

Mailing addressLa Trobe University
Victoria 3086 Australia

T + 61 3 9479 2122

F + 61 3 9479 3623

E children@latrobe.edu.aulatrobe.edu.au/child**MELBOURNE CAMPUSES**

Bundoora

Collins Street CBD

Franklin Street CBD

REGIONAL CAMPUSES

Bendigo

Albury-Wodonga

Mildura

Shepparton

COMPLAINTS AND GRIEVANCES POLICY

Mandatory – Quality Area 7

PURPOSE

The purpose of this policy is to outline the procedures followed when responding to a complaint or grievance made by a family enrolled at La Trobe University Community Children's Centre.

VALUES

La Trobe University Community Children's Centre views complaints as a valuable source of feedback. We understand that an attentive and efficient response to a complaint supports both with meeting the needs of our community and in improving our service. Consequently, La Trobe University Community Children's Centre is committed to:

- establishing procedures to ensure efficient and satisfactory resolution of complaints
- reviewing complaints in order to inform and improve service delivery

SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, educators, staff, students on placement, volunteers, families, children and others attending the programs of the La Trobe University Community Children's Centre.

BACKGROUND AND LEGISLATION

Complaints or grievances may be made by anyone involved with the La Trobe University Community Children's Centre, including families, volunteers, students, members of the local community and so on.

The complaints and grievances procedure enacted by the La Trobe University Community Children's Centre are based on a sequential process that emphasises resolution of the complaint as early as possible.

Any complaints that are considered to be 'notifiable' (see *Definitions*) are reported to the Department of Education and Training (DET) by the Approved Provider. In addition, the Approved Provider will investigate the complaint or grievance and take additional actions to resolve or investigate the complaint, while also assisting with any investigations made by the DET.

At times, a complainant may make the complaint or grievance directly to the DET. If the DET notifies the Approved Provider about a complaint they have received, the Approved Provider will still have responsibility for investigating and dealing with the complaint or grievance as outlined in this policy, in addition to cooperating with any investigation made by DET.

The DET will investigate all complaints and grievances it receives about a service, where it is alleged that the health, safety or wellbeing of any child within the service may have been compromised, or that there may have been a contravention of the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Education and Care Services National Law Act 2010: Section 174(2)(b)*
- *Education and Care Services National Regulations 2011: Regulations 168(2)(o) and 176(2)(b)*
- *Information Privacy Act 2000 (Vic)*
- *National Quality Standard, Quality Area 7: Leadership and Service Management*
- *Privacy Act 1988 (Cth)*
- *Privacy Regulations 2013(Cth)*

DEFINITIONS

Complaint: a complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours and consequently does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written complaint directly related to the service (including general and notifiable complaints).

Complaints and Grievances Register: records information about complaints and grievances received at the service, together with a record of the outcomes. Kept in a secure file and accessible only to educators and Responsible Persons at the service.

General complaint: A general complaint may address any aspect of the service e.g. a lost clothing item or the service's fees. Services do not have to inform DET about a general complaint.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature e.g. the service is in breach of a policy or the service did not meet the care expectations of a family.

Notifiable complaint: A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the DET within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

Serious incident: An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the service in contravention of the Regulations or is mistakenly locked in/out of the service premises (Regulation 12). A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* as soon as possible and within 24 hours of the incident. The Regulatory Authority (DET) must be notified within 24 hours of a serious incident occurring at the service (Regulation 176(2)(a)). Records are required to be retained for the periods specified in Regulation 183.

SOURCES AND RELATED POLICIES

Sources

- ❖ ACECQA
- ❖ Department of Education and Training

Service policies

- ❖ *Code of Conduct Policy*
- ❖ *Incident, Injury, Trauma and Illness Policy*
- ❖ *Inclusion and Equity Policy*

- ❖ *Privacy and Confidentiality Policy*
- ❖ *Staffing Policy*

ROLES AND RESPONSIBILITIES

The Approved Provider is responsible for:

- ❖ being familiar with the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*, service policies and complaints and grievances policy and procedures
- ❖ ensuring that the name and telephone number of the Responsible Person (refer to *Staffing Policy*) to whom complaints and grievances may be addressed are displayed prominently at the main entrance of the service (Regulation 173(2)(b))
- ❖ ensuring that the address and telephone number of the Authorised Officer at the DET regional office are displayed prominently at the main entrance of the service (Regulation 173(2)(e))
- ❖ ensuring that families enrolled at La Trobe University Community Children's Centre are aware of the complaints and grievances policy and procedures
- ❖ ensuring that the complaints and grievances policy is available for inspection at the service at all times (Regulation 171)
- ❖ ensuring that the La Trobe University Community Children's Centre upholds the La Trobe University Code of Conduct, including through;
 - ensuring all complaints and grievances are responded to respectfully
 - ensuring all staff engage in a professional manner with families
- ❖ ensuring complaints and grievances are responded to in the most appropriate manner and at the earliest opportunity
- ❖ treating all complainants fairly and equitably
- ❖ maintaining a *Complaints and Grievances Register* (refer to *Definitions*)
- ❖ ensuring that access to the *Complaints and Grievances Register* is limited to the Senior Management Committee for the purpose of privacy and confidentiality
- ❖ complying with the service's *Privacy and Confidentiality Policy* and maintaining confidentiality at all times (Regulations 181, 183)
- ❖ referring complaints (refer to *Definitions*) or grievances (refer to *Definitions*) that are unable to be resolved appropriately and in a timely manner by the Approved Provider to the Deputy Director of Student Health and Wellbeing and receiving recommendations from the Deputy Director of Student Health and Wellbeing and taking appropriate action
- ❖ informing DET in writing within 24 hours of receiving a notifiable complaint (refer to *Definitions*) (Act 174(4), Regulation 176(2)(b))

The Nominated Supervisor, educators and other staff are responsible for:

- ❖ discussing minor complaints directly with the party involved as a first step towards resolution
- ❖ ensuring complainants are informed of the service's *Complaints and Grievances Policy*
- ❖ ensuring that the La Trobe University Code of Conduct is upheld at all times, including by;
 - responding respectfully to complaints and grievances
 - engaging in a professional manner with families and external stakeholders
- ❖ notifying the Approved Provider if the complaint is unable to be resolved appropriately and escalates to a referral to the Approved Provider for resolution, becomes a grievance (refer to *Definitions*) or is a notifiable complaint (refer to *Definitions*)
- ❖ 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 (Regulations 181, 183)
- ❖ working cooperatively with the Approved Provider and the DET in any investigations related to grievances about La Trobe University Community Children's Centre, its programs or staff.

Families are responsible for:

- ❖ raising a complaint directly with the person involved, in an attempt to resolve the matter efficiently. If the matter is not resolved to satisfaction, then following the complaints and grievances procedure, including by informing the Approved Provider of any unresolved issues or serious concerns directly
- ❖ communicating (preferably in writing) any concerns relating to the management or operation of the service as soon as is practicable
- ❖ maintaining complete confidentiality at all times
- ❖ providing relevant information when requested in relation to complaints and grievances.

Volunteers and students, while at the service, are responsible for following this policy and its procedures.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- ❖ regularly seek feedback regarding the effectiveness of this policy
- ❖ monitor the *Complaints and Grievances Register* to assess;
 - whether satisfactory resolutions have been achieved
 - whether resolutions are achieved in a timely manner
 - whether a 'theme' develops across the complaints and grievances received that requires an overall change in service delivery/operations and/or policy
- ❖ keep the policy up-to-date with current legislation, research, policy and best practice
- ❖ revise the policy and procedures as part of the service's policy review cycle, or as required
- ❖ notify families at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

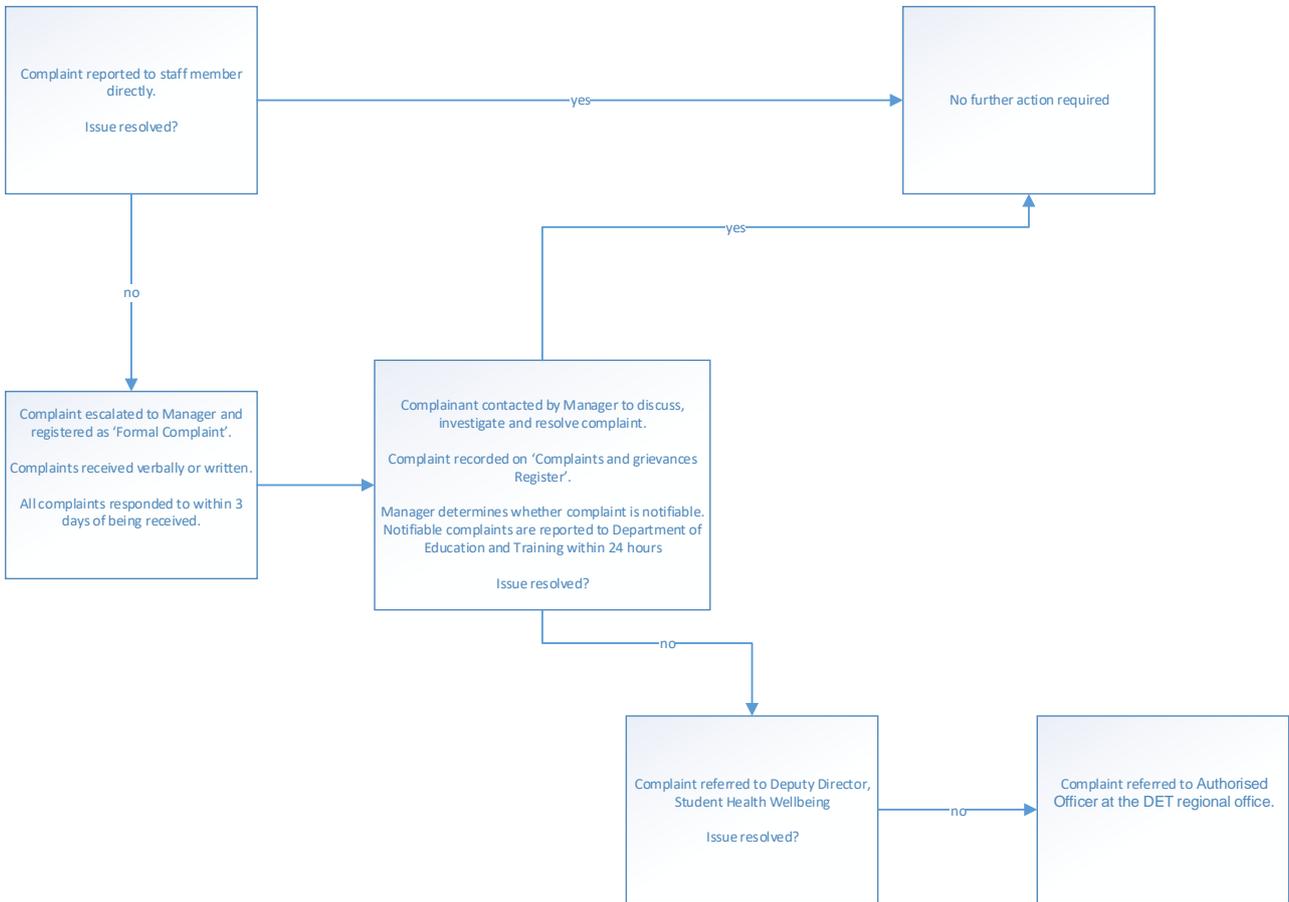
- ❖ Attachment 1: Complaints and grievances management flow chart
- ❖ Attachment 2: Complaint form

AUTHORISATION

This policy was adopted by the Approved Provider of La Trobe University Community Children's Centre on 13/8/2018

REVIEW DATE: 8/2020

ATTACHMENT 1: Complaints and grievances management flow chart



ATTACHMENT 2: Complaint form

Complaint form

1. Information for complainants
--

A complaint should only be lodged if you have been unable to resolve your issue or concern informally.

2. Personal details	
What is your name?	

3. Contact details			
Email address			
Telephone number			
Mobile phone number			
Preferred contact method:	<input type="checkbox"/> Telephone	<input type="checkbox"/> Mobile	<input type="checkbox"/> Email

4. Complaint details	
When it happened	
Where it happened	

Who was involved		
What happened		
Have you lodged a complaint about this issue before?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	If yes, when:	

5. Resolution
What would you like to happen to resolve your complaint

6. Acknowledgement

All the information provided above is true and correct to the best of my knowledge.

Signature		Date	
-----------	--	------	--

7. Privacy notice

Information provided will be limited to the Senior Management Committee and staff immediately involved, only if and as required, for the purpose of privacy and confidentiality

If required, information will be provided to the Department of Education and Training (DET)

Information provided will be treated in accordance with the service's *Privacy and Confidentiality Policy* and confidentiality will be maintained at all times (Regulations 181, 183)