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Complaints and Feedback Policy

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

Date Created: June 2015 Date to be reviewed: April 2024 Version No: 6

Policy Statement:

**Yarrunga Early Learning Centre** values the feedback of educators, staff, families, and the wider community in helping to create a service that meets regulatory requirements and the needs of enrolled children and their families. We encourage open communication through opportunities to respond and feedback on the program.

We believe a component of this feedback is the ability to put forward a complaint and have this managed appropriately with due consideration for accountability and quality improvement. We take complaints seriously and manage them in a confidential, timely, transparent and meaningful way.

Background:

We will:

* Provide opportunities for consultation, evaluation and review of Yarrunga’s operations and delivery of the education and care program.
* Develop a process for making and managing complaints.
* Communicate the option and process of making a complaint.
* Maintain confidentiality of all parties in line with policy and legislative requirements.
* Acknowledge that the common goal is to achieve an outcome acceptable to all parties.
* Act in good faith and in a calm and courteous manner.
* Show respect and understanding of each other’s point of view and value difference, rather than judge and blame.
* Recognise that all parties have rights and responsibilities which must be balanced.
* Handle complaints objectively and ensure complainants will not suffer any reprisals from making a complaint.

Scope:

This Policy applies to all educators, staff, children, families and wider community.

Relevant legislation:

Children’s (Education and Care Services National Law Application) Act 2010

Education and Care Services National Regulations: 168, 173,176(2)(b)

Privacy and Personal Information Protection Act 1998 (NSW)

Health Records and Information Privacy Act 2002.

Privacy Act 1988 (cth)

Privacy Regulation 2013

Location of information:

The Complaints and Feedback Policy is provided to parents/ guardians on enrolment, in the parent information handbook, as well as via Yarrunga’s web page and on request.

Reference sources:

Community Early Learning Australia (Sample Policy) July 2018

NSW Ombudsman (2004) ‘Effective Complaint Handling’. NSW Ombudsman 2nd Edition 2010

NSW Ombudsman (2009) ‘Complaint Handling Kit’. NSW Ombudsman.

Strategies:

**Feedback**

Communication will aim at all times to be open, honest and confidential.

Yarrunga will offer a variety of ways to communicate and provide feedback including:

* Day books/sheets
* Daily program – will have a section dedicated to comments or feedback on the program and activities
* Interactions
* Formal feedback and comments
* Surveys
* Parent/Educators meetings
* Emails
* Reflective Diaries
* Summative Assessments – twice a year
* NSW Transition to School Statements

With permission, educators may write comments on behalf of families to help with evaluations of the program and encourage further family input.

Families are provided with Yarrunga’s email address and phone details on orientation. Families will be encouraged to converse with educators at pick up and drop off times and may email or call throughout the day.

Feedback from families is encouraged and educators and staff will take this feedback into account in ongoing planning and quality improvement.

Families will be informed as to how their feedback has contributed to improvements in Yarrunga through information notice board displays, emails, and/or newsletters.

**Complaints**

Families may make a complaint directly to the child’s educator, the Approved Provider or the Nominated Supervisor. Complaint & Feedback Procedure forms are located in the Parent Library in the foyer.

Educators will discuss complaints procedures with families and encourage them to raise any issues that they have.

**Responsiveness**

All complaints will be acknowledged and responded to as soon as practicable. Complaints will be dealt with confidentially, in a timely manner and complainants will be kept informed about the progress of their complaint and anticipated timeframes. Allegations of 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.

**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 appropriate person for the complaint to be resolved, usually the approved provider or Nominated Supervisor.

Where an educator believes, they will have to share a confidence with another person in order to resolve an issue, or if the nature of the complaint requires 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 a 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.

**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 ACECQA 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 relevant information

Complaints must be notified to the regulatory authority through the National Quality Agenda IT System (NQA IT System) by logging in to the portal and completing the appropriate forms ([www.acecqa.gov.au](http://www.acecqa.gov.au)).

**Direct complaints**

Families can make a complaint directly to the Regulator Authority, ACECQA, where the complaint alleges that:

* The safety, health or wellbeing of a child was or is being compromised while that child is or was being educated and cared for by Yarrunga.
* The National Law and/or National Regulations have been contravened.
* Contact details are available in the family handbook and displayed in the foyer of the service.

**Follow-Up and Review**

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

* Analyse the complaint 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.

**Roles and Responsibilities**

**The Approved Provider will:**

1. Notify Regulatory Authority within 24hours of any complaint or grievance that has been assessed as ‘notifiable’.
2. In instances where the complaint 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 co-operating with any investigation by the Regulatory Authority.
3. Identify, prevent and address potential concerns before they become formal complaints/grievances.
4. Ensure that the name and telephone number of the person to whom complaints and grievances may be addressed are displayed prominently at the main entrance of Yarrunga.
5. Ensure that the address and telephone number of the Regulatory Authority is displayed prominently at the main entrance of Yarrunga.
6. Advise parents/ guardians and any other new members of Yarrunga of the complaints and grievances policy and procedures upon enrolment.
7. Ensure that this policy is available for inspection at the service at all times.
8. Provide a complaints and Grievances Register.

**The Nominated Supervisor will:**

1. Respond to and resolve issues as they arise where practicable.
2. Discuss minor complaints directly with the party involved as a first step towards resolution.
3. Inform complainants of Yarrunga’s complaints and grievances policy recording all complaints and grievances in the complaints and grievances register.
4. Notify the Approved Provider if the complaint escalates or is unable to be resolved appropriately in a timely manner.
5. Provide information as requested by the approved provider e.g. written reports relating to the grievance.
6. Comply with Yarrunga’s privacy and confidentiality policy and maintain confidentiality at all times.
7. Work co-operatively with the Approved Provider, in any investigations related to a complaint made.

**Early Childhood Educators will:**

1. Ensure that grievances and complaints are dealt with in accordance with this policy.
2. Report any grievances and complaints to the Nominated Supervisor and maintain all relevant documentation.
3. As requested, support the Nominated Supervisor and Approved Provider in the above roles.

**Families will:**

1. Raise a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the complaints and grievances procedures.
2. Communicate any concerns relating to the management or operation of Yarrunga as soon as practicable.
3. Raise any unresolved issues or serious concerns directly with the Approved Provider, via the nominated supervisor or staff.
4. Maintain complete confidentiality at all times.
5. Co-operate with requests to provide relevant information when requested in relation to complaints and grievances.

**Information for families regarding the process**

1. Families make a formal complaint about aspects of Yarrunga and no person will be disadvantaged in any way as a result of that complaint.
2. Complaints should be forwarded to:
   * Yarrunga Early Learning Centre
   * Name of Approved Provider Ivy Ellis 0403564454
   * Name of Nominated Supervisor Debbie Stanley 02 6021 7597
3. Your complaint will be dealt with in the strictest confidentially. Any educator or staff member involved in handling complaints will ensure that information is restricted only to those who genuinely need to be notified in order to deal with the complaint. If information specific to the complaint needs to be disclosed to others during its resolution, the complainant will be informed.
4. Your complaint will be documented by an educator or staff member and placed on the complaints register. The complaint will then be forwarded on to the most appropriate person to investigate the complaint. This will include the Nominated Supervisor and the Approved Provider.
5. Actions to address the complaint will be determined. Once the outcomes or resolutions are agreed on, all persons involved in the original complaint will be notified and informed of any actions for improvement that will take place as a result of the complaint.
6. The Department of Education and Communities (through ACECQA website) will be notified of any complaint made to the service alleging a breach of regulation within 24 hours of the complaint being made.

**Information for educators and staff regarding the process**

**Please note – this is not a grievance procedure. Matters of staff grievance should be dealt with under a grievance policy relating to staff.**

1. Educators and staff may make a formal complaint about aspects of Yarrunga and no person will be disadvantaged in any way as a result of that complaint.
2. Complaints should be forwarded to:

* Yarrunga Early Learning Centre
* Name of Approved Provider Ivy Ellis 0403564454
* Name of Nominated Supervisor Debbie Stanley 0260 217 597

1. Your complaint will be dealt with in the strictest confidentiality. Any educator or staff member involved in handling complaints will ensure that information is restricted only to those who genuinely need to be notified in order to deal with the complaint. If information specific to the complaint needs to be disclosed to others during its resolution, the complainant will be informed.
2. Your complaint will be documented and placed on the complaints register. The complaint will then be forwarded on to the most appropriate person to investigate the complaint. This will include the Nominated Supervisor and the approved provider.
3. Actions to address the complaint will be determined. Once the outcomes or resolutions are agreed on, all persons involved in the original complaint will be notified and informed of any actions for improvement that will take place as a result of the complaint.
4. The regulatory authority, ACECQA, will be notified of any complaint or any serious incident made to Yarrunga alleging a breach of the National Regulation and/or National Law within 24 hours of the complaint being made.

Monitoring, Evaluation and Review

Continuous improvement of our service occurs where there is reflection and constructive feedback given from our Yarrunga community which results in positive change and improvement.

Complaints that are managed well, lead to quality improvement and are conducted in a safe manner in a secure environment.

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service 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, Yarrunga will ensure that families of children enrolled at the service are notified at least 14 days before making any changes to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service, a family’s ability to utilise the service, the fees charged or the way in which fees are collected.