



PENNANT HILLS WAR MEMORIAL CHILDREN'S CENTRE

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PENNANT HILLS WAR MEMORIAL CHILDREN'S CENTRE (PHWMCC) COMPLAINTS HANDLING POLICY & PROCEDURE

Introduction

Pennant Hills War Memorial Children's Centre affirms that people have a right to question and influence decisions made and the service provided. We take complaints seriously and manage them in a confidential, timely and transparent way. We achieve this 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.
- Acting in good faith, and in a calm and courteous manner.
- Showing respect and understanding of each other's points of view and value difference, rather than judge and blame.
- Recognising that all parties have rights and responsibilities which must be balanced.
- Handling complaints objectively and ensuring complainants do not suffer any reprisals from making a complaint.

Aim

The *Education and Care Services National Regulations (2011)* require Approved Providers to ensure their services have policies and procedures in place for dealing with complaints. Pennant Hills War Memorial Children's Centre endeavours to provide parents and staff with a procedure which ensures that complaints and grievances are dealt with promptly using consultation, co-operation and resolution. We value the feedback of children, educators, staff, families and the wider community as a mechanism to support the continuous improvement of our service. At the core of what we do, the best interests of the children inform decisions and will be a large part of how we manage complaints.

Procedure

Making a complaint

- Written guidelines detailing complaint procedures are available in our Parent and Family Information Handbook, on our website and Padlet
- If a complaint is made, the Complaints Record Form will be filled out and placed in the Complaints and Grievances Register
- Families may make a complaint directly to an educator, the Nominated Supervisor or the Approved Provider. Any complaints made to the Approved Provider are to be made to:

Pennant Hills War Memorial Children's Centre
Management Committee
3-7 Shields Lane
Pennant Hills 2120

or via email at

managementcommittee@phwmcc.org.au

- Educators will discuss complaints procedures with children and encourage them to raise any issues they have.

Responsiveness

Receipt of a complaint will be acknowledged within 72 hours. Complaints will be dealt with in a timely manner and complainants will be kept informed about the progress of their complaint and anticipated timeframes.

Complaints containing 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. The *PHWMCC Child Protection Policy* will be followed, in conjunction with this complaints policy.

Managing and Investigating a Complaint

All complaints will be investigated and a formal response provided to the complainant within 60 days.

Where possible, complaints will be addressed immediately by an educator or the Nominated Supervisor. If the complaint is about an issue that an educator considers to be outside their control, or the family does not feel they wish to share it with an educator, the complainant will be referred to the appropriate person/s for their complaint to be resolved.

Where an educator believes they will have to share confidential information with another person in order to resolve an 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 on a Complaints Record Form and placed in the Complaints and Grievances Register. Any legal requirements in relation to the complaint will be considered, such as the need to notify regulatory authorities
- The educator will attempt to diffuse emotions by acknowledging what they are feeling, and state positively that you wish to seek a solution to the issue that is causing concern. They will ask questions to help identify or clarify their concerns.
- The complainant will be asked to provide information regarding how the situation could be rectified to their satisfaction.
- If possible, the issue 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.

Any complaint that requires notification to the NSW Department of Education will be reported to the Approved Provider. Any other complaint that may impact the reputation of the preschool, or is considered to be significant, will also be reported to the Approved Provider.

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) of the *Education and Care Services National Law Act 2010* Regulation 176(2)(b) of the *Education and Care Services National Regulations 2011*). 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); and
- any other relevant information.

Refer to the PHWMCC Child Protection procedures.

Complaints, incidents and serious incidents must be notified to the Regulatory Authority through the National Quality Agenda IT System (NQA IT System). Log in to access the portal where you can select the incident or complaint type and enter the required information.

Approved Providers are required to notify the Regulatory Authority of a complaint that alleges:

- A serious incident has occurred or is occurring while a child is being educated and cared for by a service.
- The National Law and/or National Regulations have been contravened.

A serious incident can include:

- Any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.
- Any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.
- Any matter that alleges a child is exhibiting harmful sexual behaviours.
- The death of a child while that child is being educated and cared for at the service or following an incident while that child was being cared for by the service.
- A serious injury or trauma while the child is being educated and cared for, which:
 - Required urgent medical attention from a registered medical practitioner; or
 - The child attended or should have attended a hospital.
- Any incident involving serious illness at the service, where the child attended, or should have attended a hospital (e.g. severe asthma attack, seizure or anaphylaxis).
- Any circumstance where a child appears to be missing or cannot be accounted for.
- Any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this.
- Any circumstance where a child is mistakenly locked in or locked out of the service premises or any part of the premises.
- Any emergency for which emergency services attended. NOTE: It does not mean an incident where emergency services attended as a precaution.

A serious injury, illness or trauma includes, but is not limited to:

- Amputation
- Anaphylactic reaction requiring hospitalisation
- Asthma requiring hospitalisation
- Broken bone/Fractures
- Bronchiolitis
- Burns
- Diarrhoea requiring hospitalisation
- Epileptic seizures
- Head injuries
- Measles
- Meningococcal infection
- Sexual assault
- Witnessing violence or a frightening event

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 by the approved education and care service.

- The relevant legislation has been contravened.

Contact details are available in the Parent and Family Information booklet and displayed in the window of the office.

Early Childhood Education and Care Directorate

Locked Bag 5107

Parramatta NSW 2124

eeecd@det.nsw.edu.au

Follow-Up and Review

Each complaint will be viewed as an opportunity for improvement. As part of the preschool's continuous improvement processes all complaints or grievances will be analysed 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

Approved Provider

- Ensure that obligations under the *Education and Care Services National Law (2010)* and *National Regulations (2011)* are met.
- When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify the Regulatory Authority within 24 hours. Where appropriate, the Nominated Supervisor will assist in this process.
- 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 cooperating 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 is displayed at the main entrance of the service.
- Advising parents/guardians and any other new members of the preschool of the Complaints Handling Policy and procedures upon enrolment.
- Ensuring that this policy is available for inspection at the service at all times.
- Ensuring that a Complaints and Grievances Register is held securely at the preschool.
- Take reasonable steps to ensure that nominated supervisors, educators and staff follow the Complaints Handling policy and procedures.
- Ensure that complaints result in reviews of relevant policies, procedures and practices.
- Ensure both the complainant, and any party who is the subject of a complaint, are provided support throughout the complaint process.
- The Management Committee may elect to form a subcommittee to manage complaints.

Nominated Supervisor

- Ensure that regulatory obligations are met in relation to dealing with complaints

- Responding to and resolving issues as they arise where practical.
- Discussing minor complaints directly with the party involved as a first step towards resolution.
- Informing complainants of the service's Complaints Handling Policy, and 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.
- Notifying the Approved Provider of any complaint that requires notification to the Department of Education. Any other complaint that may impact the reputation of the preschool, or is considered to be significant, will also be reported to the Approved Provider
- Providing information as requested by the Approved Provider, for example written reports relating to the grievance.
- Complying with the preschool's Confidentiality and Privacy Policy and maintaining confidentiality at all times.
- Working cooperatively with the Approved Provider, educators, staff and/or the complainant in any investigations related to a complaint made and in the resolution process
- Ensure that complaints result in reviews of relevant policies, procedures and practices.

Early Childhood Educators and other staff

- Ensure that grievances and complaints are dealt with in accordance with this policy.
- Listen to and aim to resolve complaints and grievances in a positive way.
- Report any grievances and complaints to the Nominated Supervisor promptly so timeframes can be adhered to and maintain all relevant documentation.
- Complying with the preschool's Confidentiality and Privacy Policy and maintaining confidentiality at all times.
- As requested, support the Nominated Supervisor and Approved Provider in the above roles.

Families

- If appropriate, 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 practical.
- Raising any unresolved issues or serious concerns directly with the Approved Provider, either directly, writing via the mailing address provided, via the Nominated Supervisor or staff, or if necessary, with the Regulatory Authority.
- Maintaining confidentiality at all times.
- Co-operating with requests to provide relevant information when requested in relation to complaints and grievances.

Monitoring, Evaluation and Review

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the preschool will review this policy every three years.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with R. 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children at the preschool are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the preschool; a family's ability to utilise the preschool; the fees charged or the ways in which fees are collected.

Definitions:

Regulatory Authority: Early Childhood Education and Care Directorate
Approved Provider: Pennant Hills War Memorial Children's Centre Management Committee
Nominated Supervisor: Director of Pennant Hills War Memorial Children's Centre
Early Childhood Educators: Teachers and Child Care Workers

Related legislation:

Education and Care Services National Law Act 2010: Sections 172, 174, 174A
Education and Care Services National Regulations 2011: Regulations 143B, 168- 173 and 176
Privacy and Personal Information Protection Act 1998 (NSW)
Health Records and information Privacy Act 2002
Privacy Act 1988 (Cth)
Privacy Regulation 2013

Related Guidelines,

National Quality Standard, Quality Area 2: Children's Health and Safety, Quality Area 7: Governance and Leadership

Standards, Frameworks:

Standard 7.1
Child Safe Principles

Sources:

Community Early Learning Australia – Complaints Handling Sample Policy
ACECQA - Dealing with Complaints

Relevant Documents:

PHWMCC Complaints Record Form
Parent and Family Information Handbook
PHWMCC Confidentiality and Privacy Policy
PHWMCC Child Protection Policy
PHWMCC Providing a Child Safe Environment Policy

Policy reviewed:

Nov 2023

Next review date:

Nov 2026