***Bexley Jack and Jill Preschool Inc.***

QUALITY AREA 7: LEADERSHIP AND SERVICE MANAGEMENT

**GRIEVANCE/COMPLAINTS POLICY**

**POLICY:** To encourage, wherever reasonable and practicable, the resolution of complaints at the local level, within the preschool.

**BACKGROUND:**

* People should be able to discuss or complain about anything they think is unfair, or which makes them unhappy with the service the preschool is providing.
* The preschool will benefit from feedback from staff and consumers, because problems can be identified and fixed, and the performance of the centre improved.
* This will be achieved by;
  + Maintaining the confidentiality of all parties in line with policy and legislative requirements.
  + Acknowledging that the common goal is to achieve an outcome acceptable to all parties
  + Active listening and good communication will help resolve many complaints.
  + Acting in good faith and in a calm and courteous manner.
  + Showing respect and understanding of each other’s point of view and value difference, rather than judge and blame.
  + Recognising that all parties have rights and responsibilities which must be balanced.
  + Complaints will be handled objectively and complainants will not suffer any reprisals from making a complaint.
* Our centre’s program may not suit the needs of all families and children. In some situations these families may benefit more, from attending a different service.

**RELEVANT LEGISLATION:**

* Education and Care Services National Regulations 2011
* Education and Care Services National Law Act 2010
* Privacy and Personal Information Protection Act 1998 (NSW)
* Privacy Act 1988
* Privacy Regulations 2006

**LINKS TO NATIONAL QUALITY STANDARD:**

* 7.3.4 Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

**KEY RESOURCES:**

* ACECQA [www.acecqa.gov.au](http://www.acecqa.gov.au)
* NSW Ombudsman (2004) Effective Complaint Handling. 2nd Edition 2010
* NSW Ombudsman (2009) Complaint Handling Kit
* Bryant, L. and Gibbs, L. A Directors Manual – Managing an early education and care service in NSW. Community Child Care Co-operative. 2014
* Community Child Care Cooperative – Sample Policy 2017

**PRACTICE:**

***Making a Complaint***

Written guidelines detailing complaint procedures are available in our services family handbook. This is also displayed in the foyer for easy reference.

* Families may make a complaint directly to the child’s educator, the Approved Provider or the Nominated Supervisor.
* Educators will discuss complaints procedures with children and encourage them to raise any issues they have.

***Responsiveness***

All complaints will be acknowledged and responded to as soon as practicable. Complaints will be dealt with in a timely manner and complainants will be kept informed about the progress of their complaint and anticipated timeframes. Allegations of suspected harm or risk of harm to a child or possible victims of crime, will be actioned immediately by urgent referral or reporting to the relevant agency.

***Managing a Complaint***

Where possible, complaints will be dealt with immediately, by the child’s educator as this is usually the person with the closest relationship with the family. 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.

Where an educator believes they will have to share a confidence with another person in order to resolve and issue, or of the nature of a complaint requires that a third party has to be informed in order to meet legislative requirements, they will inform the family of the need prior to any further discussions on the matter.

* The complaint will be documented and any legal requirements in relation to the complaint considered, such as the need to notify regulatory authorities
* 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 given high priority and dealt with as soon as possible.
* If the issues are complex the complainant will be asked to put their concerns in writing.
* Where mediation is required all parties will have the right to agree to the appointment of the mediator.

***Levels of Complaint Handling***

A tiered level of Complaints Handling will be organised.

* ***Informal 1***
  + This will be for simple straightforward complaints, usually verbal.
  + Consumers will be encouraged to approach any of the staff members, to try and resolve these complaints.
* ***Informal 2***
* These may be more complex matters which need to be referred to the Director.
* ***Formal***
  + When complaints cannot be resolved at the staffing level or are more serious, they may need to be referred to the Management Committee, where a group of Parent representatives can discuss the matter.

***Notifiable Complaint***

Complaints alleging that the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached must be reported by the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2) (b)). Written reports 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.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: [www.acecqa.gov.au](http://www.acecqa.gov.au)

***Direct Complaints***

Families can make a complaint directly to the Regulator 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.
* Contact details are available in the family hand book and displayed in the foyer of the service. In NSW the Regulator Authority is the NSW Directorate Locked Bag 5107, PARRAMATTA NSW 2124

***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.
* The Approved Provider 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.

**ROLES AND RESPONSIBILITIES:**

**The Approved Provider:**

* When a complaint or grievance has been assessed as ‘notifiable’, the Approved Provider must notify Regulatory Authority within 24 hours.
* In instances where the complainant reports directly to the Regulatory Authority, the Approved Provider will still have responsibility for investigating and dealing with the complaint or grievance as outlined in this policy, in addition to co-operating with any investigation by the Regulatory Authority.
* Identifying, preventing and addressing potential concerns before they become formal complaints/grievances.
* Ensuring 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 service.
* Ensuring that the address and telephone number of the Regulatory Authority displayed prominently at the main entrance of the service.
* Advising parents/guardians and any other new members of the preschool of the complaints and grievances policy and procedures upon enrolment.
* Ensuring that this policy is available for inspection at the service at all times.
* Providing a Complaints and Grievances Register.

**The Nominated Supervisor:**

* Responding to and resolving issues as they arise where practicable.
* Discussing minor complaints directly with the party involved as a first step towards resolution.
* Informing complainants of the service’s complaints and grievances policy recording all complaints and grievances in the complaints and grievances register
* Notifying the approved provider if the complaint escalates or is unable to be resolved appropriately in a timely manner.
* Providing information as requested by the approved provider e.g. written reports relating to the grievance.
* Complying with the service’s privacy and confidentiality policy and maintaining confidentiality at all times.
* Working co-operatively with the approved provider, in any investigations related to a complaint made.

**Early Childhood Educators/ Certified Supervisors:**

* Ensure that grievances and complaints are dealt with in accordance with this policy.
* Report any grievances and complaints to the Nominated Supervisor and maintain all relevant documentation.
* As requested, support the nominated Supervisor and Approved Provider in the above roles.

**Families:**

* Raising a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the complaints and grievances procedures.
* Communicating 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 the approved provider, via the nominated supervisor or staff.
* Maintaining complete confidentiality at all times.
* Co-operating with requests to provide relevant information when requested in relation to complaints and grievances.

**Policy reviewed October 2015, August 2017**

***Bexley Jack and Jill Preschool Inc.***

**COMPLAINT HANDLING PROCEDURES**

If you have any concerns or complaints this is the procedure that must be followed.

*Step 1.* Informal Level (Approach any Staff Member)

* If you have a comment or complaint about our service please talk to one of the staff members.
* If they are unable to help you or if you are dissatisfied with the outcome they will refer you to the Director.

*Step 2.* Informal Level (Director)

* Bring your concern to the Director.
* The Director will attempt to clarify the issue and to resolve the situation.
* If you are still dissatisfied with the outcome, the Director will ask you if you wish to make a Formal Complaint in writing.
* You will complete a Complaints Form and it will be referred to the Management Committee.

*Step 3.* Formal Level (Management Committee)

* The formalised complaint will be taken to the Management Committee for discussion.
* In most cases these are addressed within a 2-3 week period.
* You will be informed in writing of their decision or the outcome of the complaint.
* The majority of complaints that reach the Formal Level are usually resolved or reach an amicable agreement.
* In isolated cases, if a concern cannot be resolved to both parties satisfaction, the family may decide to withdraw their child from the centre.

***“If you tell us we will try and fix it”***

**Do you have a problem with our service?**

While we are striving to provide a quality service for your child, problems do happen.

If you are not happy with any part of our service, you have a right to complain to us.

We welcome any complaints or suggestions because it helps us provide a better service.

**How do I make a complaint?**

Talk to a staff member.

Often problems can be sorted out by talking to a member of staff at this service.

**What if the problem is not solved?**

If the problem is not solved, the next step is to speak to the Director.

**What if I am not happy with the Director’s decision?**

If you are not happy with the decision, Bexley Jack & Jill Preschool has a Management Committee which deals with problems which are harder to solve.

The complaint must be put in writing on a Grievance Form and addressed to the Management Committee.

**How long will it take to get an answer?**

The Management Committee will try to solve the problem as soon as possible, the longest it should take is 2 - 3 weeks.

**What if I am still not happy?**

If we have not been able to solve the problem contact:-

NSW Early Childhood Education and Care Directorate

Department of Education

**Postal Address** Locked Bag 5107 PARRAMATTA NSW 2124

**Website** [www.dec.nsw.gov.au/ecec](http://www.dec.nsw.gov.au/ecec)

**Phone** 1800 619 113 (toll free)  
**Fax** (02) 8633 1810

**Email** [ececd@det.nsw.edu.au](mailto:ececd@det.nsw.edu.au)

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| **Please talk to the staff.**  We encourage compliments and suggestions as well as complaints to help us to make our service better.  **Contact Details for Complaint Handling:**  **Anne Turner (Director)**  **Phone: 9587 5048** |  |



**BEXLEY JACK AND JILL PRESCHOOL INC.**

**Formal Grievance Form**

*Have you spoken to a member of the staff or the Director about your concern before placing it in writing?*

*Yes No*

To the Management Committee

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_the parent of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_wish to make a formal complaint regarding:

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_