GRIEVANCE POLICY (GENERAL)

Feedback from families, Educators, staff and the wider community is fundamental in creating an evolving childcare service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This policy details our service's procedures for receiving and managing informal and formal complaints. Parents, Educators, visitors, students and the community can lodge a grievance, with the understanding that it will be managed conscientiously and confidentially.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality Service
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

168	Education and care service must have policies and procedures
173	Prescribed information to be displayed
176	Time to notify certain information to Regulatory Authority

RELATED POLICIES

Code of Conduct Policy Family Communication Policy Grievance Policy (Families) Grievance Policy (Staff) Interactions with Children, Families & Staff Policy	Privacy & Confidentiality Policy Respect for Children Policy Responsible Person Policy Student and Volunteer Policy

PURPOSE

We aim to investigate all complaints and grievances with a high standard of equity and fairness. We will ensure that all persons making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- Code of ethics and conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our service philosophy

SCOPE

This policy applies to children, families, staff, management, and visitors of the service.

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
- Are transparent and equitable.

DEFINITIONS

Complaint: An issue of a negligible nature that can be resolved within 24 hours and does not require a comprehensive investigation. Complaints include a manifestation of discontentment, such as poor service, and any verbal or written complaint directly related to the ~~s~~service (including general and notifiable complaints). Complaints do not include staff, industrial or employment matters, occupational health and safety matters (unless associated with the safety of children).

Complaints and Grievances Register: Records information about complaints and grievances received at the service, along with the outcomes. This register must be kept in a secure file, accessible only to educators and Department of Early Childhood Education and Care. The register can provide valuable information to the Approved Provider and Nominated Supervisor of the service to ensure children and family's needs are being met.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. For example: If the service is in breach of a regulation causing injury or possible harm to a child.

Mediator: A person who attempts to assist and support people involved in a conflict come to an agreement.

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 Standard 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)
- contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor)
- 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).

Serious incident: An incident resulting in the death of a child, or an injury, trauma, or illness for which the attention of a registered medical practitioner, emergency services, or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the centre in contravention of the Regulations, or is mistakenly locked in/out of the centre premises (Regulation 12).

A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority must be notified within 24 hours of a serious incident occurring at the centre (Regulation 176(2)(a)). These records are required to be retained for the periods specified in Regulation 183.

Privacy and Confidentiality

- Management and Educators will adhere to our Privacy & Confidentiality Policy when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed.

Conflict of Interest

It is important for the complainant to feel confident in

- Being heard fairly
- An unbiased decision-making process

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator.

Our service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the service's Code of Conduct is be adhered to.

The Approved Provider/ Nominated Supervisor will:

- Treat all grievances seriously and as a priority.
- Ensure grievances remain confidential.
- Ensure grievances reflect procedural fairness and natural justice.
- Discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint.
- Investigate and document the grievance fairly and impartially.
- The investigation will consist of:
    - Reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent.
    - Discussing the nature of the complaint (or breach) and giving the accused Educator, staff member, volunteer, or visitor an opportunity to respond.
    - Permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member; however, this does not include a lawyer acting in a professional capacity).
    - Providing the employee with a clear written statement outlining the outcome of the investigation.
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
    - Management will provide a written response outlining the outcome and provide a copy to all parties involved.
    - If a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreeance.
- Should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant.
- Keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy & Confidentiality Policy* and *Record Keeping & Retention Policy*.
- Monitor ongoing behaviour and provide support as required.
- Ensure the parties are protected from victimisation and bullying.
- Request feedback on the grievance process using a feedback form.
- Track complaints to identify recurring issues within the service.

- Notify the Department of Education and Communities within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised.

Sources

Australian Children's Education & Care Quality Authority. (2014).

Australian Human Rights Commission: https://www.humanrights.gov.au

Education and Care Services National Regulation. (2011).

National Quality Standard. (2017).

Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED	AUGUST 2019	NEXT REVIEW DATE	AUGUST 2020
MODIFICATIONS	• Grammar, punctuation and spelling edited • Sentences reworded/refined • Sources/references alphabetised • Related policies alphabetised • URLs added to sources as required		

POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
AUGUST 2018	Changes made to reflect a more generalised approach, taking out the Educator/Student complaint specifications	AUGUST 2019
OCTOBER 2017	Updated the references to comply with the revised National Quality Standard	MAY 2018
AUGUST 2017	Changes made with the addition to definitions of terminology to ensure a clear understanding when dealing with a compliant and grievance	AUGUST 2018