

POLICY B5

GRIEVANCES AND COMPLAINTS MANAGEMENT

Rationale and Policy Considerations

The Education and Care service is required to have a documented procedure for dealing with grievance 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 2010 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

The services' 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

- Education and Care Services National Law Act 2010 (SA)
- Education and Care Services National Regulations
- Privacy Act (1988) Commonwealth

Children's needs

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' needs

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 experiences at the education and care service; to be kept informed about any issues or incidents that affect their child within the service.

Educator/Staff needs

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

Management needs

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

National Quality Framework

Education and Care Service National Law Act 2010 (SA) Section 3(3)(a)&(e), 174(2)(b)&(4)
Education and Care Services National Regulations 75; 76; 80; 88(2); 93(5)(b); 94(2); 99; 157
National Quality Standard for Early Childhood Education and Care and School Age (Nov 2010) Element 1.1.4; Standard 6.1, Standard 6.2. Element 7.3.4

Early Years Learning Framework for Australia

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.

Strategies for Policy implementation:

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 or director, or other person identified within the service as grievance officer.
- 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.
- In order to assist families that wish to contact the regulatory authority the name address and phone number of the regulatory authority is included in the Family Handbook and readily available for reference.

- A current copy of the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations are available in the centre for all to read at any time.

Educator and service responsibilities

- Ensure educators communicate openly with families about the children and aim to work closely with the parents for the benefit of each child.
- Encourage parents or guardians who feel they have a grievance, or who are unhappy or uncomfortable with any aspect of their child's care, to discuss their concerns in the first instance with the educator who is caring for their child. If this is not possible or appropriate, or if after discussing the matter with those educators the matter is still unresolved, the parent should then raise the matter with the Leader Educator and/or Centre Director.
- Inform Parents and guardians that they are also able to contact the Grievance Officer if their grievance is unable to be resolved using the above channels or if they feel more comfortable discussing the matter with the grievance officer at first instance to assist with a resolution of the matter.
- Inform parents and guardians the centre Grievance Officer can be contacted by telephone or email. Their details are available from the Administration Staff.
- Ensure the Grievance Officer is aware it is their responsibility to acknowledge each grievance that it receives, in writing, and to review and follow up each grievance or complaint to ensure that it has been resolved appropriately.
- Ensure the Grievance Officer is aware that they must keep the Management Committee informed of all grievances raised by parents or guardians, the suggested resolution of such grievances and any future strategies for managing similar matters.
- Ensure the Management Committee registers all grievances or complaints as Correspondence Received at the Management Committee held immediately after correspondence is received.
- Ensure the Management Committee analyses the nature of such grievances, the appropriateness of the resolution of those grievances and the outcomes of the grievance management procedures.
- Inform parents that any highly confidential issue or serious grievance will be dealt with only by the Executive of the Management Committee.

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 of 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.

Links to other policies

- 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

Sourced from:

PSCA Policies in practice

DEEWR Child Care Services Handbook 2011-2012

Section 5.5 – Key obligations imposed on approved child care services under family assistance law

Section 6.5 – What are my service responsibilities to parents?

Accessed 30.01.13

<http://www.deewr.gov.au>

Early Childhood Australia (ECA). (2005) The Code of Ethics accessed 30.01.13 from

http://www.earlychildhoodaustralia.org.au/pdf/code_of_ethics/code_of_ethics_%20brochure_screenweb_2010.pdf

<http://acecqa.gov.au/national-quality-framework/legislation> accessed 18.09.12

[http://www.legislation.sa.gov.au/LZ/C/A/EDUCATION%20AND%20EARLY%20CHILDHOOD%20SERVICES%20\(REGISTRATION%20AND%20STANDARDS\)%20ACT%202011.aspx](http://www.legislation.sa.gov.au/LZ/C/A/EDUCATION%20AND%20EARLY%20CHILDHOOD%20SERVICES%20(REGISTRATION%20AND%20STANDARDS)%20ACT%202011.aspx) accessed 18.09.12

UNICEF (n.d) Fact sheet: A summary of the rights under the Convention on the Rights of the Child. accessed 24.10.12

http://www.unicef.org/crc/files/Rights_overview.pdf

Privacy Law accessed 24.10.12

<http://www.privacy.gov.au/law>