

POLICY/PROCEDURE NAME & REVIEW PROCESS	DEALING WITH COMPLAINTS POLICY This policy has been created to provide our stakeholders with clear guidelines and transparency to our practices and procedures. We welcome feedback and input from all our stakeholders at any time, and this policy is subject to review based on feedback or due date of annual review.
NATIONAL QUALITY STANDARD	6.1 SUPPORTIVE RELATIONSHIPS WITH FAMILIES 6.1.1 Engagement with the service. 6.1.2 Parent views are respected. 6.1.3 Families are supported.
NATIONAL LAW AND REGULATIONS	168-Education and care service must have policies and procedure 170-Policies and procedures to be followed 171-Policies and procedures to be kept available 172- Notification of change to policies or procedures 175- Prescribed information to be notified to Regulatory Authority 176- Time to notify certain information to Regulatory Authority Section 172 – Offence to fail to display prescribed information. Section 174- Offence to fail to notify certain information to Regulatory Authority
RELATED POLICIES and RECORDS	<ul style="list-style-type: none"> ▪ Child safe environment policy ▪ Complaints record. ▪ Complaint statement record ▪ Serious incident record
SCOPE OF POLICY	This policy applies to all children, educators, families, management, students, volunteers, and visitors at our service.
AIM OF POLICY	To ensure that our service has strong guidelines, procedures, and practices in place regarding complaints to ensure that all children who attend our service are safe and protected. Our aim is to provide a clear policy, implement the policy, support practices relating to the policy, train staff regarding the policy and maintain and update the compliance of the policy for all our stakeholders. Through the implementation of our policies and procedures, we aim to meet National Law & National Regulations, National Quality Standards, Child Safe Standards and National Principles. We will promote cultural safety for Aboriginal and Torres Strait Islander children, safety for children with disability, and inclusion for children from culturally and linguistically diverse backgrounds.
SERVICE IMPLEMENTATION	The Education and Care Services National Regulations require policies and procedures to be in place, in particular, dealing with complaints in the service. Our service is committed to this policy and adhering to the correct practices and procedures to support parent/guardians and staff when advising of an issue in the service in the form of a complaint. We will display on the service information record the name and telephone number of the person at the service to whom complaints can be made. All complaints will be investigated with an unbiased view and with professionalism, ensuring the privacy and confidentiality of complainant wherever possible. In some cases, complaints will provide opportunity to improve practice, and this in turn may lead to policy changes. Quality improvement plan will be amended in the event of processes requiring change or improvement. In the event of a complaint parent/guardian The Nominated Supervisor <ul style="list-style-type: none"> ▪ Once a complaint is received from a parent/guardian the nominated supervisor will arrange a private discussion with the complainant, and all discussions will be documented on the complaints record. ▪ Once all information has been collated an investigation may be required to establish further information regarding the complaint. ▪ At this stage statements from witnesses if applicable will be collated. ▪ Nominated supervisor will immediately notify the approved provider and if the complaint is proved to be serious, ensure that the documentation is collated and available prior to lodging on the NQAITS portal within 24 hours of receiving complaint.

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Owner	Fishbowl Pty Ltd				
Policy published	January 2019	Last review date	January 2026	Next review date	January 2027
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- If a complaint cannot be resolved, nominated supervisor will inform the approved provider so that all measures have been considered.

A complaint from an educator or staff member

- If a staff member has a concern or a complaint, then they must in the first instance try and resolve the situation if it directly involves another staff member. If the issue continues, seek guidance from the nominated supervisor.
- Staff will document their complaint on the **complaint statement record** and present it to nominated supervisor at the same time when raising the complaint.
- The nominated supervisor should then try to solve the complaint amicably by becoming the mediator between the staff members. A meeting should occur for this situation, and all information is documented on the **complaints record**.
- If the issue happens again or remains unresolved, the complaint should then be reported to the approved provider for guidance who then may advise for a further investigation that may involve performance management.

Exceptions

- A staff member may go directly to the approved provider if the grievance is about the nominated supervisor.
- This policy does not apply to complaints arising from the termination of employment, in this situation there are separate legal avenues available to staff.
- They must be forthcoming in regard to any investigation regarding a complaint, provide truthful, accurate statements if requested by management.
- If required, performance management will occur for any staff that have been deemed to breach policy or procedure regarding the complaint.
- Nominated supervisor will ensure the complaint is reflected on and provides an opportunity to review and revise policy and procedure relating to the complaint, seek input from complainant and update policy and procedure if required and add to quality improvement plan in regard to changes or plans for change in practices.

Child Safety Complaints

- All employees will act upon any alleged complaint or disclosure of child abuse and child safety concerns. Such allegations will be investigated immediately, and our due process will be followed as per **Child Protection Policy** (state specific).
- Nominated supervisor will ensure that all reports of child abuse and child safety concerns, regardless of whether they are made by an adult or a child and whether they involve the conduct of an adult or a child, will be taken seriously.
- Such reports will be investigated immediately, and our due process will be followed. In most instances, staff will be stood down to ensure the safety and wellbeing of child, staff and all who are involved, whilst the investigation is completed.
- We will allow stakeholders, staff and children to choose how to make a complaint and who they wish to make a complaint to. Complaints can be made face to face, via email, written, via software, suggestion boxes etc.
- Children will be encouraged to speak up about any issues through discussions with educators and encouraged through the curriculum.

Child-Friendly, Accessible and Culturally Safe Complaints

- Our service ensures that complaint processes are accessible and culturally safe for all children and families, including Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, and children with disability.
- Children will be provided with age-appropriate information (such as posters, simple language, and visual aids) about how to make a complaint.
- Any child who makes a complaint will be offered support by a trusted educator or another adult of their choice and will be reassured that they will be listened to, believed, and protected from harm or retaliation.
- Children’s voices and wishes will be heard and respected throughout the process, and outcomes will be explained to them in a way they can understand.

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Each member of the team plays an important role in the implementation of each policies guidelines, and they are outlined as below but not limited to the following:

The Approved Provider

- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they notify regulatory authority within 24 hours of serious complaints.
- Will ensure they take reasonable steps to ensure that the educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the educators, staff and volunteers the documentation to perform their role, follow policy and procedure and ensure they are checking the documentation according to regulatory and service requirements.
- Will ensure that a rigorous recruitment process is completed, and a thorough induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the nominated supervisor and staff are supported with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders and staff regarding the policy’s effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.
- Will conduct regular staff meetings to address policy compliance with legislation, policy implementation, changes to policy and or collect feedback for annual review of policy.
- Will ensure there is a process provided and placed clearly on display in the service and available in parent handbook as to how and to whom to complain.

The Nominated supervisor

- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they receive, document, and manage complaints in a professional manner, perform prompt initial assessment and respond. Escalate serious complaints immediately to the approved provider and maintain all records relating to complaints securely.
- Will ensure they take reasonable steps to ensure that the educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the educators, staff and volunteers the documentation to perform their role, follow policy and procedure and ensure they are checking the documentation according to regulatory and service requirements.
- Will ensure that a rigorous recruitment process is completed, and a thorough induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the staff are supported with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders regarding the policy’s effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.
- Will conduct regular staff meetings to address policy compliance with legislation, policy implementation, changes to policy and or collect feedback for annual review of policy.

Educators

- Will ensure if they receive a complaint from a parent, they will ensure that they advise the nominated supervisor or approved provider in a timely manner so that the timeframes for reporting are met. They are not to deal with complaints on their own.
- Will ensure that they report any other complaints or concerns promptly to their immediate manager/ nominated supervisor, once reported they must cooperate fully with investigation whilst maintain confidentiality and professionalism.
- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they take reasonable steps to follow the service policy and procedures and seek advice or further support if unsure.

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	<ul style="list-style-type: none"> Will ensure they complete and document any related records regarding the implementation of this policy and practice requirements of the service. Will attend any ongoing professional development, staff meetings and training they require to comply with this policy and practice requirements of the service. Will provide feedback to the nominated supervisor or approved provider regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns. Will provide feedback regarding policy review when required.
REGULATION IMPLEMENTATION	The following regulations and procedures outline and support all stakeholders to understand and implement the regulatory guidelines of this policy.
In regard to regulation 168-education and care must have policies and procedure.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that obligations under the Education and Care Services National Law and National Regulations are met. Ensure they take reasonable steps to ensure that the policy and procedures are current, reviewed regularly and communicated to educators, staff, and stakeholders. Take reasonable steps to inform and support educators and staff regarding their responsibilities in implementing the policy and procedures at all times. Take reasonable steps to ensure that nominated supervisor, educators, staff, and volunteers follow the policy and procedures. Ensure copies of the policy and procedures are readily accessible to nominated supervisor, educators, staff, stakeholders, and volunteers and are available for inspection. Notify families at least 14 days before changing the policy or procedures if the changes will: <ul style="list-style-type: none"> Affect the fees charged or the way they are collected or Significantly impact the service's education and care of children or Significantly impact the family's ability to utilise the service. Ensure policies and procedures regarding regulatory requirements are in place at the service. Ensure that a suitable nominated supervisor is in place and will monitor practices and procedures relating to all policies in the service. Ensure policies and procedures are reviewed at least annually and changes are made if required prior to this review. Ensure all stakeholders are involved in the review. Ensure the service is conducive to a child safe environment and guidelines set out in the policy and procedure are clearly outlined.
In regard to regulation 170-policies and procedures to be followed.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that all staff and volunteers are made aware of Regulatory policies and procedures by ensuring that this forms a part of the induction process. Ensure probationary reviews will be conducted once new staff are appointed at the 3- month and 6-month mark to ensure that they are following policy and procedure and to review and revise regulatory policies. Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure and further training and revision of procedural practices in relation to policy and procedure. Ensure annual review and revision of policies and procedures will be conducted, and all educators will be given the opportunity for input.
In regard to regulation 171- policies and procedures to be kept available.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that policies and procedures are available to all staff and the location and availability will form a part of the induction process. Ensure policies will be available on request for all staff members to have access when required. Ensure policies will be available when required for staff members to download copies and/or print out if required in order to complete assignments or to form part of their research and/ or update their knowledge. Ensure policies will be available for all stakeholders when requested and when updating.
In regard to regulation 172- notification of change to policies and procedures.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure, provide further training and allow for input if required in relation to policy and procedure.

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	<ul style="list-style-type: none"> Ensure stakeholders will be invited to provide feedback for policies and procedures at any time, not just on annual review but will also be invited to add feedback at review time or after an event that may require change to policy or procedure. Ensure policies and procedures will be emailed or put on display in the foyer for stakeholders to have the ability to provide feedback. Ensure feedback will be considered from stakeholders and educators and may result in a change in policy. Ensure policy and procedure may be changed at any time if there has been an incident in the service that has required a change to be implemented for the safety and health of children and or educators. Ensure in the event of a change to a policy after feedback or a situation that occurs, we will provide 14 days' notice to all stakeholders before the change takes effect.
In regard to regulation 175-Prescribed information to be notified to regulatory authority and regulation 176- time to notify certain information to regulatory authority.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that if a complaint is deemed to be serious e.g., any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service OR any incident where the approved provider reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring at the education and care service Or an allegation of physical or sexual abuse of a child or children (other than an allegation raised as a formal complaint) other, the nominated supervisor will alert the approved provider and full investigation will occur. Implement that staff may be stood down in this instance and nominated supervisor will follow the guidelines of the child safe environment policy, whilst adhering to state regulatory requirements. Ensure once a complaint has been notified to the service, approved provider must ensure that the complainant has been given an opportunity to discuss in private and all information is documented and that the nominated supervisor follows all the steps in this policy and procedure and serious reporting record. Ensure the regulatory authority is notified in writing within 24 hours of the serious complaint.
LAW IMPLEMENTATION	The following laws and procedures outline and support all stakeholders to understand and implement the regulatory guidelines of this policy.
In regard to Section 172-Offence to fail to display prescribed information	<p>Approved Provider will</p> <p>Ensure that the prescribed information about the following is displayed, in the prescribed form (if any), so that it is clearly visible to anyone from the main entrance to the education and care service premises— Penalty: \$3400, in the case of an individual. \$17 200, in any other case.</p> <ul style="list-style-type: none"> The provider approval certificate The service approval certificate Each nominated supervisor of the service. the rating of the service. Any service waivers or temporary waivers held by the service. Any other prescribed matters.
Section 174 Offence to fail to notify certain information to Regulatory Authority	<p>Approved Provider will</p> <p>Approved Provider is responsible for notifying the Regulatory Authority of the following information in relation to the approved provider or each approved education and care service operated by the approved provider. Penalty: \$4500, in the case of an individual. \$22 900, in any other case</p> <ul style="list-style-type: none"> Any change relevant to whether the approved provider is a fit and proper person to be involved in the provision of an education and care service. Information in respect of any other prescribed matters. Any serious incident at the approved education and care service. <p>Any complaints alleging:</p> <ul style="list-style-type: none"> that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service or that this Law has been contravened. Information in respect of any other prescribed matters.
CONTINUOUS IMPROVEMENT	<p>We are dedicated to the ongoing improvement of our practices and procedures through the following actions:</p> <ul style="list-style-type: none"> Conducting regular reviews and updates of this policy with all stakeholders. Actively seeking feedback from children, families, and staff members.

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	<ul style="list-style-type: none"> Providing targeted skill development and training for staff when areas for improvement are identified or when gaps in policy and procedure implementation are observed.
IN THE EVENT of a BREACH of POLICY and/or PROCEDURE	<ul style="list-style-type: none"> All employees are required to comply with this policy and all associated procedures. Any alleged breach of a policy or procedure will be documented and further investigated by management. If an employee is deemed to be breaching policy and or procedure, disciplinary action will be taken, if the breach is deemed to be serious this could result in immediate termination. Breaches involving child safety or harm to a child will result in immediate suspension whilst management undergo an investigation. This could also result in immediate termination. All breaches and investigations will be documented and may be reported to the Regulatory Authority and/ or law enforcement.
KEY TERMS	<ul style="list-style-type: none"> ACECQA – Australian Children’s Education and Care Quality Authority. The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children. Complaint- A concern raised formally or informally regarding the safety, welfare, or rights of a child, or non-compliance with regulations or service policies. Serious Complaint- One that involves alleged abuse, breach of National Law, or risk to child safety requiring urgent response and regulatory notification. Investigation -A formal and systematic inquiry to establish facts about a complaint by collecting, documenting, examining, and evaluating evidence. An investigation is not an end in itself. Throughout an investigation, the investigator should keep an open mind about the possible outcomes of the investigation, such as education, compliance action, or a decision not to pursue the matter (ACECQA dealing with complaints guidelines) Stakeholder - a person or group of people who have an interest in a business, a person such as an employee or customer. They have a sense of responsibility toward it and an interest in its success.
WE GRATEFULLY ACKNOWLEDGE THE FOLLOWING SOURCES	<ul style="list-style-type: none"> Australian Children’s Education & Care Quality Authority. ACECQA Australian Human Rights Commission: https://www.humanrights.gov.au Code of Ethics Commonwealth Ombudsman. (2009). Better practice guide to complaint handling Education and Care Services National Law Act 2010. Education and Care Services National Regulations. Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. Guide to the National Quality Framework. National Quality Standard. United Nations Convention on the Rights of the Child

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