

Complaints and Feedback Policy

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

Introduction

Nimbin Preschool affirms that people have a right to question and influence decisions made and at our school and education we have provided. We take complaints seriously and manage them in a confidential, timely, transparent and meaningful way. We view complaints as an opportunity to reflect on our practices, curriculum philosophy and grow as professionals. 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.

Feedback from families

Communications will aim at all times to be open, honest and confidential. Our Preschool will offer a variety of ways to communicate and provide feedback including:

- Interactions
- Formal feedback and comments
- Surveys
- Family meetings
- Committee meetings

With permission, educators may write comments on behalf of families to help with evaluations of the program and encourage further family input. Families are provided the preschool'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 will take this feedback into account in ongoing planning and quality improvement.

Complaints from families

Complaints offer our leaders a valuable opportunity to improve the quality of practices in our preschool. Each complaint can serve as a springboard to better practices which will improve our preschool. (ACECQA 2021).

If appropriate a complaint can be made in person to the Director and if not available an educator.

The director / educator will attempt to diffuse emotions (if they are elevated) 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 concerns. For example if the family said, “I never know what is happening with my child” you might be able to clarify by asking questions such as, “What things would you like us 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 complaint will be documented and 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 of the complaint are complex the complainant will be asked to put their concerns in writing.

Managing a complaint of sexualised behaviour

Providers and educators play an important role in making informed professional judgements regarding sexualised behaviour involving children. Not all sexual behaviour involving children poses a risk to their safety. It may be age-appropriate and expected sexualised behaviour.

Informed judgements regarding sexualised behaviour help to ensure the health, safety and wellbeing of children by:

- supporting healthy sexual development (age-appropriate sexualised behaviour)
- protecting them from harm or abuse (inappropriate or problem sexualised behaviour).
- Note that in some cases, sexualised behaviour involving children may fall within reporting requirements under other laws.

Written Complaints

Families who make a written complaint about aspects of our school will not be disadvantaged in any way as a result of that complaint.

Complaints should primarily be addressed to the Director (nimbinpreschool.director@gmail.com) or directly to the committee via email nimbinpreschool.committee@gmail.com

- A complaint will be dealt with in the strictest confidentiality. The Director will ensure that information is restricted only to those who genuinely need to be notified in order to deal with the complaint. If information specific to the complaint needs to be disclosed to others during its resolution the complainant will be informed.
- The complaint will be documented and any legal requirements in relation to the complaint considered, such as the need to notify regulatory authorities.
- Where mediation is required all parties will have the right to agree to the appointment of the mediator.
- Actions to address the complaint will be determined. Once the outcomes or resolutions are agreed on, all persons involved in the original complaint will be notified and informed of any actions for improvement that will take place as a result of the complaint.

The Department of Education and Communities will be notified of any complaint made to the service alleging a breach of regulation within 24 hours of the complaint being made.

If it is not appropriate to raise the concern with Nimbin Preschool, or if our school does not resolve the issue to the complainants satisfaction, they can contact the NSW Department of Education to make a formal complaint. NSW Department of Education 1800 619113.

The procedure is found at <https://education.nsw.gov.au/ECEC-feedback-and-complaints>

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 our Child Protection procedures.

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(our committee) 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 school.
- 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

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- 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.
- Relevant legislation has been contravened.

Contact details are available in the family hand book and displayed in the foyer of the service.

Follow-Up and Review

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

1. We will analyse the complaint to determine if any policy or procedural changes need to be implemented.
2. The Approved Provider / Director will follow through to determine that complaints and grievances have been successfully resolved to everyone's satisfaction.
3. 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.
4. Reflect if this complaint will need to be addressed in ourSelf assessment
5. All complaints will be confidentially filed in child's permanent record.
6. If training needs to be undertaken Nimbin Preschool will fund this professional development.

Complaints from staff

Our **grievance procedure** below explains how employees can voice their complaints in a constructive way. Supervisors and management should know everything that annoys employees or hinders their work, so they can resolve it as quickly as possible. Employees should be able to follow a fair grievance procedure to be heard and avoid conflicts.

The preschool encourages all employees to communicate their grievances so we can foster a supportive and pleasant workplace for everyone.

Grievance definition: Any complaint, problem or concern of an employee's with regard to their workplace, job, coworker or family and guardian's relationships.

Employees should try to resolve less important issues informally before they resort to a formal grievance.

Employees can file grievances for any of the following reasons (*this list is not exhaustive*):

- Workplace harassment
- Health and safety
- Supervisor behavior
- Adverse changes in employment conditions

Employees who file grievances can:

- Reach out to their Director or committee member
- File a grievance form explaining the situation in detail
- Refuse to attend formal meetings on their own
- Appeal on any formal decision

Employees who face allegation have the right to:

- Receive a copy of the allegations against them
- Respond to the allegations
- Appeal on any formal decision

The preschool is obliged to:

- Have a formal grievance procedure in place
- Communicate the procedure
- Investigate all grievances promptly
- Treat all employees who file grievances equally
- Preserve confidentiality at any stage of the process
- Resolve all grievances when possible
- Respect its no-retaliation policy when employees file grievances with the company or external agencies (e.g. equal employment opportunity committee)

Grievance procedure

Employees are encouraged to talk to each other to resolve their problems. When this isn't possible, employees should know how to file a grievance:

- Communicate informally with their Director. The Director will try to resolve the problem. When employees want to complain about their Director, they should first try to discuss the matter and resolve it between the Director and themselves. In that case, they're advised to request an informal meeting. The Director should try to resolve any grievance as quickly as possible. When they're unable to do so, they should refer to the Management Committee and cooperate with all other procedures.

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- If the grievance relates to a Director’s behavior that can bring disciplinary action (e.g. sexual harassment or violence), employees should refer directly to the Management Committee or Union representative.
- Accommodate the procedure outlined below

The Director / Management Committee will follow the procedure below:

1. Ask employee to fill out a grievance form
2. Talk with the employee to ensure the matter is understood completely
3. Provide the employee who faces allegations with a copy of the grievance
4. Organize mediation procedures (e.g. arranging a formal meeting)
5. Investigate the matter or ask the help of an investigator when needed
6. Keep employees informed throughout the process
7. Communicate the formal decision to all employees involved
8. Take actions to ensure the formal decision is adhered to
9. Deal with appeals by gathering more information and investigating further
10. Keep accurate records

This procedure may vary according to the nature of a grievance. For example, if an employee is found guilty of racial discrimination, the preschool will begin disciplinary procedures.

Roles and Responsibilities

Role	Authority / Responsibility For
Approved Provider (parent committee)	<ul style="list-style-type: none">• When a complaint or grievance has been assessed as ‘notifiable’, the Approved Provider must notify Regulatory Authority within 24 hours.• 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.• Identifying, preventing and addressing potential concerns before they become formal complaints/grievances.• Ensuring 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.• Ensuring that the address and telephone number of the Regulatory Authority displayed prominently at the main entrance of the service.• Advising parents/guardians and any other members of the service community of the complaints and feedback policy and procedures upon enrolment.• Ensuring that this policy is available for inspection at the service at all times.• Providing a Complaints and Grievances Register.
Nominated	<ul style="list-style-type: none">• Responding to and resolving issues as they arise where practicable.

Role	Authority / Responsibility For
Supervisor (Director)	<ul style="list-style-type: none"> • Discussing minor complaints directly with the party involved as a first step towards resolution. • Informing complainants of the service’s complaints and feedback policy recording all complaints and grievances in the Complaints and Grievances Register. • Notifying the Approved Provider if the complaint escalates or is unable to be resolved appropriately in a timely manner. • Providing information as requested by the Approved Provider e.g. Written reports relating to the grievance. • Complying with the service's privacy and confidentiality policy and maintaining confidentiality at all times. • Working co-operatively with the Approved Provider, in any investigations related to a complaint made. • Discuss the complaint with the complainant, making notes / date and provide a copy if requested.
Early Childhood Educators	<ul style="list-style-type: none"> • 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 and Guardians	<ul style="list-style-type: none"> • Raising a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the complaints and grievances procedures. • Communicating any concerns relating to the management or operation of the service as soon as is practicable. • Raising any unresolved issues or serious concerns directly with the Approved Provider, via the Nominated Supervisor or Educators, or directly to the Regulatory Authority • Maintaining complete confidentiality at all times. • Co-operating with requests to provide relevant information when requested in relation to complaints and grievances.

Mentoring, 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 two years.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with R. 172 of the *Education and care services National Regulations*, 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

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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: Sections 170, 172, 174, 174A
- Education and Care Services National Regulations: Regulations 143B, 168 - 173, 176
- Privacy Act 1988 (Cth)
- Privacy Regulation 2013
- ECA Code of Ethics 2016
- Fair Work Act 2009

Related Guidelines, Standards, Frameworks

- National Quality Standard, Quality Area 7: Governance and Leadership – Standard 7.1

Sources

- ACECQA – www.acecqa.gov.au
- ACECQA: Using Complaints to Support Continuous Improvement - www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingComplaintsToSupportContinuousImprovement.pdf
- Australian and New Zealand Standard Guidelines for complaint management in organisations – AS/NZS 10002:2014
- Commonwealth Ombudsman: Better practice complaint handling guide - www.ombudsman.gov.au/publications/better-practice-guides/Better-practice-complaint-handling-guide
- ACECQA: Dealing with Complaints Policy Guidelines - www.acecqa.gov.au/media/31941
- NSW Ombudsman: Effective complaint handling guidelines - ombo.nsw.gov.au/__data/assets/pdf_file/0018/42228/Effective-complaint-handling-guidelines-Third-edition.pdf
- Child Safety Standards and Guide to Childsafe Standards
- ACECQA Policy Development June 2021
- NSW Ombudsman – Effective complaint handling

Role Authority / Responsibility For

Katie Pennant added a reference to child safe standards oct 23

Em requested addition of Employee complaints – added may 24

Susie Added some bits that had been added from cela sample policy november 2025

Next review date:

November 2027

Procedure checklist