

Kingaroy Child Care Centre



Grievances and Complaints Management Policy

The grievances and complaints management policy supports and guides the actions of each stakeholder that accesses the service. This includes children and families but also staff/carers, management and the wider community.

Policy Number: Seventeen

Policy Statement

The service's Grievances and Complaints Management Policy values:

- * procedural fairness and natural justice;
- * a code of ethics and conduct;
- * a service culture free from discrimination and harassment;
- * transparent policies and procedures; and
- * avenues for recourse and further investigation.

The Grievances and Complaints Management 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.

Kingaroy Child Care Center has a duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to grievances and complaints management and procedures.

In meeting the service's duty of care, management and staff agree to implement and endorse the service's Grievances and Complaints Management Policy.

The *Occupational Health and Safety Act* states that employers have a duty of care to their employees to ensure that the working environment supports emotional and mental wellbeing.

The service's Code of Ethics and Code of Conduct guides the Grievances and Complaints Management Policy and procedures.

Strategies to resolve grievances and complaints

Conflict of interest

It is important for the complainant to feel confident in:

- * being heard fairly; and

Kingaroy Child Care Centre



- * an unbiased decision making process.

Should a conflict of interest arise during a grievance or complaints management procedure that involves the Director or Assistant Director, the Operations Manager or Licensee will be nominated as an alternative mediator. The centre may also engage the resources of an Independent Conflict Resolution Centre to assist with the mediation of a dispute. The centre insists that throughout the conflict resolution process the centres Code of Conduct must be adhered to.

Conflict Management Solutions and Resources
Ph: 0500 521 376

Grievances and complaints management procedure

Notification

- * Document the grievance or complaint.
- * The following is an example of documentation to be used when documenting a grievance or complaint. It is important to remember the use of clear, precise, objective and transparent documentation and wording minimises confusion and misinterpretation.

Customer Complaint Form

Date: _____

Clients Name: _____

Address: _____

Post Code: _____

Phone: _____

Complaint Description:

Possible solutions negotiated with client:

1. _____
2. _____

Kingaroy Child Care Centre



3. _____
4. _____

Solution chosen:

Action plan:

Director's signature: _____ Date: _____

- * Consider any legal requirements in relation to the complaint.
Depending on the nature of the complaint the relevant legislation will be sought.

Consideration needs to be given to the following Acts:

Child Care Regulations Act 2002

Child Care Regulations 2003

Building Act 1975 annexure The Queensland development Code – Pt 22 and the amendment Pt 22 16th December 2005

The Workplace Health and Safety Act 1995

The Workplace Health and Safety Regulation 1997

The Workplace Health and Safety Risk Management Advisory Standard 2000

The Industrial Relations Act

The Child Protection Act 1999

The Racial Discrimination Act 1975

The Sex Discrimination Act 1984

The Disability Discrimination Act 1992

The Human Rights and Equal Opportunity Act 1986

Notify regulatory or licensing bodies if required. Should any regulatory or licensing bodies need to be contacted their details are as follows:

Office of Early Childhood Education and Care

Hervey Bay Region

Ph: 1800 637 711

Website: www.communities.qld.gov.au

Human Rights and Equal Opportunity Commission (National)

Complaints Information Line Ph: 1300 656 419

Anti-Discrimination Tribunal Queensland

Ph: 1300 130 670

Kingaroy Child Care Centre



Website: www.adcq.qld.gov.au

Workplace Health and Safety Commission

Ph: 1300 369 915

Email: www.whs.qld.gov.au

National Childcare Accreditation Council

Ph: 1300 136 554

Website: www.ncac.gov.au

Australian Government Department of Families Community Services and Indigenous Affairs

Ph: 1300 653 227

Website: www.facs.gov.au

Queensland Police Service Juvenile Aid

Ph: 3258 2538

Child Safety Service

Ph: 3343 4044 (Mt Gravatt Office)

Website: www.childsafety.qld.gov.au

Lines of communication.

- * It is important to ensure that information pertaining to a complaint is not disclosed to stakeholders who are not directly involved. This is to ensure an individual's right to be heard fairly and without bias and prevents other staff from forming an opinion before hearing all the facts. The complainant's personal information will be used for the purpose of processing the complaint and will be protected under the provisions of the Privacy Act 1988.

Timeframes.

- * The complainant will be kept informed of progress and contacted to clarify issues. A written response will be provided to the complainant within 30 days. If the issue is complex we may need to extend that time and this will be discussed with the complainant.
- * If the grievance can not be resolved at the Centre level it will be referred to Senior Management for assessment.

Investigation

All stakeholders are encouraged to resolve their grievances with relevant parties before making a formal complaint.

If a resolution is not achieved the Director will:

- * Encourage the complainant to make a formal complaint in writing;
- * Will discuss with the complainant their concerns;

Kingaroy Child Care Centre



- * Advise the complainant of the process that will be taken to resolve the concern;
- * Undertake tasks such as observations and scheduled meetings and assess the need to involve the licensee or external agencies in gathering information to reach an equitable resolution;

All individuals involved in the investigation process are entitled to personal representation. The Mediator involved in the conflict resolution will be mutually agreed on by all parties involved.

Resolution

Once the investigation process has been completed, the Director will provide an opportunity to allow the individual's right of reply. An individual's right of reply is to be received by the Director within 14 days from request. Once a right of reply has been received the following process will be followed:

- * All parties will discuss the findings of the Director's investigation;
 - providing more information on why an original decision was made or process was used
 - remedying an identified mistake or providing further clarification of an issue
 - revoking a initial decision
 - changing a policy or procedure or reinforcing existing policy or procedure
 - reconsidering an application or request
 - providing all or individual staff with appropriate training, counselling, or information

Further action will cease if complaint is deemed to be ill-founded

- * A mutual agreement will be reached and implemented.
- * If a mutual agreement is unable to be reached, the mediator will inform all parties of their decision.
- * The final documents relating to the formal complaint will include the actions taken to resolve the complaint and the agreed resolution, and be signed by the parties to the complaint to indicate their acceptance of the record. The documents will be kept on file and can be used if the situation causing the complaint reoccurs.

Dealing with the media

If at any time a situation attracts media attention it is the centre's responsibility to protect the interests and wellbeing of all parties involved. In order to avoid placing anyone's privacy at risk or providing incorrect information the release of information will be the responsibility of the media representative within Feng Holdings. Legal representation will be acquired.

Policy review

- * The service will review the Grievances and Complaints Management Policy and procedures every 18 months.
- * Families are encouraged to collaborate with the service to review the policy and procedures.

Kingaroy Child Care Centre



- * Staff are essential stakeholders in the policy review process and will be encouraged to be actively involved.

Procedures

The following are examples of procedures that the service employs as part of its daily practices.

Examples:

- * Documenting and reporting a grievance or complaint.
- * Employee induction procedure.
- * Evaluating and monitoring grievances or complaints outcomes.
- * Policy development and review procedure.
- * Procedure for dealing with the media.
- * Procedure for handling complaints against a family member, staff/carer, student, volunteer or visitor.
- * Procedure for non-compliance of the Grievances and Complaints Management Policy and procedures by a:
 - child;
 - staff/carer;
 - parent or family member;
 - student/volunteer; or
 - visitor.
- * Procedure for reporting to a regulatory body or external agency.
- * Procedures for supporting staff/carers before and after a complaint.
- * Student and volunteer induction procedure.

Measuring tools

Kingaroy has developed a registry of grievances and complaints detailing the occurrence, frequency, nature, mediation outcomes and final resolution of each situation.

Links to other policies

- * Child protection
- * Confidentiality and privacy
- * Enrolment of new children and families to the service
- * Guiding children's behaviour
- * Meeting children's individual and group needs
- * Occupational health and safety
- * Recruitment of new employees

Sources and further reading

- * *Age Discrimination Act 2004* (Cwlth)
- * *Disability Discrimination Act 1992* (Cwlth)

Kingaroy Child Care Centre



- * *Human Rights and Equal Opportunity Commission Act 1986* (Cwlth)
- * QLD Ombudsman. (2005). Ph: 1800 068 908 <http://www.ombudsman.qld.gov.au>
- * *Occupational Health and Safety Act*
- * *Privacy Act 1988* (Cwlth)
- * *Racial Discrimination Act 1975* (Cwlth)
- * *Sex Discrimination Act 1984* (Cwlth)

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