



## Complaints & Feedback Policy and Procedures

**Aim:**

Our policy ensures the feedback of children, educators, staff, families and the wider community is a mechanism to support the continuous improvement of our service.

The complaints policy of Maryland Care & Early Education Centre is designed to:

- Provide a process for making and dealing with complaints to ensure they are dealt with promptly, seriously, confidentially, sensitively and without bias
- To ensure parents and staff feel empowered to raise concerns about all aspects of the service operation without concern that their comments or feedback will lead to any victimisation or prejudice to themselves or their child
- To encourage staff to be responsive to the needs and concerns of families
- To use complaints and feedback as an opportunity to continually reflect and improve practices procedures of the service

**Legislative requirements / Sources:**

**Education and Care Services National Regulations:**

<b>168</b>	Education and care service must have policies and procedures
<b>170</b>	Policies and procedures to be followed
<b>171</b>	Policies and procedures are kept available
<b>172</b>	Notification of change to policies and procedures
<b>176</b>	Time to notify certain information to the Regulatory Authority

**Education and Care Services National Law:**

<b>172</b>	Offence to fail to display prescribed information
<b>174</b>	Offence to fail to notify certain information to Regulatory Authority

**National Quality Standards (NQS):**  
**Quality Area 7: Governance and Leadership**

7.1	<b>Governance supports the operation of a quality service</b>	<b>Governance supports the operation of a quality service</b>
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	Leadership	Effective leadership builds and promotes positive a positive organizational culture and professional learning community
7.2.1	Continuous improvement	There is an effective self assessment and quality improvement process in place

**Sources:**

- Children (Education and Care Services National Law Application) Act 2010
- ACECQA – Policy and Procedure guidelines [www.acecqa.gov.au](http://www.acecqa.gov.au)
- CELA
- National Office for Child Safety: Complaints Handling Guide
- Privacy Act 1988

**Implementation:**

**Making a complaint**

Complaints can be made by:

- A parent/guardian or family member
- A child
- A staff member
- A management committee member
- A community member
- A person acting on behalf of any of the above mentioned

When making a complaint:

- Written guidelines detailing the complaint procedures are available for families in our policy and procedures folder as well as a poster displayed in the foyer
- Families may make a complaint directly to the child's educator, the Approved Provider or the Nominated Supervisor
- The name and telephone number of the person whom complaints can be made must clearly visible at the service (Regulation 168 (2)(b))
- Educators will have discussions with children and encourage them to raise issues they may have
- The Approved Provider and Nominated Supervisor will ensure confidentiality procedures are maintained

**Managing a Complaint of Sexualised Behaviour**

Providers and educators play an important role in making informed professional judgements regarding sexualized behaviours involving children. Not all sexual behaviour involving children poses a risk to their safety, it may be age appropriate and expected sexual behaviour. Informed judgments regarding sexualised behaviours help to ensure the health, safety and well-being of children by:

- Supporting healthy sexual development (age appropriate sexualized behaviours)
- Protecting them from harm and abuse (inappropriate or problem sexualised behaviour)

In some cases, sexualised behaviour involving children may fall within reporting requirements under the laws.

## **Managing Complaints**

- Where possible, complaints will be dealt with immediately, usually by an educator, and will notify the Nominated Supervisor of the complaint and steps taken to resolve the issue
- If the complaint is about an issue that the educator considers out of their control, or the family doesn't wish to share the complaint with an educator the complaint will be directed to the Nominated Supervisor either verbally, phone (49517783) or email [office@marylandchildcare.org.au](mailto:office@marylandchildcare.org.au)
- If the complaint is unresolved, after working with educators and/or Nominated Supervisor then it will be directed to the Management Committee
- The complaint will be documented and any legal requirements in relation to the complaint considered such as the need to notify the regulatory authorities. This will include:
  - All complaints will be documented by the Nominated Supervisor in a complaints register detailing:
    - The date
    - The complaint
    - The response to the complaint
    - The person who reported the complaint
    - Action taken as a result of the complaint
    - This will be kept in the locked filing cabinet under complaints. A resolution will be documented in addressing this complaint by letter/ email or diary note if it was a phone call resolution conversation.
- Complaints will be handled with strict confidentiality. All staff are to ensure that sharing of information is restricted to those people who genuinely need to be notified in order to deal with the complaint
- The Nominated Supervisor will ensure that no person or child will be in any way disadvantaged or victimised due to a complaint or feedback

### **The following points are central to the complaint resolution process:**

- All people involved act in good faith and with respect, regarding all peoples rights
- Don't communicate with jargon
- Be timely. Give a time frame with which you will respond to the complaint (this will depend on the severity of the complaint)
- Take it seriously. Respect that the complaint has taken the time and found the courage to raise a concern and respond accordingly
- Acknowledge stress or inconvenience cause
- Don't be afraid to apologise if a mistake or misjudgment has occurred

- Appreciate feedback
- Be clear in communicating to complaint about the complaint and the next steps

### **Notifiable Complaints**

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 to by the Nominated Supervisor on behalf of the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made.

Complaints, incidents and serious incidents must be notified to the Regulatory Authority through the National Quality Agenda IT System (NQA IT System). Once logged in 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 the service
- A National Law and/or National Regulations have been breached

#### **A serious incident can include:**

- Any incident where you reasonably believe that physical and/or sexual abuse of a child had 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 or cared for by the service
- A death of a child while that child is being educated and cared for at the service or following an incident while that child is being educated and cared for by the service
- A serious incident or trauma while the child is being educated and cared for, which:
  - Requires urgent medical attention from a registered medical practitioner or
  - The child attended or should have attended hospital
- Any incident involving serious illness at the service, where a child attended, or should have attended a hospital (eg 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 so
- Any circumstances 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 hospitalization
- Asthma requiring hospitalization
- Broken bone/fracture
- Bronchiolitis
- Burns
- Diarrhea requiring hospitalization
- Epileptic seizures

- Head injuries
- Measles
- Meningococcal
- Sexual assault
- Witnessing violence or 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 are being educated and cared for by the approved education and care service
- The relevant legislation has been breached

### **Feedback**

- Communication at all times will aim to be open, honest and confidential. Our service will offer a variety of ways to communicate and provide feedback including:
  - Daily Interactions
  - Surveys
  - Email
  - Parent meetings as necessary
  - Feedback form located in the foyer
  - Phone calls
- Staff may document parent feedback/comments on behalf of families to help with program evaluation and to encourage further family input
- Families are provided with the service's email address and phone details upon enrolment.
- Families are encouraged to converse with educators at pick up and drop off times and may email and call throughout the day
- Feedback from families is encouraged and educators and staff will take this feedback into account in ongoing planning and quality improvement.

### **Roles and Responsibilities:**

#### **The Approved Provider will:**

- When a complaint or grievance has been assessed as 'notifiable' they must notify the Regulatory Authority within 24 hours
- In instances when a complaint is made directly to the Regulatory Authority, the Approved Provider will still have responsibility for investigating and dealing with the complaint or grievance, in addition to co-operating with any investigations by the Regulatory Authority
- Ensure the address and telephone number of the Regulatory Authority is displayed prominently at the main entrance of the service
- Advise parents/guardians and other members of the service of the complaints and grievance policies and procedures upon enrolment

**The Nominated Supervisor will:**

- Respond to and resolve issues as they arise and as practicable
- Discuss minor complaints directly with those involved as a first step towards a resolution
- Notify the Approved Provider if a complaint escalates or is unable to be resolved appropriately and in a timely manner
- Always comply with the service confidentiality policy

**Educators will:**

- Ensure that grievances and complaints are dealt with in accordance to with this policy
- Listen to and aim to resolve complaints and grievances in a positive way
- Report any complaints and grievances to the Nominated Supervisor and maintain the relevant documentation

**Families will:**

- Raise a complaint directly with the person involved, in an attempt to resolve the matter
- Communicate any concerns relating to the management or operation of the service as soon as practicable
- Maintain confidentiality at all times

<b>Review:</b>
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This policy is the intellectual property of Maryland Care & Early Education Centre and is created with consultation of staff and families attending the service. This policy will be reviewed annually. This policy is available in other languages upon request.

Last Review: March 2024

Next Review: March 2025