



PLC
SYDNEY
PRESCHOOLS

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COMPLAINTS AND GRIEVANCES HANDLING POLICY

POL7.2.1.



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PRESCHOOLS

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Name of Policy	PLC SYDNEY PRESCHOOL COMPLAINTS AND GRIEVANCES HANDLING POLICY
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Contact Person	Head of Compliance and Human Resources

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1 LEGISLATION AND REFERENCES

This information refers to Quality Area 7 of the National Quality Standards: LEADERSHIP AND SERVICE MANAGEMENT.

- *Education and Care National Law Act 2010*
- *Education and Care National Regulations 2011*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Health Records and Information Privacy Act 2002*
- *Privacy Act 1988 (Cth)*
- *Privacy Regulations 2006 (Cth)*
- National Quality Standards Quality Area 2: Children's Health and Safety - Standard 2.1, 2.3
- National Quality Standard, Quality Area 7: Leadership and Service Management - Standard 7.1

Section / Regulation	Description
Section 172	Offence to fail to display prescribed information
Section 174	Offence to fail to notify certain information to Regulatory Authority Section
Regulation 168	Education and care service must have policies and procedures
Regulation 170	Policies and procedures to be followed
Regulation 171	Policies and procedures to be kept available
Regulation 172	Notification of change to policies or procedures
Regulation 173	Prescribed information to be displayed
Regulation 176	Time to notify certain information to Regulatory Authority

2 INTRODUCTION

The Preschool affirms that people have a right to question and influence decisions made and services provided. We take complaints seriously and manage them in a confidential, timely, transparent and meaningful way. We recognise that families, educators, other staff and the community need to feel confident that any concerns or issues they may raise will be handled promptly and professionally. We will provide effective complaints management with meets our families needs. 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 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.

3 OUTCOMES

The PLC Sydney Preschool values the feedback of Educators, staff, families and the wider community as a mechanism to support the continuous improvement of the Preschool. The *Education and Care Services National Regulations* require approved providers to ensure their service have policies and procedures in place for dealing with complaints

4 STRATEGIES

4.1 MAKING A COMPLAINT

Written guidelines detailing complaint procedures are available to families.

- Families may make a complaint directly to the child's Educator, the Approved Provider or the Nominated Supervisor.
- Educators will discuss complaints procedures with families and encourage them to raise any issues they have.
- Families are provided with the Preschool's email address and phone details on Orientation Day. Families will be encouraged to converse with Educators at pick up and drop off times, and may email or call during the day.

- Feedback from families is encouraged through various surveys and Educators and staff will take this into account in ongoing planning and quality improvement. Families will be informed of how their feedback has contributed to improvements made in the Preschool.

4.2 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 or 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.

Refer to ACECQA for relevant timeframes:

<https://www.acecqa.gov.au/resources/applications/notification-types-and-timeframes>

4.3 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 Nominated Supervisor or 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 an issue or the nature of a complaint required 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.
- Each step of any dispute resolution will be documented through a grievance record and signed as true record by all parties involved. These records will be kept on file for future reference.
- Regular review, Nominated Supervisor will be made of the progress of each individual case to ensure that the resolution is progressing as expected and that no further action is required.

- Contact details for the purpose of reporting feedback or complaints are displayed in the foyer of the service.

4.4 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 Regulator 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 information.

Written notification of complaints must be submitted to the regulatory authority through the National Quality Agenda IT System (NQA IT System) using the appropriate forms, which can be found on the Portal: www.acecqa.gov.au

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

- A serious incident has occurred or is occurring while a child is being educated and cared for by the preschool.
- The National Law and / or national Regulations has 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 preschool.
- 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 preschool.
- 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

4.5 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 Preschool.
- The relevant legislation has been contravened.

Contact details are made available to families through our policy folder and displayed in the foyer of the preschool.

4.6 FOLLOW UP AND REVIEW

Each complaint will be viewed as an opportunity for improvement. After the complaint or grievance has been dealt with, it 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.

5 ROLES AND RESPONSIBILITIES

ROLE	AUTHORITY/RESPONSIBILITY FOR
Approved Provider	<ul style="list-style-type: none">● When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify the 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 cooperating with any investigation by the Regulatory Authority.● Identifying, preventing and addressing potential concerns before they become formal complaints/grievances.● Ensuring that the address and telephone number of the regulatory Authority is displayed prominently at the main entrance of the Preschool.● Advising parents/guardians and any other new members of the PLC Sydney Preschool of the Complaints and Grievances Policy and procedures upon enrolment.● Ensuring that this policy is available for inspection at the Preschool at all times.● Providing a Complaints and Grievances Register.
Nominated Supervisor	<ul style="list-style-type: none">● 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 Preschool's Complaints and Grievances Policy, recording all complaints and grievances in the Register.● Notifying the Approved Provider if the complaint escalates or is unable to be resolved appropriately in a timely manner.

	<ul style="list-style-type: none"> ● Providing information as requested by the Approved Provider e.g. written reports relating to the grievance. ● Complying with the PLC Sydney Preschool's Privacy and Confidentiality Policy and maintaining confidentiality at all times. ● Working cooperatively with the Approved Provider, in any investigations related to a complaint made.
Educators	<ul style="list-style-type: none"> ● 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 and maintain all relevant documentation. ● As requested, support the Nominated Supervisor and Approved Provider in the above roles.
Families	<ul style="list-style-type: none"> ● 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 Preschool as soon as 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. ● Cooperating with request to provide relevant information when requested in relation to complaints and grievances.

6 POLICY 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 two 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 Preschool will ensure that families of children enrolled at the Preschool are notified at least 14 days prior to making any change or 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.

Sources
ACECQA - www.acecqa.gov.au
Using Complaints to Support Continuous Improvement www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingComplaintsToSupportContinuousImprovement.pdf
Australian and New Zealand Standard Guidelines for complaint management in organisations – AS/NZS 10002:2014
Commonwealth Ombudsman
Better practice complaint handling guide

Policy review date	Modifications	Next review date
March 2020	Checked for currency (Head of Compliance)	May 2022
July 2021	Additional Regulations added and description of the regulation. Additional information regarding a notifiable complaint. Included where families can access information regarding the Direct complaint.	July 2023