



# Service Grievance and Complaints Policy

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## Policy Statement

Child Australia Services welcomes each complaint as a means of improving its services and upholding positive relationships between the services, families and external stakeholders.

Everyone has the right to a positive and empathetic response to their concerns. Solutions are sought to resolve all grievances, issues or concerns in a prompt and positive manner, that recognises the importance of principles of:

- procedural fairness and natural justice
- ethical conduct
- a service culture free from discrimination and harassment
- the opportunity for review and further investigation.

Child Australia Services also offer the right to appeal any policy or procedure changes on these principles as well. Complaints should be resolved as informally and quickly as possible by the parties involved. When complaints cannot be resolved informally by the persons directly involved, a formal complaints process will be undertaken accordingly.

## Rationale

Addressing issues effectively helps maintain effective communication with families and supports ongoing service improvement.

Child Australia must have a documented grievance and complaint procedure accessible to families and the service. The service is required to inform the regulatory authority of any complaints alleging risks to a child's safety, health, or wellbeing, or breaches of the *Education and Care Services National Law Act 2010*.

In accordance with Regulation 168 of the Education and Care Services National Law and Regulations, our Grievance and Complaints Policy includes a child-focused complaint handling system to ensure the safety, wellbeing, and rights of all children involved. This system provides clear procedures for lodging and addressing complaints, ensuring that the process is accessible and sensitive to the needs of children and their families.



Additionally, the policy outlines a specific procedure for managing complaints involving allegations of a child exhibiting sexual behaviours. These allegations are handled with the utmost seriousness and in accordance with appropriate legal and ethical guidelines. Our staff are trained to respond promptly and appropriately to such complaints, ensuring a thorough investigation, safeguarding the child involved, and taking necessary actions to protect the welfare of all children in our care.

## Responsibility

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### Service Management

- Ensure the grievance and complaints policy is developed, implemented, and regularly reviewed to meet the needs of the service, families, and regulatory requirements.
- Ensure that the grievance and complaints process is accessible, transparent, and child focused.
- Provide necessary resources and training to staff to support effective implementation of this policy.
- Monitor the effectiveness of the complaints handling system and implement improvements where necessary.
- Ensure compliance with Regulation 168 of the Education and Care Services National Law and Regulations, particularly regarding the child-focused complaint handling system.

### Staff Members

- Adhere to the grievance and complaints procedure, ensuring that all complaints are addressed promptly, fairly, and empathetically.
- Treat all complaints with confidentiality, ensuring the privacy of all parties involved, especially those of the children and families.
- Ensure all complaints, including those related to risks to a child's safety, health, or wellbeing, are reported to the relevant authorities if required.
- Respond to complaints involving allegations of a child exhibiting sexual behaviours with seriousness, following the appropriate legal and ethical guidelines.
- Provide clear, accurate documentation of the complaint and the actions taken to resolve it.
- Participate in ongoing professional development and training to handle complaints in a compliant and effective manner.
- Maintaining and adhering to Confidentiality policy & procedures.

### Families and Stakeholders

- Understand and utilise the grievance and complaints procedure to raise concerns or provide feedback.



- Engage in the complaints process in a constructive and respectful manner, cooperating with staff to reach positive resolutions.
- Respect the confidentiality and privacy of others when participating in the grievance and complaints process.
- If necessary, access the right to appeal any policy or procedure changes in accordance with the principles outlined in the policy.

### **Approved Provider to Regulatory Authority**

- Be informed of any complaints alleging risks to a child's safety, health, or wellbeing, or any breaches of the Education and Care Services National Law Act 2010.
- Be promptly notified of significant complaints, as required by regulatory guidelines, ensuring transparency and compliance with the law.

### **Complaint Investigators**

- Ensure the investigation of complaints is conducted fairly, promptly, and in a manner that ensures procedural fairness and natural justice.
- Gather all relevant information, taking into account the sensitivity of the matter, and ensuring the child's safety and wellbeing are always prioritised.
- Maintain a culture of ethical conduct during the investigation, free from discrimination and harassment.
- Ensure that any recommendations or actions taken to address the underlying issues, work toward resolving the complaint in a positive manner.

### **Children**

- Ensure that, when appropriate, children are given a voice in the grievance process, with their views and feelings respected and taken into account.
- Ensure that children are supported during the grievance process and that their safety and wellbeing are always safeguarded.
- Ensure Child confidentiality and well-being in the investigation and reporting all allegations or disclosures for abuse or sexual abuse in accordance with the Child Australia Child Protection and Mandatory Reporting Policy.

### **Grievance and Complaints Policy:**

Our Grievance and Complaints Policy works in tandem with our Child Protection Policy to ensure the safety, wellbeing, and rights of children are always safeguarded.



In alignment with Regulation 168 of the Education and Care Services National Law and Regulations, any complaint or concern involving allegations of abuse or risks to a child's safety or wellbeing will be addressed with the utmost seriousness and urgency.

Complaints regarding abuse are managed in accordance with our Child Protection Policy, which outlines specific procedures for reporting, investigating, and responding to allegations of abuse or neglect.

These procedures ensure that all staff are trained to handle such complaints appropriately, maintain confidentiality, and take necessary action to protect the child involved.

These policies create a cohesive and effective framework that prioritises children's safety while ensuring procedural fairness, ethical conduct, and the protection of their privacy throughout the complaint resolution process.

## Grievance and Complaints Procedure

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### 1. Complaints by Parents/Families and External Stakeholders

#### Making a Complaint

- Families may raise a complaint with their child's educator, the Service Manager (Nominated Supervisor), or the Approved Provider (Executive Director).
- Contact details for the Regulatory Authority are displayed in the service foyer for families who wish to escalate their concerns externally.
- Complaints from other stakeholders (e.g., neighbours, delivery personnel, or partner organisations) will follow the same resolution process as families.

#### Complaint Resolution Procedure

1. The complainant should first raise the issue directly with the person involved.
2. If unresolved, the complaint should be brought to the Service Manager (verbally or in writing).
3. If the matter remains unresolved:
  - a. The Service Manager may escalate the matter to the Operational Lead or Approved Provider.
  - b. Alternatively, the complainant can contact the Operational Lead or Approved Provider directly.
4. The Operational Lead and/or Approved Provider will assess the complaint and determine the appropriate course of action.
5. The Operational Lead and/or Approved Provider will:
  - a. Inform the Service Manager of the outcome,



- b. Contact the complainant directly with the decision.
6. If dissatisfaction continues:
  - a. The complainant may request a meeting with the Operational Lead and/or Approved Provider.
  - b. The concern should be formally documented and submitted if not already done.
7. Following the meeting the Operational Lead and/or Approved Provider will provide a written response outlining the outcome.

## 2. Complaints by Staff

### Making a Complaint

- Staff should raise their concerns with the person involved, the Service Manager (Nominated Supervisor), or the Approved Provider (Executive Director).
- Support and confidentiality will be maintained throughout the process.

### Complaints Resolution Procedure

1. The complainant should first raise the issue directly with the person involved.
2. If unresolved, the complaint should be brought to the Service Manager (verbally or in writing).
3. If the matter remains unresolved:
  - a. The Service Manager may escalate the matter to the Operational Lead or Approved Provider.
  - b. Alternatively, the complainant can contact the Operational Lead or Approved Provider directly.
4. The Operational Lead and/or Approved Provider will assess the complaint and determine the appropriate course of action. This may include referring the complaint to the People and Culture Team.
5. The Operational Lead and/or Approved Provider will:
  - a. Inform the Service Manager of the outcome,
  - b. Contact the complainant directly with the decision.
6. If dissatisfaction continues:
  - a. The complainant may request a meeting with the Operational Lead/Approved Provider/People and Culture Team.
  - b. The concern should be formally documented and submitted if not already done.
7. Following the meeting the Operational Lead/Approved Provider/People and Culture Team will provide a written response outlining the outcome.

## 3. Complaints by or Involving Children

### Child-Focused Complaint Handling System

- A child-focused approach ensures that children are:



- Listened to,
- Taken seriously, and
- Involved in decisions affecting them (age-appropriately).
- Staff must:
  - Provide safe and supportive environments for children to speak up,
  - Respond sensitively to children's concerns, and
  - Document complaints appropriately and involve families where needed.

## Managing Serious Complaints Involving Children

### Harmful Sexual Behaviour Allegations

If a complaint is received that a child is exhibiting harmful sexual behaviours:

1. Immediate Safey Measures
  - Ensure the safety and wellbeing of all children involved.
  - Separate the involved children under supervision without punitive treatment.
  - Notify the Service Manager immediately.
2. Notification and Reporting
  - The Service Manager will:
    - Inform the Operational Lead and Approved Provider.
    - Determine if the behaviour meets mandatory reporting thresholds.
    - Notify child protection authorities or the Regulatory Authority if required by law.
  - Document all actions taken, ensuring accuracy and confidentiality.
3. Communication with Families
  - Families of all involved children will be informed sensitively and appropriately.
  - Support will be offered to all parties, including guidance on external services.
4. Support and Education
  - Provide emotional and behavioural support to the child exhibiting the behaviour.
  - Access professional consultation if necessary.
  - Review and reinforce protective behaviours education across the service.
5. Review of Policies and Procedures
  - An internal review will be conducted to:
    - Understand contributing factors,
    - Evaluate staff supervision and practices, and
    - Update policies or training as needed.

### 4. Complaints to the Regulatory Authority

- Serious complaints may be referred directly to the Regulatory Authority.
- The service is required to notify the Regulatory Authority of any incident or complaint that suggests:
  - A breach of the Education and Care Services National Law, or
  - Any risk to a child's health, safety, or wellbeing.



## 6. Follow-Up and Continuous Improvement

- Every complaint will be:
  - Reviewed for underlying causes,
  - Used to inform service improvements, and
  - Reflected on with relevant staff to ensure accountability and learning.
- Families and complainants will be:
  - Updated on the resolution, and
  - Asked if they are satisfied with the outcome.
- The Service Manager and involved staff will be consulted on any follow-up actions required.

## Related Documents and Forms

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### Annex Q7

Complaints and Grievance Contacts From (Display)

## Reference

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Australian Children's Education and Care Quality Authority (ACECQA) 2023, *Guide to the National Quality Framework*, ACECQA, viewed 3 December 2024, <https://www.acecqa.gov.au>.

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Australian Government 2023, *Privacy Act 1988*, Australian Government, viewed 3 December 2024, <https://www.legislation.gov.au/Details/C2023C00201>.

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