conflict should attempt to resolve the situation using open communication.
- The Approved Provider should be advised of the matter and its outcome in the event that their future participation may be required.
- If the Complaint or Grievance is not handled to the complainant or educator/staff's satisfaction, the Approved Provider must be advised.
- The Approved Provider will then discuss the issue with the educator/staff and develop a strategy for resolving the situation.
- The Approved Provider will also discuss the matter further with the complainant. If requested, the Approved Provider will act as a facilitator for discussion. In this situation, both parties will be encouraged to meet and discuss the problem or issue, seeking a satisfactory resolution.
- The Approved Provider must notify the Department of Education & Training (DET) within 24 hours of any Complaints or Grievances related to the health, safety and wellbeing of children.
- Should the complainant wish to, they can make their concerns known to the Department of Education and Training (DET).
- The Complaint or Grievance will be documented and dated indicating the issue of concern and how it was resolved. Feedback will be provided to the parties involved either verbally or in writing.
- Where the Complaint or Grievance is made anonymously

The Centre Manager will determine whether an anonymous Complaint or Grievance will be investigated dependent upon:

- The seriousness of the Complaint or Grievance, provided there is sufficient information in the Complaint or Grievance to enable an investigation to be conducted
- Whether there is a statutory requirement for identification of the complainant.

References, Sources, Links to Legislation and Other Documents

Please refer to Reference and Sources page.

Related service policies:

Code of Conduct Policy

Inclusion and Equity Policy

Interactions with Children Policy

Privacy and Confidentiality Policy

Staffing Policy.