



BOURKE AND DISTRICT CHILDREN'S SERVICES

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

POLICY NAME: COMPLAINTS HANDLING

POLICY STATEMENT

Feedback from families, children, staff and the wider community is fundamental in creating evolving services 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 BDCS' processes for receiving and managing informal and formal complaints. Our policy and complaints processes support and encourage children, families, visitors, staff, students and members of the community to lodge a grievance or complaint in the understanding that it will be managed conscientiously and confidentially.

BACKGROUND

The Education and Care Services National Regulations requires Approved Providers to ensure their services have policies and procedures in place for dealing with complaints. We aim to investigate all complaints and grievances with a high standard of equity and fairness. We believe in team collaboration to ensure a safe, healthy and harmonious work environment. 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.
- Child safe complaint culture
- Culture free from discrimination and harassment.
- Transparent policies and procedures.
- Opportunities for further investigation.
- Adhering to our service philosophy.

OVERALL STRATEGIES / HOW WILL IT BE DONE?

Complaints and grievances can transpire in any service. Complaints help our services to identify problems and provide opportunities to address these appropriately and effectively to sustain a child safe, healthy, harmonious and productive service environment. This 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 and are transparent and equitable.
- Appropriately handle children exhibiting harmful sexual behaviours as per our Child Protection Policy.
- Promote children's rights, safety and wellbeing.
- Consider a child's age, cultural, developmental and additional needs.

CHILD FOCUSED COMPLAINTS PROCESS

Our service is committed to the National Principles for Child Safe Organisations and adopts a child safe approach to complaints involving children. As a Child Safe Organisation, we will respond promptly and systematically to any concerns, disclosures, allegations or suspicions while fostering an environment where children feel confident that their safety and wellbeing are paramount. Our organisation ensures our complaint processes are easily understood by children, young people and families and are accessible, effective and culturally safe. Educators teach children about the complaints process so they understand who they can talk to if they want to make a complaint, and what to expect when they do. We ensure complaints are taken seriously, addressed promptly and thoroughly, and comply with all legal obligations.

PRIVACY AND CONFIDENTIALITY

All staff will adhere to our Privacy and Confidentiality Policy when dealing with grievances and complaints which treats personal information in accordance with the Privacy Act 1988. However, if a grievance or complaint involves a staff member and a child protection issue, a relevant government agency will need to be informed (see Reportable Conduct Scheme in our Child Protection Policy). Confidentiality can also not be guaranteed in the following situations:

- If it is considered that someone is in danger.
- If disciplinary action or criminal investigation might be necessary.
- If employer liability might be involved.

We recognise the importance of having clear protections in place for staff who raise concerns or complaints about child safety. This includes maintaining confidentiality to protect the identity of the person reporting the concern and ensuring they do not experience any negative consequences as a result of speaking up.



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FEEDBACK

We value feedback and understand that it can be essential to support continuous quality improvement of the organisation. We encourage open communication from all interested parties and provide the following opportunities to provide feedback:

- Xplor App.
- Fortnightly program feedback page.
- Phone calls and emails.
- Conversations with staff upon arrival/departure.
- The opportunity to book a meeting with the Room Leader/Nominated Supervisor/General Manager.

COMPLAINTS

- BDCS affirms that everyone has a right to question and influence decisions made and services provided. Complaints are taken seriously and managed in a confidential, timely, transparent, and meaningful way. We achieve this by:
 - Maintaining the confidentiality of all parties in line with policy and legislative requirements
 - Acknowledging that the common goal is to achieve an outcome acceptable to all parties
 - Acting in good faith and in a calm and courteous manner
 - Showing respect and understanding of each other's point of view and value difference, rather than judge and blame
 - Recognising that all parties have rights and responsibilities which must be balanced
 - Handling complaints objectively and ensuring that complainants do not suffer any reprisals from making a complaint
- Families can raise concerns directly with their child's educator/Room Leader or they can contact the Nominated Supervisor of the service or the General Manager if they prefer. Families are strongly encouraged to arrange a time with the Room Leader/Nominated Supervisor/General Manager so that the complaint can be discussed privately at an appropriate time. In many cases an informal resolution can be achieved through communication and discussion.
- Where the person receiving the complaint believes that 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 complainant of the need to do this 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 person receiving the complaint will attempt to diffuse emotions by acknowledging what the complainant is feeling, and state positively that they wish to seek a solution to the issue that is causing concern. They will:
 - Ask questions to help identify or clarify their concerns
 - 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. Otherwise, the complainant will be advised that the issue will be dealt with as soon as possible and a suitable time and place will be organised to further discuss the issue.
- Alternatively, complaints and feedback can be submitted in writing to the General Manager via:
 Email: gm@bdcs.org.au
 Post: General Manager, PO Box 12, Bourke, NSW 2840
- Written Complaints should include the following information:
 - Who was involved
 - What happened and when
 - What you are concerned about
 - What (if anything) you have already done to address this matter
 - What you want to happen now
 - Any other information and copies of relevant documents should also be attached where applicable

RESPONSIVENESS

- BDCS believes in procedural fairness and natural justice that govern the strategies and practices, which include:
 - The right to be heard fairly
 - The right to an unbiased decision made by an objective decision maker
 - The right to have the decision based on relevant evidence



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- All complaints will be acknowledged and responded to as soon as practicable. 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.
- Where mediation is required all parties will have the right to agree to the appointment of the mediator.
- Should a formal complaint be lodged about a staff member, no action will be taken against this person until they are made aware of any allegations so that they may respond. The Nominated Supervisor or General Manager will then determine if any further action needs to be taken whilst the complaint is being investigated.

INVESTIGATION

Should it be deemed by the Nominated Supervisor or General Manager that an investigation needs to be conducted, 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.
- Should it be necessary to interview relevant people concerning the complaint, their involvement will be kept to the minimum necessary to establish the facts.
- Third parties providing evidence must also be made aware that the matter is to be kept confidential.
- If the complaint involves a staff member/s, the investigation will also consist of:
 - Discussing the nature of the complaint (or breach) and giving the respondent an opportunity to respond
 - Permitting the respondent to have a support person present during the consultation
 - Providing the respondent with a clear written statement outlining the outcome of the investigation
- A written response outlining the outcome will be provided to all involved parties.
- If a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflect the resolution. All written responses will need to cater for the complainant to be able to understand such as spoken language and special needs regarding reading.
- A written notification to the complainant will be provided if it is decided that after initial enquiries an investigation doesn't need to be proceeded with and ensure this outlines the reasoning behind this decision.
- The complainant will be informed that if they are not satisfied with any decision relating to the complaint procedure, that they should consult with an external body for further advice such as the Regulatory Authority.
- Appropriate records of the investigation and outcome will be stored in accordance with our Privacy and Confidentiality Policy and Record Keeping and Retention Policy.

FOLLOW UP AND REVIEW

Each complaint will be viewed as an opportunity for improvement. After the complaint or grievance has been dealt with, the Nominated Supervisor/General Manager will:

- Determine the root cause and ensure immediate and appropriate steps are taken to prevent a grievance/complaint from reoccurring.
- Analyse the complaint to determine if any policy or procedural changes need to be implemented, taking into account whether there were any risks to the safety of children.
- Ensure the grievance/ complaint has been successfully resolved to everyone's satisfaction and relevant staff will be consulted about the outcome from an operational viewpoint.

NOTIFIABLE COMPLAINT TO REGULATORY AUTHORITY

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.

The notification must be made within 24 hours of the complaint being made via the [NQA-ITS](#).

A serious incident must also be documented on an Incident, Injury, Trauma and Illness Record. A serious incident is:

- 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.



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- A serious injury or trauma while the child is being educated and cared for, which:
 - Required urgent medical attention from a registered medical practitioner
 - 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 (it does not include 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 COMPLAINT TO REGULATORY AUTHORITY

Complainants can choose to 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.

Complaints can be submitted via:

Phone: 1800 619 113

Email: ececd@det.nsw.edu.au

Post: Early Childhood Education Directorate, NSW Department of Education, Locked Bag 5107, Parramatta, NSW 2124

COMPLAINTS RELATING TO THE ADMINISTRATION OF CHILD CARE SUBSIDY

Families who wish to raise concerns regarding the management of Child Care Subsidy should speak with the Nominated Supervisor in the first instance. The Nominated Supervisor will follow the steps as outlined in this policy, including advising the Approved Provider of all grievances.

Families can raise concerns regarding management of the Child Care Subsidy to the dedicated Child Care Tip-Off Line either via phone or email:

Phone: 1800 664 231

Email: tipoffline@education.gov.au

CONCERNS ABOUT DIGITAL TECHNOLOGIES

Our organisation acknowledges the growing presence of digital technologies in early childhood education and the importance of ensuring their safe and appropriate use. We are committed to maintaining a safe digital environment for children, educators, and families



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Raising Concerns:

- Children are encouraged to express any discomfort or confusion about digital tools or online content through age-appropriate conversations with educators.
- Educators will monitor digital technology use and report any concerns related to inappropriate content, misuse, or breaches of privacy.
- Parents/carers may raise concerns about digital technologies including screen time, online safety, or data privacy - directly with educators or the Nominated Supervisor.

COMPLAINTS INVOLVING ALLEGATIONS OF A CHILD EXHIBITING SEXUAL BEHAVIOURS

Educators and service staff play an important role in making informed professional judgements regarding sexualised behaviours involving children. It is important to remember that a child exhibiting sexual behaviours can be a sign that they have experienced abuse however, not all sexual behaviour involving children poses a risk to their safety and it could just be that they are developmentally appropriate actions.

Should BDCS receive a complaint that alleges that a child is exhibiting sexual behaviours, or should this be witnessed by anyone at the service:

- The service will always respond to any complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child.
- Staff will assess the need for urgent police and emergency services assistance and inform the Responsible Person.
- The Regulatory Authority will be notified within 24 hours of any complaint alleging that a serious incident has occurred whilst a child is educated and cared for or complaints alleging that the Law has been contravened.
- All staff, students and volunteers are aware of the process for responding to disclosures from children as per our Child Protection Policy.
- All staff, students and volunteers are aware of their duty of care and mandatory reporting obligations to make a report to Department of Communities and Justice (DCJ) Child Protection Hotline NSW.
- All staff have a sound understanding of developmentally appropriate sexual development in children and sexual behaviour that may be concerning and requires a response.
- Families are encouraged and supported to raise concerns in confidence
- All staff regularly engage in professional learning to promote a consistent and appropriate approach to identifying and responding to sexual behaviours in children that may include:
 - Age and developmental capacity of the child/children
 - Reasons why a child may be behaving in sexually harmful ways
 - Behavioural history of the child
 - How the behaviour impacts the behaviour of other children
 - Risk the behaviour imposes on others
 - Vulnerability of the child to be engaging in harmful sexual behaviour
- Procedures for supporting all stakeholders during the complaint procedure are implemented including documenting discussions, ensuring confidentiality and providing information of the progress of the complaint and access to support agencies as required.

CONFLICT AMONGST STAFF MEMBERS

Conflict can be a natural part of the work environment however, unresolved conflict can have many negative effects including feeling stressed and anxious, being underproductive and taking excess time off work. When conflict is addressed and handled constructively it can foster empowerment and enjoyment in regular work tasks.

Positive communication between staff is vital to the smooth running of the service and to ensure a positive environment for children. Staff are expected to treat each other with respect, accept differences and share ideas. It is every staff member's responsibility to contribute to the development of an open, healthy and constructive work environment. All grievances and complaints, whether considered minor or not, are to be dealt with promptly, professionally and thoroughly. All staff are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships and ultimately provide better care and education for children. Staff are also to be aware of their responsibility to be a good role model for children, and appropriately and professionally handle conflict with work colleagues, children, parents, and other associates.



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Staff members should regularly reflect on Early Childhood Australia's Code of Ethics for guidance of appropriate behaviour when dealing with conflict. The Code of Ethics states that all team members should "make every effort to use constructive methods to resolve differences of opinion in the spirit of collegiality."

BULLYING AND DISCRIMINATION

Our service is committed to creating a workplace with vision and meaningful direction, adhering to our Code of Conduct policy and practicing ethical behaviour to ensure a productive work environment where bullying or discrimination will not be tolerated under any circumstances.

BULLYING

Workplace bullying occurs when a person or group of people repeatedly behave unreasonably towards a worker or a group of workers, creating a risk to health, safety, and wellbeing. Bullying may involve any of the following types of behaviour:

- Aggressive or intimidating conduct.
- Making belittling or humiliating comments.
- Spreading malicious rumours.
- Having unreasonable work expectations.

Bullying does not include management action carried out in a reasonable manner including:

- Making decisions about poor performance.
- Taking disciplinary action.
- Directing and controlling the way work is to be carried out.

DISCRIMINATION

This occurs when someone is treated less favourably than others because of a particular characteristic (such as age, disability or gender), or belong to a particular group within the population (due to, for example, religion, culture, or sexual orientation).

All staff members must report any incidents of bullying or discrimination that they have experienced or witnessed, to their Nominated Supervisor or General Manager who will then investigate the issue.

MANAGING CONFLICT

When two or more staff members can't resolve a grievance between themselves in a constructive and professional way, the following steps will be taken:

- The aggrieved person is to contact their Direct Supervisor who will act as mediator:
 - The mediator will have an interview with the persons involved and clarify the facts, work out whether advice is needed from other sources, discuss options available, and help to formulate a plan of action
 - If a staff member does not feel comfortable in approaching their Direct Supervisor, or the conflict is with their Direct Supervisor, they can contact the General Manager
 - A staff member is able to nominate a support person to attend any meetings with them. This person may be a union representative, impartial friend, or family member
- If an amicable resolution does not occur at this meeting the mediator is to present a report to the next level of management outlining:
 - The nature of the grievance or complaint
 - The procedures followed to date
 - The solution(s) sought
 - The recommended plan of action or resolution
- If an agreement is reached the mediator is to present a report to the General Manager outlining:
 - The nature of the grievance
 - The procedures followed to date
 - The solution(s) agreed upon
 - The plan of action to reach this solution and review time if warranted
 - A copy of this report is to be provided to all persons involved in the grievance or complaint, and a copy is to be retained at the service



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RESOLUTION OF GRIEVANCES

Grievances are considered resolved when all persons involved agree to a solution, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate, to repair any damage and distress suffered by the persons involved. Strategies agreed upon by both parties are to be put in place to help avoid further conflict. If resolution is unsuccessful after all steps in the Complaints Handling Policy have been followed then it may be necessary for the General Manager to take disciplinary action.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

BDCS is committed to supporting the wellbeing of all employees, particularly during the complaints handling process. We recognise that raising or responding to a complaint can be stressful and emotionally challenging. To support staff through this process, we offer access to our confidential Employee Assistance Program (EAP) with services including:

- Confidential counselling and psychological support
- Stress management and coping strategies
- Guidance on workplace conflict and resolution
- Support for personal issues that may impact work

Employees can and are encouraged to access EAP services at any stage of the complaints process. Participation is confidential and will not affect the outcome of any complaint.

STAFF MEMBERS WILL NOT:

- Become involved in complaints or grievances that do not concern them.
- Raise complaints with an external complaints body, such as a court or Tribunal, without exhausting all steps in the BDCS Complaints Handling Policy.

STAFF MEMBERS WILL:

- Be aware of the possible ramifications of their actions when dealing with staff issues.
- Raise the grievance or complaint directly with the person they have grievance with, in a professional manner and at an appropriate time. Both parties should try to resolve the issue and develop solutions to ensure the problem does not happen again. Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness, will not involve other staff, volunteers or visitors and will take place away from children.
- If they are unable to resolve the issue or feel uncomfortable raising the matter directly with the person concerned, the grievance or complaint must be raised with the Direct Supervisor or General Manager and they may ask for the issue to be put in writing.
- Provide all relevant information, outlining the issue, identifying any other person involved in the problem, and any suggested solution.
- Communicate openly about the issue with the relevant parties.
- Raise any grievance involving suspected or actual unlawful activity (including bullying) with the Direct Supervisor or General Manager immediately and privately.
- Maintain confidentiality and professionalism at all times.

STAFF MEMBERS WHO ARE ALSO PARENTS/GUARDIANS

This section of the policy is relevant to staff members who are also parents/guardians of children who attend the service, as here the complaints handling process is slightly different. These particular staff members are to make their complaint directly to the Nominated Supervisor of the service that their child attends (whereas parents/guardians who do not work at the service can raise complaints with any educator/Room Leader at that service, as well as the Nominated Supervisor or General Manager).

The purpose of this variation is to ensure that parents/guardians who are also staff members, have the same rights as all other parents/guardians. This variation will support these parents/guardians to have their complaints heard by the Nominated Supervisor and responded to in a way that:

- Is positive and from a neutral perspective.
- Does not negatively impact relationships between colleagues.
- Supports the best interest of the child and contributes to continuous improvement.



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If there is conflict between another staff member, the Nominated Supervisor is not directly involved and can assess the situation objectively. This allows them to make decisions that are fair and just for all parties involved. They can also act as a mediator between the parties involved, facilitating a constructive dialogue that can lead to a resolution.

This is the only variation and therefore all other aspects of the Complaints Handling Policy must be followed by staff members who are also parents/guardians. This includes not discussing complaints or grievances with anyone else at the service other than the Nominated Supervisor or General Manager.

ROLES AND RESPONSIBILITIES

THE APPROVED PROVIDER AND DIRECT SUPERVISORS WILL:

- Ensure there are policies and procedures in place for dealing with complaints and take reasonable steps to ensure those policies and procedures are followed.
- Ensure that obligations under the Education and Care Services National Law and National Regulations are met.
- Ensure all staff (including casual staff) receive information and induction training to fulfil their roles effectively, including being made aware of the Complaints Handling Policy, their responsibilities in implementing it, and any changes that are made over time.
- Ensure students, visitors and volunteers have knowledge of and adhere to this policy.
- Ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the main entrance of the service.
- Ensure the address and telephone number of the Regulatory Authority is clearly visible at the main entrance of the service.
- Treat all grievances and complaints seriously and as a priority.
- Ensure grievances and complaints remain confidential and reflect procedural fairness and natural justice.
- Ensure people feel safe or comfortable when making a complaint, including children.
- Ensure our complaint handling processes are child-focused providing support and age-appropriate guidance for children to know who to talk to if they are feeling unsafe, and empowered to make a complaint.
- Ensure educators, staff, volunteers and students are well informed about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children - including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child.
- Ensure that any complaints alleging that a child is exhibiting harmful sexual behaviours is actioned immediately as per our Child Protection Policy.
- Conduct a review of policies and procedures, where required, following a complaint or grievance as part of our continuous improvement practices.
- Attempt to identify, prevent and address potential concerns before they become formal complaints/grievances.
- Respond to and resolve issues as they arise where practicable.
- Discuss minor complaints directly with the party involved as a first step towards resolution.
- If the complaint escalates or is unable to be resolved appropriately in a timely manner, the Direct Supervisor is to work co-operatively with the General Manager to reach a resolution.
- Investigate and document the grievance or complaint fairly and impartially.
- Keep appropriate records of the complaint and if applicable, investigation and outcome and store these records in accordance with our Records Keeping and Retention Policy. Track complaints to identify recurring issues.
- Ensure the parties are protected from victimisation and bullying.
- Notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.
- In instances where the complainant reports directly to the Regulatory Authority, the Approved Provider/Nominated Supervisor 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.
- Comply with legislation for any allegations or convictions of child abuse or child related misconduct of any staff member, volunteer or contractor and notify the Office of the Children's Guardian (OCG) as part of the Reportable Conduct Scheme in NSW with 7 business days using the [7 Day Notification Form](#).



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ALL STAFF WILL:

- Listen to the complainant's view of what has happened.
- Clarify and confirm the grievance or complaint, documenting all the facts.
- Encourage and support the complainant to seek a balanced understanding of the issue.
- Discuss possible resolutions available to the complainant.
- Encourage and assist the complainant to determine a preferred way of solving the issue.
- Record the conversation, confirming the details with the complainant at the end of the conversation.
- Maintain confidentiality at all times and ensure all written information is stored in a secure place.
- Refer complainant's (as necessary) to service policies that may assist in resolving the grievance or complaint.
- Be informed about the different ways children can express concerns or distress and disclose harm.
- Be aware of child protection law and their individual responsibilities as mandatory reporters/notifiers.
- Ensure children know who to talk to if they are feeling unsafe and know the process that will happen to support them.
- Report all complaints received to their Direct Supervisor and provide any written evidence if requested.

COMPLAINANTS WILL:

- Communicate complaints either verbally or in writing.
- Raise a complaint directly with the person involved (unless they are a staff member), as the first step to resolving the issue. Unless they are aware that it is a reportable offence to the Regulatory Authorities, in which case they will notify the Nominated Supervisor or General Manager.
- 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 Nominated Supervisor or General Manager.
- Be informed of our duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to the management of complaints. The complaints procedure ensures a fair opportunity for all stakeholders to be heard and promotes effective conflict resolution within our services.
- Maintain confidentiality at all times.
- Co-operate with requests to provide relevant information when requested in relation to complaints and grievances.
- Be informed of our duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to the management of complaints. The complaints procedure ensures a fair opportunity for all stakeholders to be heard and promotes effective conflict resolution within our services.
- Children are able to express their concerns or allegations to either the Nominated Supervisor, educators, and/or families who are encouraged to then share the complaint with an educator on their child's behalf.

CONTINUOUS IMPROVEMENT/REFLECTION

Our Complaints Handling Policy will be reviewed annually, or earlier if there are changes to legislation, ACECQA guidance, or any incidents related to the policy. This review will be conducted in consultation with children, families, and staff.

CHILD SAFE STANDARDS

Standard 1	Child safety is embedded in organisational leadership, governance, and culture
Standard 3	Families and communities are informed and involved
Standard 4	Equity is upheld and diverse needs are taken into account
Standard 5	People working with children are suitable and supported
Standard 7	Staff are equipped with the knowledge, skills, and awareness to keep children safe through continual education and training
Standard 10	Policies and procedures document how the organisation is child safe

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS

4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.



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4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES

6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
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.

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7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS AND NATIONAL LAW

Sec. 172	Offence to fail to display prescribed information
Sec. 174	Offence to fail to notify certain information to Regulatory Authority
12	Meaning of serious incident
84	Awareness of child protection law
149	Volunteers and students
168(2)(o)	Education and care services must have policies and procedures for dealing with complaints
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
173(2)(b)	Requires an Approved Provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service
176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

STATUTORY LEGISLATION & CONSIDERATIONS

[Age Discrimination Act 2004](#)
[A New Tax System \(Family Assistance\) Act 1999](#)
[Disability Discrimination Act 1992](#)
[Education and Care Services National Law Act 2010 \(Amended 2023\)](#)
[Education and Care Services National Regulations \(Amended 2023\)](#)
[Fair Work Legislation Amendment \(Secure Jobs Better Pay\) Act 2022](#)
[Family Law Act 1975](#)
[Privacy and Personal Information Protection Act 1998](#)
[Racial Discrimination Act 1975](#)
[Sex Discrimination Act 1984](#)

SOURCES

Acknowledgement to Community Early Learning Australia and Childcare Centre Desktop.
 Australian Children's Education & Care Quality Authority (ACECQA). (2025).
 Australian Children's Education & Care Quality Authority (ACECQA). (2023). [Using Complaints to support continuous improvement](#).
 Australian Government Department of Education. (2022). [Belonging, Being and Becoming: The Early Years Learning Framework for Australia](#). V2.0, 2022.
 Australian Government Department of Education. (2025). [Child Care Provider Handbook - Department of Education, Australian Government](#).



BOURKE AND DISTRICT CHILDREN'S SERVICES

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

POLICY NAME: COMPLAINTS HANDLING

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

Early Childhood Australia Code of Ethics. (2016).

Fair Work Australia: <https://www.fairwork.gov.au/>.

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017). (Amended 2023).

Guide to the National Quality Framework. (2017). (Amended 2025) [Guide to the National Quality Framework](#).

Revised National Quality Standard. (Amended 2025).

RELATED POLICIES

- Child Protection Policy
- Code of Conduct Policy
- Enrolment and Orientation Policy
- Family Participation and Communication Policy
- Fees Policy
- Governance and Management of the Service Policy
- Employee Induction Policy
- Interactions with Children Policy
- Governance and Management of the Service Policy
- Interactions with Children Policy
- Privacy and Confidentiality Policy
- Promoting a Child Safe Environment Policy
- Record Keeping and Retention Policy
- Responsible Person Policy
- Safe Use of Digital Technologies and Online Environments
- Student, Volunteer and Visitor Policy

RELATED DOCUMENTS

POLICY REVIEWED	NEXT REVIEW DATE	POLICY REVIEWED BY
OCTOBER 2025	OCTOBER 2026	Charlotte Parnaby
MODIFICATIONS	<ul style="list-style-type: none"> • Updated child focussed complaints process • Complaints involving allegations of a child exhibiting sexual behaviours section and Employee Assistance Program added • Annual policy maintenance • Updated legislation and other links where necessary 	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	POLICY REVIEWED BY
JUNE 2024	<ul style="list-style-type: none"> • New policy format • Child Safe Standards added • Regulation amendments incorporated • Extra information added including: <ul style="list-style-type: none"> ○ Investigating a complaint ○ Privacy and confidentiality ○ CCS • New sections added to the policy including: <ul style="list-style-type: none"> ○ Conflict amongst staff members • Staff members who are also parents/guardians 	Prue Ritchie
JANUARY 2021		Prue Ritchie