

DEALING WITH FAMILY GRIEVANCES & COMPLAINTS POLICY



Policy Statement

This Policy has been developed to support Little Adventures Early Learning's (LAEL) commitment to fostering positive relationships with all persons related to the Service.

The formation of partnerships with each child's family is pivotal in providing quality care and enhancing the learning experience. These partnerships are characterised by ensuring open and constant communication that is sensitive and respectful to cultural and other differences.

LAEL takes all complaints seriously. This Policy aims to provide a consistent, fair, transparent, timely and systematic approach to effectively handling family grievances and complaints promptly and, where possible, resolving them as soon as possible.

This Policy has been designed to ensure the following is present at the Service at all times:

- Procedural fairness
- Adherence to the Code of Conduct and Early Childhood Australia Code of Ethics
- A culture free from discrimination and harassment
- Transparent policies and procedures
- Channels for further investigations
- Persons are provided with policies that:
 - Value the opportunity to be heard
 - Promote conflict resolution
 - Encourage the development of harmonious partnerships
 - Ensure conflicts and grievances are mediated fairly; and
 - Are transparent and equitable.

Strategies and Practices

- The *Dealing with Family Grievances and Complaints Policy* is available to all families upon enrolment and staff upon induction.
- **Definitions**
 - **Complaint** - A statement that something is unsatisfactory or unacceptable.
 - **Grievance** - A real or imagined cause for a complaint, especially unfair treatment.
 - **Notifiable Issue** - Any serious incident or complaint alleging that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the service or that the National Law has been contravened. These must be reported to the Regulatory Authority within 24 hours of the complaint being made.
- In instances where a family member may make a complaint or air a grievance, management and employees are required to uphold confidentiality at all times.
- Employees are not to involve other employees, parents or children in an individual concern, nor are they to involve other agencies without consultation with the Nominated Supervisor or the Responsible Person present at the Service. These actions are unethical and will not be tolerated.

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- All parties involved in a complaint are to show respect to one another and try to understand one another's point of view, without judgement and blame.
- If a complaint relates to a child protection matter, management and employees must follow the procedures outlined in the *Child Protection Policy* relating to the disclosure of abuse.
- The **Approved Provider** (in collaboration with the Nominated Supervisor) is responsible for:
 - Treating all grievances seriously and with priority.
 - Ensuring grievances remain confidential and reflect procedural fairness and natural justice.
 - Ensuring the Regulatory Authority is notified within 24 hours for those complaints and grievances that have been assessed as 'notifiable'.
 - Ensuring the name and telephone number of the Regulatory Authority is displayed prominently in the main entrance of the Service.
 - Ensuring the name and telephone number of the person at the service to whom complaints may be addressed is displayed prominently in the main entrance of the Service.
 - Investigating and dealing with complaints and grievances, even when the complainant reports directly to the Regulatory Authority.
 - Cooperating with any investigations carried out by the Regulatory Authority.
 - Ensuring all parents/guardians and employees are advised of this policy.
 - Ensuring the policy is available for inspection at all times.
- The **Nominated Supervisor** is responsible for:
 - Treating all grievances seriously and with priority.
 - Ensuring grievances remain confidential and reflect procedural fairness and natural justice.
 - Responding to and resolving issues as they arise where practicable.
 - Modelling a respectful and problem-solving approach to any grievances or complaints and ensuring this is promoted across the Service.
 - Discussing all minor complaints directly with the persons involved as the first step in achieving a resolution.
 - Informing complainants of this policy.
 - Ensuring all complaints and grievances are recorded.
 - Notifying the Approved Provider of any instances that have escalated or are unable to be appropriately resolved in a timely manner.
 - Providing all relevant information to the Approved Provider on request in regard to the matter.
 - Assisting the Approved Provider in the investigations relating to a complaint.
 - Providing written notification to the involved parties, outlining the reasons, should the Service decide not to proceed with an investigation following the completion of initial enquiries.
 - Keeping accurate and timely records of all investigations and outcomes by recording all details and providing supporting file notes/documentary evidence if and when required.

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- **Educators** are responsible for:
 - Ensuring they do not become involved in a complaint or grievance that does not involve them.
 - Ensuring they do not raise complaints with external bodies without first exhausting the Services' grievance policies.
 - Ensuring all complaints and grievances are recorded.
 - Report any grievances or complaints they receive, directly to the Nominated Supervisor or the Responsible Person on the premises at the time.
 - Ensuring confidentiality and professionalism is maintained at all times.
- **Families** are responsible for:
 - Raising the complaint with an educator from their child's room in the first instance in an attempt to resolve the matter.
 - Communicating verbally or in writing to the Nominated Supervisor/Responsible Person, any concerns relating to the management or operation of the service as soon as practicable. If the grievance is about the Nominated Supervisor, the complaint will need to be raised with the Assistant Director/Responsible Person or the Approved Provider.
 - Raising any unresolved issues with the Approved Provider.
 - Always maintaining confidentiality.
- **Making a Complaint**
 - The Service's processes for expressing complaints are included in the Family Handbook which is provided to all families upon the enrolment of their child or children.
 - Details of the Service's email address and telephone number, the email address of the Approved Provider, the contact details of the person at the service to whom complaints may be addressed, and the full contact details of the Regulatory Authority can be found in the Family Handbook as well as in the entrance to the Service.
- **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.
 - Relevant Legislation has been contravened.
- **Managing a Complaint**
 - Wherever possible, LAEL will endeavour to have the complaint dealt with immediately by the child's educator. If they feel they are unable to resolve the matter, it will be escalated to the Nominated Supervisor or Responsible Person.
 - In collaboration with the family, strategies will be implemented in order to resolve the grievance or complaint in a timely manner.
 - In circumstances where the Educator, Nominated Supervisor or Approved Provider feels they will have to share confidential information with another person to resolve the matter, or if the complaint is of a nature that requires a third party to be informed for legislative reasons, they will first notify the family.

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- In all instances, the complainant will be provided with the opportunity to put forward information regarding how they feel the situation could be resolved to their satisfaction. This information will be taken into account and carefully considered as a part of the resolution process.
- If the complaint/grievance cannot be resolved immediately, the complainant is to be advised that the matter is of a high priority and will be dealt with as soon as possible.

- **Conflict**

- If a conflict arises between the parties involved in making the complaint and the person whom the complaint has been made against, the Approved Provider will then call in an independent mediator. This will ensure both parties are heard in an unbiased manner. Both parties will be provided with the opportunity to bring along a support person to the mediation session(s).

- **Complaint Follow-Ups and Reviews**

Each complaint is seen as an opportunity for improvement. Therefore, following a complaint or grievance, LAEL will:

- Conduct a review of the complaint and determine whether policy or procedural changes need to be implemented; and
- Have the Nominated Supervisor, Responsible Person or Approved Provider contact those involved to ensure the complaint has been resolved adequately with educators consulted about the outcome from an operational viewpoint.

- **Confidentiality**

- While LAEL expects all employees to treat complaints confidentially, it is important to note that anonymity cannot be guaranteed.
- Put simply, LAEL owes obligations to all parties involved in a complaint, and this may include providing the alleged perpetrator with details which are necessary to enable them to provide an informed response or explanation.

References

- *Education and Care Services National Law*
- *Education and Care Services National Regulations*
- *Guide to the National Quality Framework*
- *Early Childhood Australia Code of Ethics*
- Australian Child Care Alliance NSW – <https://nsw.childcarealliance.org.au/members/policies-required-under-regulation-168>
- Dr Brenda Abbey (Childcare by Design)

Policy Review

The Service encourages staff and parents to be actively involved in the review of each of its policies and procedures. In addition, the Service will accommodate any new legislative changes as they occur and any issues identified as part of the Service's commitment to quality improvement. The Service consults with relevant recognised authorities, where necessary, as part of the review to ensure the policy contents are consistent with current research and contemporary views on best practice.