

Grievances and Complaints Management Policy

Policy Statement

The Organisation will maintain a grievance and complaints management system to ensure that all Staff, children, families, volunteers and community members know that any grievance or complaint will be taken seriously and investigated promptly and fairly. We will ensure there is a positive working environment for Staff and the Management Committee. Grievances and complaints will be investigated and documented in a timely manner, through providing an efficient, fair, and accessible mechanism for resolving complaints and grievances. Complaints offer opportunities to review the quality practices of our Organisation.

The Education and Care Services National Regulations require approved providers to ensure their services have policies and procedures in place for dealing with complaints.

Procedures

- ✓ The Organisation will support an individual's right to make a complaint and will help them to try to resolve them.
- ✓ Staff and Committee Members will be offered the opportunity to participate in some form of conflict training.
- ✓ If individuals have a grievance or complaint that they feel has not been resolved properly, they can approach any member of the current Committee to make a formal complaint. Staff will receive Management Committee information annually after AGM.
- ✓ Either party may withdraw their grievance or complaint at any time. However, where the grievance or complaint identifies other issues of concern, Committee may decide to investigate those issues.
- ✓ The Organisation will ensure that all individuals involved in the complaint process are provided with a high level of equity and fairness in relation to the grievance process and complaint management procedures.
- ✓ All grievances and complaints are to be treated seriously, fairly and impartially.
- ✓ Persons directly involved in a legitimate grievance process will be expected to continue to conduct themselves, in and around the Service, in a professional manner.
- ✓ Malicious or vexatious claims will not be tolerated.
- ✓ The Organisation will ensure that privacy and confidentiality is always maintained throughout the process, ensuring that only individuals who are directly impacted by the complaint or grievance are involved. However, there may be instances where third parties will need to be involved if we are required by legislation to do so e.g. - if it is a child protection issue, workplace bullying etc.
- ✓ Families will have clear written guidelines detailing the grievance process and complaints management procedure through this policy which is available on the Organisation's website www.activitycentres.com.au.
- ✓ Staff will be made aware of the Organisations grievance process and complaints management procedure on employment through the Staff Orientation Handbook and the Organisation's website www.activitycentres.com.au.
- ✓ Wherever possible, grievances and complaints should be resolved as soon as possible on an informal level. Where the informal process fails or if any of the parties involved wish to pursue a more formal process then the matter is to be taken further.
- ✓ If an individual or group have a grievance or complaint they should discuss the issue with the Coordinator, or Responsible Person. This will provide an opportunity to discuss the issue and hopefully come to a satisfactory resolution.
- ✓ This conversation should be documented by the Coordinator or Responsible Person who received the complaint and discussed and resolved the issue, with the date, who made the complaint, nature of complaint and resolution. This should be filed at the Service and a copy given to the Manager and/or Management.
- ✓ If the issue cannot be resolved at the informal level, then the issue will need to escalate to a more formal process.
- ✓ All formal grievances and complaints are to be in writing to avoid confusion and misinterpretation of the issue and to ensure clear, precise and transparent documentation. These should outline the complaint, and what the desired action or resolution to the issue may be.
- ✓ An estimated timeframe for resolution should be communicated to all parties, as well as steps that will be taken to resolve the issue (e.g. – interview other parties, investigation, mediation, third parties becoming involved etc.). Accurate documentation of the process needs to be always kept.
- ✓ Each complaint is to be treated individually and steps taken to resolve the issue will vary depending on individuals involved, circumstances of the grievance or complaint and wishes of all parties involved. Communication with all parties involved will always be maintained so everyone is aware of what is happening.
- ✓ If the complaint is about an individual, then that individual is to be provided the opportunity to respond to the complaint/grievance. Individuals have the right to seek assistance and support from a support person (e.g. – union representative) of their choice when responding to a complaint/grievance against them. They will receive feedback in relation to any outcomes.

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- ✓ Wherever possible, all complaints and grievances should be resolved in a way that is satisfactory to all involved.
- ✓ Coordinator and/or Manager will inform all parties, in writing, of outcomes and decisions made regarding the issue.
- ✓ If the complaint is not handled to the individual's satisfaction by the Coordinator or Manager then the issue should be brought to the attention, in writing, to the Committee.
- ✓ Committee will discuss the issue with the Manager or Coordinator and develop a strategy for resolving the problem. This would be discussed further with the individual or if necessary, a meeting will be organised with the Manager and/or Coordinator, Committee representative and individuals/groups who made the complaint to resolve the problem. All meetings and discussions will be minuted.
- ✓ Written records will be kept of all communication and meetings between all parties involved.
- ✓ At no time will Staff, families or children be exposed to aggressive and abusive behaviour throughout any stage of the grievance and complaint management process. (This may include vulgar noises, expressions or gestures, verbal abuse, threatening or offensive behaviour, or physical behaviour against a person or property.) In situations where this behaviour happens the meeting, call, interview, or consultation will be terminated.
- ✓ Complaints will be recorded accordingly and dated indicating the issue and/or concern and how it was resolved, include any evidence to support resolution and outcomes. It should also be documented if the complaint or grievance resolution resulted in practice or Policy changes at the Service.
- ✓ All confidential conversations with individuals who have a grievance and complaint will take place in a quiet place away from children, other parents or Staff not involved.
- ✓ At formal grievance resolution meetings all parties are entitled to invite a support person to attend. This person does not provide input into the meeting but may offer support and advice to their party during the meeting.
- ✓ The Manager/Nominated Supervisor must notify the Regulatory Authority of any complaints made at the Service.
- ✓ Where resolution is not achieved, the Manager or Committee are to advise all parties of their rights to seek external advice and make a written report. Agencies they may access can include but not limited to:

- NSW Ombudsman Office: Level 24, 580 George Street, Sydney NSW 2000
 Tollfree: 1800 451 524 (02) 9286 1000
 Email: nswombo@ombo.nsw.gov.au
 Web page: <http://www.ombo.nsw.gov.au/contact-us>
- Early Childhood Education Directorate: NSW Department of Education: (NSW Regulatory Authority)
 Locked Bag 5107, Parramatta, NSW 2124
 Ph: 8633 1810
 Tollfree: 1800 619 113
 Email: ececd@det.nsw.edu.au
 Web Page: www.education.nsw.gov.au
- Fair Work Ombudsman: Level 13, 175 Liverpool St, Sydney NSW 2000
 Ph: 13 1394
 Fax: 1800 618 366
 Web Page: <https://www.fairwork.gov.au>

Grievances/Complaints from Children

- ✓ Children have the right to voice grievances and/or complaints and have these issues taken seriously and dealt with equally and fairly.
- ✓ Where children have a grievance/complaint against another child's behaviour towards them at the Service, Staff are to follow ACI Child Behaviour Management Policy and ACI Anti-Bullying- Children Policy.
- ✓ Where children make a complaint against a Staff Member at a Service:
 - Children may make a grievance or complaint against a Staff Member at a Service to any Staff member they feel comfortable with.
 - Staff Member receiving the complaint should inform the Coordinator of the complaint and document the conversation with the date and nature of the complaint, and the resolution the child is seeking. If the complaint made by the child is about the Coordinator then the complaint should be forwarded onto the Manager.
 - If the issue is of a child protection matter, then steps outlined in our ACI Child Protection Policy and our ACI Reporting to the Regulatory Authority Policy must be followed.

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- Parents of the child will be informed that the child has made a complaint against a Staff Member and that this complaint/grievance is under investigation or has been resolved. If quick resolution was found, then this should also be documented and disclosed to the family.
- If the child's complaint, through investigation, is found to be baseless then this will be discussed with the child and family, and the evidence to support this conclusion presented.
- If the child's complaint is found to be legitimate, child and family will be informed of the steps taken by Management to rectify the issue (eg – additional training, procedure change etc.).
- If Staff Member who the complaint is made against is found to not be following our OSHC Code of Professional Standards or not following ACI Code of Conduct Policy, Conditions of Employment Policy or Staff Professionalism Policy then disciplinary action will be taken in line with our ACI Disciplinary Action Policy.
- ✓ Where the child makes a complaint against another adult (parent of another child etc.)
 - Children may make a grievance or complaint against an adult at the Service (e.g. parent of another child) to any Staff Member they feel comfortable with.
 - Staff Member receiving the complaint should inform the Coordinator of the complaint and document the conversation with the date and nature of the complaint, and the resolution the child is seeking.
 - If the issue is of a child protection matter, then steps outlined in our ACI Child Protection Policy and our ACI Reporting to the Regulatory Authority Policy must be followed.
 - Parents of the child will be informed that the child has made a complaint against an adult who is at the Service and that this grievance/complaint is under investigation or has been resolved. Parent/guardian will be informed to not approach the other adult that Management will mediate the issue if need be. If a quick resolution was found then this should also be documented and disclosed to the family.
 - Other adult, who complaint is about will be approached, and provided the opportunity to respond to the complaint made and a resolution sought.
 - Child and family of child, who made initial complaint will be informed of the resolution and conversation with adult.

Grievances/Complaints from Parent/Guardian

- ✓ Parent/guardian have the right to voice grievance and/or complaints and have these issues taken seriously and dealt with equally and fairly.
- ✓ When parent/guardian have a grievance/complaint against another child's behaviour, Staff may be required to follow ACI Child Behaviour Management Policy and ACI Anti-Bullying- Children Policy.
- ✓ When parent/guardian make a complaint against a Staff Member at the Service:
 - Parent/guardian are to make a complaint against a Staff Member at the Service to the Coordinator, Manager or Committee in writing.
 - If parent/guardian approaches a Staff Member, who is not the Coordinator, Responsible Person, Manager or member of Committee, that Staff Member is to direct the parent/guardian to see one aforementioned personnel.
 - The letter of complaint should clearly state date and nature of the complaint, and the resolution the family is seeking.
 - If the complaint made by the parent/guardian is about the Coordinator then the complaint should be made in writing to the Manager or Committee.
 - Staff Member who the complaint has been made about will be informed about the complaint and be provided with an opportunity to respond to the complaint.
 - If the issue relates to a child protection matter, then steps outlined in ACI Child Protection Policy and ACI Reporting to the Regulatory Authority Policy, must be followed. NSW Ombudsman may also need to be contacted in relation to the complaint.
 - Depending on the nature of the complaint the Staff Member may have to be relocated to another Service or stood down without pay, until the investigation process is finalised. This will be determined by the Manager and Committee on a case-by-case basis.
 - If the complaint, through investigation, is found to be baseless then this will be discussed with the parents so that everyone is aware of steps taken. Family will be informed as to what evidence has led to this conclusion.
 - If the Staff Member who the complaint is made against is found to not be following our OSHC Code of Professional Standards or not following conditions signed in their Letter of Employment, ACI Code of Conduct Policy, Conditions of Employment Policy or Staff Professionalism Policy then disciplinary action will be taken in line with our Disciplinary Action Policy.
- ✓ Where the parent/guardian makes a complaint against another adult (parent of another child etc.)
 - Parent may make a grievance/complaint against an adult at the Service (e.g., parent of another child) in writing.

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- Staff Member receiving the complaint should inform the Coordinator of the complaint and document the conversation with the date and nature of the complaint, and the resolution the parent is seeking.
- If the issue is of a child protection matter, then steps outlined in our Child Protection Policy and Reporting to the Regulatory Authority Policy must be followed.
- Parent/guardian will be informed by Staff to not approach the other adult, that Management will mediate the issue if need be. If quick resolution was found, then this should also be documented and disclosed to parent.
- Adult who complaint is about will be approached and provided the opportunity to respond to the complaint made and a resolution sought. They will also be informed not to approach the parent who made the complaint, and Management will mediate the issue if necessary.
- The individual who made initial complaint will be informed of the resolution and conversation with adult.

Grievance/Complaint between Staff

- ✓ Any grievance/complaint made by Staff about another Staff Member should be provided in writing to the Coordinator or the Manager.
- ✓ The grievance/complaint will be mediated between Staff Members by the Management Team. A resolution will be sought as soon as possible.
- ✓ Management Committee will be informed of the grievance between Staff if the grievance is ongoing and can't be resolved.

NOTE: Where the issue of grievance is between Management and Staff and concerns standards of work performance or work practice, then ACI Staff Discipline Policy will be followed.

Dealing with the Media

- ✓ If at any time a situation attracts media attention it is the Organisation's responsibility to protect the interests and wellbeing of all parties involved.
- ✓ To avoid placing anyone's privacy at risk or providing incorrect information only the Manager or members of the Executive Committee are to respond to media claims. All other Staff and members of the Committee are to decline to comment.
- ✓ Legal representation will be sought if deemed necessary by Executive Committee.

How to lodge a complaint and or grievance to Activity Centres Incorporated

In writing via post (for any of our Services) to PO Box 768 Toongabbie NSW 2146

Can be addressed to any of the following: (depending on the nature of the complaint and the Service it relates to)

- Management Committee
- Manager
- Coordinator Beresford Road Activity Centre
- Coordinator Darlington Activity Centre
- Coordinator Pendle Hill Activity Centre
- Coordinator Toongabbie East Activity Centre
- Coordinator Toongabbie West Activity Centre
- Coordinator Vacation Care

In Writing Via email

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|-----------------------------------|--|
| - Beresford Road Activity Centre | brac@activitycentres.com.au |
| - Darlington Activity Centre | dac@activitycentres.com.au |
| - Pendle Hill Activity Centre | phac@activitycentres.com.au |
| - Toongabbie East Activity Centre | teac@activitycentres.com.au |
| - Toongabbie West Activity Centre | twac@activitycentres.com.au |
| - Vacation Care | vac@activitycentres.com.au |
| - Activity Centres Inc. Manager | sharon@activitycentres.com.au |

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Considerations

Education and Care Services National Law

301	National Regulations
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Education and Care Services National Regulations

98	Telephone or other communication equipment
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day to day charge
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
173	Prescribed information to be displayed

Education and Care Services National Quality Standards

Quality Area	Standard	Element
QA 4 Staffing Arrangements	4.2	4.2.1 Professional collaboration 4.2.2 Professional standards
QA 6 Collaborative partnerships with families and communities	6.1 Supportive relationships with families	6.1.2 Parent views are respected
QA 7 Governance and Leadership	7.1 Governance	7.1.2 Management systems

Activity Centres Inc. Policies and Procedures

Child Behaviour Management	Reporting to the Regulatory Authority
Child Protection	Responsible Person
Child Safe Environment	Security
Disciplinary Action	Smoking, drugs and alcohol
Enrolment	Staff Code of Conduct
Excursion	Staff Professionalism
Inclusion	Staff Training
Management Committee	Supervision

My Time, Our Place

<u>Learning Outcome 1</u> Children have a strong sense of identity	<ul style="list-style-type: none"> Children feel safe, secure and supported
<u>Learning Outcome 4</u> Professionalism	<ul style="list-style-type: none"> 4.2.1
<u>Learning Outcome 5</u> Children are effective communicators	<ul style="list-style-type: none"> Children interact verbally and non-verbally with others for a range of purposes

Early Years Learning Framework

<u>Learning Outcome 1</u> Children have a strong sense of identity	<ul style="list-style-type: none"> Children feel safe, secure and supported
<u>Learning Outcome 3</u> Children have a strong sense of wellbeing	<ul style="list-style-type: none"> Children take increasing responsibility for their own health and physical wellbeing
<u>Learning Outcome 5</u> Children are effective communicators	<ul style="list-style-type: none"> Children interact verbally and non-verbally with others for a range of purposes

Legislation

NSW Fair Trading	Work, Health and Safety Act 2011
Safe Work NSW	Work, Health and Safety Regulation 2017

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Policy is only endorsed if initialled by 2 members of the Management Committee

Endorsed by the Management Committee on the 11 November 2022
Grievances and Complaints Management Policy is to be reviewed by the 11 November 2026