

COMPLIMENTS AND COMPLAINTS POLICY

Mandatory – Quality Area 6 and 7

Precious Gems Childcare Pty Ltd trading as "Kids Haven Childcare"

Quality Area 6.1 Respectful relationship with families

Quality Area 6.1.2 Parents expertise, culture and values respected & families sharing decisionmaking about their child's learning and wellbeing.

Quality Area 6.2 Collaborative partnerships enhance children's inclusion, learning & wellbeing

Quality Area 7.1.2 Management Systems in place to manage risk and enable effective management & operation of a quality service

National Law Section 172 Offence to fail to display prescribed information

National Law Section 173 Offence to fail to notify certain circumstances to Regulatory Authority

National Law Section 174(2)(b) Notifying DET **within 24 hours of becoming aware** of a notifiable complaint or allegation regarding the safety, health and/or welfare of a child at the service

National Law Section 174(2) An approved provider must notify the Regulatory Authority of the following information in relation to an approved education and care service operated by the approved provider—
 (a) any serious incident at the approved education and care service;
 (b) any complaints alleging—
 (i) that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service; or
 (ii) that this Law has been contravened;
 (c) information in respect of any other prescribed matters.

Regulation 168 Education and care service must have policies and procedure

Regulation 171 Policies and procedures to be kept available

Regulation 173(2)(b) the name and telephone number of the person at the education and care service to whom complaints may be addressed;

Regulation 174(2)(b) in any other case, within **7 days of the relevant event or within 7 days** of the approved provider becoming aware of the relevant event.

Regulation 176(2) Time to notify certain information to Regulatory Authority
 For the purposes of section 174(4) of the Law, a notice must be provided—
 (a) in the case of a notice under section 174(2)(a)—
 (i) in the case of the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death; and
 (ii) in the case of any other serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident;
 (b) in case of a notice under section 174(2)(b) or a notice of a matter referred to in regulation 175(2)(b), within **24 hours of the complaint or incident**;
 (ba) in the case of a notice under regulation 175(2)(ca), **within 24 hours** of the commencement of the attendance of the child or children at the education and care service;
 (c) in any other case, within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information.

Regulation 181 Privacy and Confidentiality Policy

Regulation 183 Storage and Records

Related Policies

- *Child Safe Environment and Wellbeing*
- *Enrolment & Orientation*

Code of Conduct
Fee Policy

- *Governance & Management of the Service*
 - *Inclusion and Equity*
 - *Privacy and Confidentiality*
- Incident, Injury, Trauma and Illness*
Interactions with Children

PURPOSE

This policy will provide guidelines for:

- receiving and dealing with compliments and complaints at Kids Haven Childcare
- procedures to be followed in investigating complaints.

Note: This policy does not address complaints relating to staff grievances or employment matters. The relevant awards provide information on the management of such issues. Please refer to Staff Grievance Policy.

POLICY STATEMENT 1. VALUES

Values

KIDS HAVEN CHILDCARE IS COMMITTED TO:

- providing an environment of mutual respect and open communication
- recognising excellence and gratitude
- complying with all legislative and statutory requirements
- dealing with disputes, complainants with fairness and equity
- establishing mechanisms to respond to complaints in a timely way
- treating information in relation to complaints with sensitivity.

2. SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Kids Haven Childcare.

3. IMPLEMENTATION

Grievances can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious and productive work environment. The Grievance Policy ensures that all persons are presented with procedures that:

- Value the opportunity to be heard;
- Promote conflict resolution;
- Encourage the development of harmonious partnerships;
- Ensure that conflicts and grievances are mediated fairly; and are transparent and equitable.

This policy must be read in conjunction with our other Service policies:

- Privacy and Confidentiality Policy
- Incident, Injury, Trauma and Illness Policy
- Interacting with Children Policy
- Inclusion and Equity Policy
- Staffing Policy
- Code of Conduct Policy

4 RESPONSIBILITY

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Being familiar with the <i>Education and Care Services National Law Act 2010</i> and the <i>Education and Care Services National Regulations 2011</i> , service policies, constitution, and procedures	R	√	√	√	√
Acknowledge compliments and thank complementor for their interest and feedback	√	√			
Save compliments and sharing with relevant parties	√	√			
Ensuring that compliments and complaints are monitored and used to continually improve the quality of the service	R	√			
Identifying, preventing and addressing potential concerns before they become formal complaint	R	√	√		√
Ensuring that the name and telephone number of the responsible person (<i>refer to Staffing Policy</i>) to whom complaints may be addressed are displayed prominently at the main entrance of the service (National Law: Section 172, Regulation 173(2)(b))	R	√			
Ensuring that the address and telephone number of the Authorised Officer at the DET regional office are displayed prominently at the main entrance of the service (<i>Regulation 173(2)(e)</i>)	R	√			
Advising parents/guardians and any other new members of Kids Haven Childcare of the <i>Compliments and Complaints policy</i> and procedures upon enrolment	R	√			
Ensuring the complaints processes is child focused, understood broadly (including by children, their families, staff and volunteers), culturally safe and compliant with privacy laws, reporting obligations and employment law	R	√			
Ensuring that children have access to age appropriate information, support and complaints processes in ways that are culturally safe, accessible and easy to understand	R	√	√		√
Ensuring that this policy is available for inspection at the service at all times (Regulation 171)	R	√			
Being aware of, and committed to, the principles of communicating and sharing information with service employees, members and volunteers	R	√			
Responding to all complaints in the most appropriate manner and at the earliest opportunity	R	√	√		√
Treating all complainants fairly and equitably	R	√	√		
Discussing minor complaints directly with the party involved as a first step towards resolution (the parties are	R	√	√	√	

encouraged to discuss the matter professionally and openly work together to achieve a desired outcome)					
Communicating (preferably in writing) any concerns or compliments relating to the management or operation of the service as soon as is practicable		√	√	√	√
Providing a Complaints Register (<i>refer to Definitions</i>) and ensuring that staff record complaints along with outcomes	R	√			
Providing information as requested by the approved provider e.g. written reports relating to the complaint		√	√	√	√
Notifying the approved provider if the complaint is a notifiable complaint (<i>refer to Definitions</i>) or is unable to be resolved appropriately in a timely manner		√	√	√	√
Complying with the service's <i>Privacy and Confidentiality Policy</i> at all times (Regulations 181, 183)	R	√	√	√	√
Establishing a Complaints Subcommittee or appointing an investigator to investigate and resolve complaints as required as determined through establish processes. (<i>refer to Attachment 1 & 2</i>)	√	√			
Referring notifiable complaints (<i>refer to Definitions</i>), or complaints that are unable to be resolved appropriately and in a timely manner to the Complaints Subcommittee/investigator	√	√			
Co-operating with requests to meet with the Complaints Subcommittee and/or provide relevant information when requested in relation to complaints	√	√	√	√	√
Informing DET in writing within 24 hours of any complaints alleging that a serious incident (<i>refer to Definitions</i>) has occurred at the service or that the Education and Care Services National Law has been breached (<i>National Law: Section 174, Regulation 176(2)(b)</i>)	R	√			
Working co-operatively with the approved provider and DET in any investigations related to complaints about Kids Haven Childcare, its programs or staff.	√	√	√	√	√
Receiving recommendations from the Complaints Subcommittee/investigator and taking appropriate action	√	√			
Analysing complaints, concerns and safety incidents to identify causes and systemic failures to inform continuous improvement	√	√			
Maintaining professionalism and integrity at all times (<i>refer to Code of Conduct policy</i>)	√	√	√		√

5. Background

Compliments are expressions of praise, encouragement or gratitude about service, staff, management and program. Compliments provide valuable feedback about the level of satisfaction with service delivery and are a valuable indicator of the effectiveness of a service. Compliments impart useful insights about the aspects of service that are most meaningful to children, families and stakeholders, and provide an opportunity to recognise the efforts of staff, foster a culture of excellence and boost morale.

Complaints may be received from anyone who comes in contact with Kids Haven Childcare including parents/guardians, volunteers, students, members of the local community and other agencies.

In most cases, dealing with complaints will be the responsibility of the approved provider. All complaints, when lodged, need to be initially assessed to determine whether they are a general or a notifiable complaint (*refer to Definitions*).

When a complaint has been assessed as 'notifiable', the approved provider must notify Department of Education and Training (DET) of the complaint. The approved provider will investigate the complaint and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by DET.

There may be occasions when the complainant reports the complaint directly to DET. If DET then notifies the approved provider about a complaint they have received, the approved provider will still have responsibility for investigating and dealing with the complaint as outlined in this policy, in addition to co-operating with any investigation by DET.

DET will investigate all complaints it receives about a service, where it is alleged that the health, safety or wellbeing of any child within the service may have been compromised, or that there may have been a contravention of the *Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011*.

6. DEFINITIONS

Complaint: (In relation to this policy) a complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours and does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written complaint directly related to the service.

Complaints do not include staff, industrial or employment matters, occupational health and safety matters (unless related to the safety of the children) and issues related to the legal business entity, such as the incorporated association or co-operative.

Complaints Register: (In relation to this policy) records information about complaints received at the service, together with a record of the outcomes. This register must be kept in a secure file, accessible only to educators and responsible persons at the service. The register can provide valuable information to the approved provider on meeting the needs of children and families at the service.

Compliment: a compliment is an expression of praise, encouragement or gratitude. It may relate to an individual staff member, a team, the program or the service.

Dispute resolution procedure: The method used to resolve complaints, disputes or matters of concern through an agreed resolution process.

Mediator: A person (neutral party) who attempts to reconcile differences between disputants.

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

NOTIFIABLE COMPLAINT:

A complaint that alleges a breach of the Regulation and Law, National Quality Standards 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 Department of Early Childhood Education and Care within 24 hours of the complaint being made (Section 174(2)(b), **Regulation 176(2)(b))**.

If the Director is unsure whether the matter is a notifiable complaint, it is good practice to contact The Department of Early Childhood Education and Care for confirmation. 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 and logged using NQA ITS (National Quality Agenda IT System).

AUTHORISATION

This policy was adopted by the Approved Provider of Kids Haven Childcare on 1st December 2022

REVIEW DATE: 01/01/2024