

Policy number: 16

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Modbury School Out of School Hours Care Complaints Policy

1 Background

An effective complaints and grievance management system confirms to educators, staff members, children, families and the community that complaints and grievances are taken seriously and investigated promptly and thoroughly. The principles of natural justice and procedural fairness will be applied when managing complaints.

Under the Education and Care Services National Law, the Approved Provider has a legal responsibility to notify the Regulatory Authority of certain matters within a stated time frame. One of these matters is where a complaint is made in relation to either of the following:

- a complaint alleging that the safety, health or wellbeing of a child was or is being compromised
- that the law has been breached.

Complaints of this nature are to be identified at a site as 'notifiable complaints' and the Approved Provider must inform the Regulatory Authority within 24 hours.

The following details are required in the notifiable complaint report:

1. Date complaint received
2. Complainant's name and contact details
3. Name of child/children to whom complaint relates (if relevant)
4. Copy of written complaint (or written summary) and any other relevant documentation (including correspondence, photographs, statements)
5. Steps taken/actions planned by the site in response to the complaint.

Modbury School principal or nominee, as line manager of the OSHC director, should be informed when there are complaints.

The Modbury School OSHC service takes complaints about the service, its staff, educators, practices and procedures seriously. There are processes in place to ensure all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

The service will address complaints by:

- Ensuring a clear, accessible and documented complaints procedure is made available to all families, educators/staff and children.
- Ensuring that the process is fair to all parties involved.
- Ensuring that complaints are dealt with promptly.
- Maintaining confidentiality.
- Maintaining records of complaints, processes and outcomes.
- Notifying the regulatory body of any complaint that alleges the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached.

2 Policy statement

3 Relationship

Regulations	National Quality Standard	Other policies/Service documentation	Other legislation/Guidelines
168	7.2	Employee handbook	Relevant Award
173	7.3	Family handbook	Privacy Act
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4 The policy addresses the following areas

4.1 General

The Complaints Policy and procedures will be made available to families through the family handbook given to families on enrolment and will be available to families at the service.

Educators and staff will access the Complaints Policy and procedures through the policy documents and staff handbook issued on employment and whenever an updated version is issued.

Children will access the complaints procedure through conversations with educators, clearly displayed posters at the service and through discussions with families.

Service staff managing complaints must be aware that there may be situations where a conflict of interest arises and action may need to be taken to manage such situations.

Complaints can be made in the following manner:

- verbally—in person or by phone
- in writing—via email, fax or mail
- suggestion box
- feedback forms.

4.2 Procedure for families lodging a complaint

The complaints procedures includes the following:

- Complaints regarding any aspect of the service should be addressed with an educator in the first instance. If the complaint is about the educator, it should be addressed to the director.
- In the event that you feel you are unable to discuss your complaint with the director or in the event that discussion with the director proves unsatisfactory, your complaint can be directed to the Modbury School Principal.
- In the event that you feel uncomfortable in dealing with a complaint personally, you may nominate an advocate to mediate on your behalf.
- We welcome your feedback and suggestions at all times. These may help us to continuously improve our service. A suggestion book is located in the OSHC office.
- Families have a right to lodge a complaint directly with the Regulatory Authority.
- The service will display the name and telephone number of the person at the education and care service to whom complaints may be addressed.
- The service will display the contact details of the Regulatory Authority.

4.3 Procedures for educators lodging a complaint

The complaints procedures includes the following:

- If the complaint is of an industrial nature, the requirements of the relevant Award must be addressed and followed. External advice may need to be sought.
- From time to time staff conflicts arise. In the interest of the children and the professional operation of the service, these grievances are investigated promptly, thoroughly and confidentially.
- Some complaints may be resolved by presenting the matter for discussion at a team meeting or by discussing directly with the person concerned.

- In the event that you feel you have a problem with any aspect of the service, please make a time to speak with the director.
- If you feel the director has not dealt with your complaint satisfactorily, you may approach the Approved Provider.
- Staff may have a union representative or other person present at any meeting or interview and may withdraw from the process at any time.

4.4 Procedures for children lodging a complaint

The opportunity for children to make complaints should be fully explained to them. Such complaints may be in relation to incidents with other children, issues with educators or of a general nature.

The complaints procedures includes the following:

- Educators will take children's complaints seriously and attend to them as a matter of priority whilst maintaining confidentiality. Where educators are unable to take appropriate action regarding a child's complaint, educators will inform the director.
- Complaints relating to educators, educator conduct or aspects of the program are to be directed to the director. Children may have a family member or other representative to assist them raise their concerns.
- Children are encouraged to give feedback and make suggestions.

4.5 Complaint handling process

- The Nominated Supervisor will be responsible for ensuring that any complaint that alleges a breach of legislation or a serious incident is reported to the Approved Provider. The Approved Provider will be responsible for ensuring that the Education and Early Childhood Services Registration and Standards Board is notified within 24 hours of any complaint that alleges a breach of legislation or where the safety, health or wellbeing of a child was or is being compromised.
- The Approved Provider and/or director will:
 - Investigate complaints promptly and thoroughly with the understanding that the complainant will not be disadvantaged through the process.
 - Listen/read the complaint and document the exact details of the complaint.
 - Seek further information, to clarify the issues and investigate the complaint, including speaking to other parties involved as required.
 - Seek additional advice from line managers and other agencies, including legal advice as required.
 - Refer to any State or National Regulations or organisational policy that may provide clarity to the complaint, as required.
 - Assess the complaint fairly and determine the best possible resolution.
 - Inform the complainant of the outcome in writing or verbally, as required, in a timely manner.
 - Ensure that the complaint process and its outcome are documented and that all documentation is treated and stored confidentially.

Complaints not resolved at this level may be referred by either the complainant or the Approved Provider to the external agency identified by the Approved Provider to investigate the matter.
- Families have a right to lodge a complaint directly with the Regulatory Authority.

5 Resources/References

1. DECD Responding to Concerns from Families and Caregivers at [www.crisis.sa.edu.au/files/links/Responding to Concerns.pdf](http://www.crisis.sa.edu.au/files/links/Responding%20to%20Concerns.pdf)
2. NCAC OSHCQA Factsheet # 15 at www.acecqa.gov.au (go to NCAC Archive)
3. DECD Parent Complaints Policy: A Guide to Raising a Concern or Complaint at [www.decd.sa.gov.au/policy/pages/OSPP/policy index](http://www.decd.sa.gov.au/policy/pages/OSPP/policy_index)
4. DECD Complaint Resolution for Employees at [www.decd.sa.gov.au/policy/pages/ OSPP/ policy index](http://www.decd.sa.gov.au/policy/pages/OSPP/policy_index)
5. DECD Complaints: Parent Concerns and Complaints Procedure at [www.decd.sa.gov.au/policy/pages/OSPP/policy index](http://www.decd.sa.gov.au/policy/pages/OSPP/policy_index)