

**INTRODUCTION**

BDCS values the feedback of educators, staff, families and the wider community in helping to create a service that meets regulations and the needs of enrolled children and their families. We encourage open communication from interested parties within the opportunities available to provide feedback on our services.

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.

**OVERALL GOALS – What are we going to do?**

BDCS will:

- Provide opportunities for consultation, evaluation and review of the service operation 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;
- Handle complaints diligently and confidentially; and
- Provide formal feedback and comments.

**OVERALL STRATEGIES – How will it be done?****Feedback**

Communications will always aim to be open, honest and confidential. Our services will offer a variety of ways to communicate and provide feedback including:

- Xplor – Play group app (including daily nappy changes, sleep and observations)
- Daily program – will have a section dedicated to comments or feedback on the program and activities
- Interactions with families upon collection/delivery of children/phone conversations/Email etc.
- Surveys
- Families are provided the service's email address and phone details at 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 the Service through Information Notice Board displays, emails and/or newsletters.

**Complaints**

- Written guidelines detailing complaint procedures are available in our services family handbook. This is also displayed in the foyer for easy reference.
- Families may make a complaint directly to the child's educator, the Approved Provider or the Nominated Supervisor.
- Educators will discuss complaints procedures with children and encourage them to raise any issues they have.

**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 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.
- Refer to ACECQA for relevant timeframes: <https://www.acecqa.gov.au/resources/applications/notification-types-and-timeframes>

## 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 their complaint to be resolved.

Where an educator believes they will have to share in confidence with another person in order to resolve an issue, or if the nature of a 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 educator will attempt to diffuse emotions by acknowledging what they are feeling, and state positively that they wish to seek a solution to the issue that is causing concern. Educators will:
  - ask questions to help identify or clarify their concerns. For example, the statement, “I never know what is happening with my child” may be further clarified by asking questions such as, “What things would you like our service to share with you about your child’s day?”
  - ask the complainant if they have any strategies or solutions that they feel could be put in place to resolve their issues.
- 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 and a suitable time and place will be organised to discuss the issue.
- If the issues are complex the complainant will be asked to put their concerns in writing, addressed to:
 

Bourke & District Children’s Services  
 Attn: General Manager or Nominated Supervisor  
 PO BOX 12, Bourke NSW 2840  
 Phone: (02) 6870 1099  
 Email: gm@bdcs.org.au
- Written Complaints should include:
  - Who was involved?
  - What happened and when?
  - What are you concerned about?
  - Have you done anything else to address this matter?
  - What do you want to happen now?
  - Extra information and copies of other relevant documents should also be attached to your written complaint.

- 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 the Regulatory Authority within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

Refer to the service Child Protection Policy and Procedure.

Complaints, incidents and serious incidents must be notified to the regulatory authority through the National Quality Agenda IT System (NQA IT System). Log in to access the portal where you can select the incident or complaint type and enter the required information.

Approved Providers are required to notify the regulatory authority of a complaint that alleges:

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

### **Direct Complaints**

Families can make a complaint directly to the Regulatory 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 approved education and care service.
- The relevant legislation has been contravened.

Contact details are available in the family handbook and displayed in the foyer of the service. They are:

Early Childhood Education Directorate, NSW Department of Education

Locked Bag 5107

Parramatta NSW 2124

Phone: 1800 619 113

Email: [ececd@det.nsw.edu.au](mailto:ececd@det.nsw.edu.au)

### **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:***

- Notify the regulatory authority within 24 hours when a complaint or grievance has been assessed as 'notifiable'.
- 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 co-operating with any investigation by the Regulatory Authority.
- Identify, prevent and address potential concerns before they become formal complaints/grievances.

- 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 the service.
- Ensure that the address and telephone number of the Regulatory Authority displayed prominently at the main entrance of the service.
- Advise parents/guardians and any other new members of BDCS of the complaints and grievances policy and procedures upon enrolment.
- Ensure that this policy is available for inspection at the service at all times.
- Provide a Complaints and Grievances Register.

***The Nominated Supervisor will:***

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

***Early Childhood Educators will:***

- 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 will:***

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

## MONITORING, 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 service will review this Policy every 18 months. 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 service will ensure that families of children enrolled at the service are notified at least 14 days before making any change 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.*

## RELATED LEGISLATION

- Education and Care Services National Law Act 2010: Section 174(2)(b)
- Education and Care Services National Regulations
- Privacy and Personal Information Protection Act 1998 (NSW)
- Health Records and Information Privacy Act 2002
- Privacy Act 1988 (Cth)
- Privacy Regulation 2013

## LINKS TO:

- National Quality Standard: 7.1
- Education and Care Services National Regulations: Regulations 168(2) (o) and 176(2)(b)

## SOURCES

- Australian Children's Education and Care Quality Authority (ACECQA) – [www.acecqa.gov.au](http://www.acecqa.gov.au)
- NSW Ombudsman (2004) 'Effective Complaint Handling'. NSW Ombudsman 3rd Edition 28 February 2017
- Complaints Management Framework June 2015 – [www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/25375/Complaintmanagement-framework-June-2015.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0004/25375/Complaintmanagement-framework-June-2015.pdf)
- Complaint Handling Toolkit for Community Services Organisations – [www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0017/5813/BR\\_ComplaintHandling-Kit-CS-CRAMA-Brochure-2013-web.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0017/5813/BR_ComplaintHandling-Kit-CS-CRAMA-Brochure-2013-web.pdf)
- Using Complaints to Support Continuous Improvement [www.acecqa.gov.au/sites/default/files/2018-04/QA7\\_UsingComplaintsToSupportContinuousImprovement.pdf](http://www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingComplaintsToSupportContinuousImprovement.pdf)

## Policy Revision History

<i>Date</i>	<i>Authorised By</i>	<i>Description of Amendments</i>	<i>Sections affected</i>
Jan 2021	P. Ritchie – GM		

**Review Date: Jan 2022**

