

<b>Title</b>	<b>Complaints and Grievances Policy</b>
<b>Policy Category</b>	Childrens Programs
<b>Policy Type</b>	Mandatory
<b>NQF Standard</b>	NQS: Quality Area 7
<b>Related Legislation</b>	See legislation map

### Background and Context

This policy will provide guidelines for:

- receiving and dealing with complaints and grievances at Glen Education
- procedures to be followed in investigating complaints and grievances.

Glen Education is committed to:

- providing an environment of mutual respect and open communication, where the expression of opinions is encouraged
- complying with all legislative and statutory requirements
- dealing with disputes, complaints and complainants with fairness and equity
- establishing mechanisms to promote prompt, efficient and satisfactory resolution of complaints and grievances
- maintaining confidentiality at all times.

Complaints or grievances may be received from anyone who comes in contact with the Glen Education service, including parents/guardians, volunteers, students, members of the local community and other agencies.

Dealing with complaints and grievances are the responsibility of Glen Education management. All complaints and grievances, when lodged, are directed to Glen Education management who will acknowledge receipt of the concern promptly. An assessment will also be made to determine whether they are a notifiable or non-notifiable complaint (refer to Definitions).

When a complaint or grievance has been assessed as 'notifiable', Glen Education must notify the Regulatory Authority which in Victoria is the Department of Education and Training (DET), the police or the commission for children and young people, whichever is relevant. Glen Education will investigate the complaint or grievance 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 or grievance directly to an external agency such as DET. If DET then notifies Glen Education about a complaint they have received, Glen Education will still have responsibility for investigating and dealing with the complaint or grievance as outlined in this policy, in addition to co-operating with any investigation.

DET will investigate all complaints and grievances 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. Other agencies will undertake investigations as per their relevant policy guidelines.

### Scope

This policy applies to students on placement, volunteers, children, parents/guardians and others attending the programs and activities of Glen Education.

Note: This policy does not address complaints relating to staff grievances or employment matters. The relevant awards and Glen Education policy provide information on the management of such issues.

### Definitions

**Commission for Children and Young People (CCYP):** an organisation that is responsible for administering the reportable conduct scheme (see *definition*). This includes:

- supporting and guiding organisations that receive allegations in order to promote fair, effective, timely and appropriate responses
- independently overseeing, monitoring and, where appropriate, making recommendations to improve the responses of those organisations.
- The Commission can share information where appropriate, including with the Working with Children Check Unit, relevant regulators and Victoria Police, to better prevent and protect children from abuse.

**Complaint (non notifiable):** (In relation to this policy) a complaint is defined as an issue that can be resolved promptly, 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 (including general and notifiable complaints).

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.

**Complaint (notifiable):** A complaint that alleges a breach of the Act or Regulation, 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 Glen Education to the Secretary of DET within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)). If Glen Education is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation. Written reports to DET 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 the Glen Education management
- 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](http://www.acecqa.gov.au)

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

**Glen Education Leader:** A person who is nominated by Glen Education Management to provide leadership and mentoring (operational and educational) across the organisation, that aligns with the National Early Years Framework and who actively promotes and ensures adherence to all Glen Education practices, policies and procedures

**Grievance:** A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature (e.g. the service is in breach of a policy or the service did not meet the care expectations of a family).

**Mediator:** A person who mediates, especially one who reconciles differences between disputants

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

**Nominated Supervisor:** A person who has been nominated by Glen Education under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor(s) with responsibility for the service in accordance with the National Regulations (Section 5 and 161).

**Police:** the civil force of a state, responsible for the prevention and detection of crime and the maintenance of public order.

Regulatory Authority: in your state or territory is responsible for approving providers and services, assessing and rating services, ensuring compliance of services, and investigating complaints. In Victoria this is the Department of Education and Training (DET).

**Serious incident:** A serious incident is defined in Regulation 12 of what as:

- The death of a child while being educated and cared for by the service.
- Any incident involving an injury or trauma, or illness of a child that requires or ought have required:
  - attention of a register's medical practitioner, or
  - attendance to hospital
- Examples include whooping cough, broken limb, anaphylaxis reaction.
- Any incident requiring attendance by emergency services
- A circumstance where a child appears to be missing, is unaccounted for, has been removed from the service contrary to the Regulations, or has been locked out or in of the premises.

Glen Education must notify the Regulatory Authority (DET) in writing within 24 hours of a serious incident occurring at the service (Regulation 176(2)(a)). The Notification of serious incident form (available on the ACECQA website) is to be completed and submitted on line using the National Quality Agenda IT System (NQAITS). Records are required to be retained for the periods specified in Regulation 183.

## Policy

### **Responsibilities**

**Glen Education is responsible for:**

- being familiar with the Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011, service policies and constitution, and complaints and grievances policy and procedures
- identifying, preventing and addressing potential concerns before they become formal complaints/grievances
- ensuring that the name and telephone number of Glen Education management to whom complaints and grievances may be addressed are displayed prominently at the main entrance of the service (Regulation173(2)b))

- ensuring that the address, telephone number and email of the Regulatory Authority are displayed prominently at the main entrance of the service (Regulation 173(2)(e))
- providing access to families and any other new members of the Glen Education service of the complaints and grievances policy and procedures upon enrolment
- ensuring that this policy is available at the service at all times (Regulation 171)
- being aware of, and committed to, the principles of communicating and sharing information with service employees, members and volunteers
- responding to all complaints and grievances in the most appropriate manner and at the earliest opportunity
- treating all complainants fairly and equitably
- complying with Glen Education's Privacy and Confidentiality Policy and maintaining confidentiality at all times (Regulations 181, 183)
- referring notifiable complaints (refer to Definitions), grievances (refer to Definitions) or complaints that are unable to be resolved appropriately and in a timely manner to the CEO and/or Glen Education Board as appropriate
- informing DET in writing within 24 hours of receiving a notifiable complaint via the National Quality Agenda IT System (refer to Definitions) (Act 174(4), Regulation 176(2)(b))

**The Nominated Supervisor, Glen Education Leaders, Educators and other staff are responsible for:**

- responding to and resolving issues as they arise where practicable
- maintaining professionalism and integrity at all times
- discussing minor complaints directly with the party involved as a first step towards resolution (the parties are encouraged to discuss the matter professionally and openly work together to achieve a desired outcome)
- informing complainants of the service's Complaints and Grievances Policy
- Report complaints and grievances to Glen Education Management as appropriate.
- providing information as requested by Glen Education management (e.g. written reports relating to the grievance)
- complying with the Privacy and Confidentiality Policy and maintaining confidentiality at all times (Regulations 181, 183)
- working co-operatively with Glen Education and DET and external agencies in investigations

**Parents/guardians are responsible for:**

- 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 practicable
- raising any unresolved issues or serious concerns directly with Glen Education management
- maintaining complete confidentiality at all times
- co-operating with requests to meet with the Glen Education management and/or provide relevant information when requested in relation to complaints and grievances.
- adhering to all other policies, procedures and documentation as relevant
- Ensuring that respect is provided to Glen Education staff and other families.

**Step for resolution:**

- **Step 1.** Wherever possible raise the concern directly with the person involved
- **Step 2.** Raise concern with Team Leader/Nominated Supervisor/Teacher/Educator at an appropriate time
- **Step 3.** Escalate the concern to Glen Education customer relations.
- **Step 4.** If unresolved, the Customer relations officer will raise with the GM for further discussion.

- **Step 5.** If still unresolved, the GM will escalate concern to the Glen Education CEO
- **Step 6.** If appropriate, the Regulatory Authority will be notified
- **Step 7.** Mediation
- **Step 7.** Resolution

Glen Education’s preferred approach to the resolution of complaints and grievances is via direct communication either through a telephone call or a face to face meeting. Unresolved concerns should be made in writing to Glen Education management and will be escalated accordingly.

**Volunteers and students, while at the service, are responsible for following this policy and its procedures.**

#### Approvals and Revision

Date	Version	Author	Revision Description
Q3 2012	1.00	Glen Education Management	New Policy
Q2 2022	4.00	Glen Education Management	Policy updated due to rebranding May 2022/Q2 review