

Dealing with Complaints Policy

To report a concern about an education and care service:

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Feedback from families, educators, staff and the wider community is fundamental in creating an evolving early childhood education and care service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details REED's procedures for receiving and managing informal and formal complaints. Parents, educators, visitors, students and members of the community can lodge a grievance or complaint, with the understanding that it will be managed conscientiously and confidentially.

National Quality Standard (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.

Quality Area 7: Governance and Leadership		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

Legislative Requirements / Education and Care Services National Regulations

Education and Care Services National Law (WA) Act 2012	
Sec. 172	Offence to fail to display prescribed information
Sec.174	Offence to fail to notify certain information to Regulatory Authority
168(2)(o)	Education and care services must have policies and procedures for dealing with complaints
170	Policies and procedures to be followed
171	Policies and procedures
172	Notification of change to policies and procedures
173(2)(b)	Requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service
176	Time to notify certain information to Regulatory Authority

RELATED LEGISLATION

Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G https://www.dese.gov.au/resources-child-careproviders/resources/child-care-provider-handbook

RELATED POLICIES

CCS Accounts Policy CCS Governance Policy Child Protection Policy Code of Conduct Policy Dealing with Complaints Policy (Staff)	Enrolment Policy Payment of Fees Policy Privacy and Confidentiality Policy Record Keeping and Retention Policy Student and Volunteer Workers Policy
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PURPOSE

The *Education and Care Services National Regulations* requires approved providers to ensure their services have policies and procedures in place for dealing with complaints (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

We will ensure that all people making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- ECA Code of Ethics
- REED Employee Code of Conduct
- Child Safe Code of Conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our Service philosophy

SCOPE

This policy applies to children, families, staff, management and visitors of REED Services.

IMPLEMENTATION

Children's safety, health and wellbeing is our priority. In line with regulatory requirements, REED will notify the regulatory authority of any complaints alleging the occurrence of a serious incident or complaints.

REED believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence.

DEFINITIONS

Complaint: 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. [AS/NZS 10002:2014 Complaint Management Standard]

Complaints and Grievances Management Register: Records information about complaints and grievances received at the Service, along with the outcomes. These documents must be securely stored, accessible only to management and the Regulatory Authority. They can provide valuable

information to the Approved Provider and Nominated Supervisor of the Service to ensure children and family's needs are being met.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. A *workplace grievance* is a complaint raised towards an employer by an employee due to a violation of legalities (workplace policies, employment contract, national standards).

Mediator: A person who attempts to assist and support people involved in a conflict come to an agreement.

Mediation: An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

Notifiable complaints: A complaint that alleges a breach of the *Education and Care Services National Law and Regulations*, National Quality Standard 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 or Nominated Supervisor to the Regulatory Authority within 24 hours of the complaint being made – (Section 174[2] [b], Regulation 176[2][b]).

PRIVACY AND CONFIDENTIALITY

All employees will adhere to our *Privacy and Confidentiality Policy* when dealing with complaints and grievances. In the event of a complaint regarding child abuse or child sexual abuse, please refer to the Mandatory Reporting and Child Protection Policies.

CONFLICT OF INTEREST

It is important for the complainant to feel confident in:

- being heard fairly
- an unbiased decision-making process

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator.

REED 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 REED's Employee *Code of Conduct* is adhered to.

REED Management will:

- Provide effective complaint management

Nominated Supervisor will:

- ensure the name and telephone number of the person to whom complaints can be made is clearly visible at each REED service
- promote and direct families to the REED website feedback form
- ensure information about our *Dealing with Complaints Policy* is easily accessible to all families
- treat all grievances and complaints seriously and as a priority
- ensure grievances and complaints remain confidential
- discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint
- investigate and document the grievance or complaint fairly and impartially.
- advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
- keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy and Confidentiality Policy* and *Record Keeping and Retention Policy*
- track complaints to identify recurring issues within the Service
- ensure EAP support is available
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child

Educators will:

- listen to the family's view of what has happened
- clarify and confirm the grievance or complaint, documenting all the facts prior to the investigation
- encourage and support the family to seek a balanced understanding of the issue
- discuss possible resolutions available to the family. These would include external support options.
- encourage and assist the family to determine a preferred way of solving the issue
- record the meeting, confirming the details with the family at the end of the meeting
- maintain confidentiality at all times
- refer families (as necessary) to Service policies that may assist in resolving the grievance or complaint.

Families will:

- be informed of our duty of care to ensure that everyone is provided with a high level of equity and fairness in relation to the management of complaints. The complaints procedure for families ensures a fair opportunity for all stakeholders to be heard and promotes effective conflict resolution within our Services.
- attempt to discuss their complaints with the relevant educator associated with a particular child and/or family as the first step to resolving the issue
- communicate any concerns they may have in writing to feedback@reedwa.org.au
- raise any unresolved concerns with REED Management or the Nominated Supervisor
- maintain confidentiality at all times.

COMPLAINTS RELATING TO THE ADMINISTRATION OF CHILD CARE SUBSIDY

Families who wish to raise concerns regarding the management of Child Care Subsidy should speak with REED Administration in the first instance.

Families can raise concerns regarding management of the Child Care Subsidy to the dedicated Child Care Tip-Off Line either via phone or email:

Phone: 1800 664 231

Email: tipoffline@dese.gov.au

EVALUATION

To ensure complaints and grievances are handled appropriately, REED management will:

- evaluate each individual complaint and grievance as recorded in the *Complaints and Grievance Management Register* to assess that a satisfactory resolution that has been achieved
- review complaints and grievances as recorded in the *Complaints and Grievance Management Register* to ensure a pattern of similar grievances is not occurring
- review the effectiveness of REED policies and procedures to ensure all complaints and grievances have been handled fairly and professionally
- consider feedback from staff, educators and families regarding the policy and procedure.

CONTINUOUS IMPROVEMENT

Complaints provide us with opportunities for learning and improvement. We encourage regular and ongoing feedback from staff, children and families and the community. REED is committed to resolving complaints through prompt investigation, open communication, and transparent processes.

Sources

Australian Children's Education & Care Quality Authority. (2014). ACECQA-Using Complaints to support continuous improvement. (2018).
<https://www.acecqa.gov.au/sites/default/files/2018->
 Australian Government Department of Education, Skills and Employment. *Child Care Provider Handbook (2018)*
<https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook>
 Australian Human Rights Commission: <https://www.humanrights.gov.au>
 Commonwealth Ombudsman. (2009). Better practice guide to complaint handling <https://www.ombudsman.gov.au/publications/better-practice-guides>
 Education and Care Services National Law Act 2010. (Amended 2018).
[Education and Care Services National Regulations](#). (2011).
 Fair Work Australia: <https://www.fairwork.gov.au/> National Quality Standard. (2017).
 Queensland Government- Guide for effective complaints management
<https://earlychildhood.qld.gov.au/legislationAndGuidelines/Documents/effective-complaints-managementguide.pdf>
 Revised National Quality Standard. (2018).

Review

Policy Reviewed	Modifications	Next Review Date
October 2024	Addition of relevant regulations from the National Regulations. Deletion of information relating to Child Protection and Mandatory Reporting – referenced policies. Deletion of procedural information. Formatting.	October 2025
October 2023	Addition of Notifiable Conduct Scheme requirements	October 2024
September 2022	Update ECRU contact details	September 2023
September 2021	Policy name changed to meet ACECQA guidelines- <i>Dealing with Complaints Policy (Families)</i> , additional related legislation added, definition of 'complaint' amended to align with ACECQA's definition guidelines, notification requirement for physical or sexual abuse added, sources updated	September 2022
February 2020	Policy developed by REED management	February 2021