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**Legislation and related documents:**

- The Public Sector Code of Ethics,
- The Child Protection Curriculum
- Parent Complaint Policy: guide to raising and concern or complaint
- Guide to resolving Grievances and Complaints for DECD employees.

Regulation 173 (2,b) and 176 (2,b), Education and Care Services National Regulations, 2011

**Date Created**

**Date modified**

**Modifications**

**Director’s Name:**

**Director’s Signature:**

**Chairperson’s Name:**

**Chairperson’s signature:**
Rationale

Brentwood Drive Kindergarten’s Dealing with Complaints Policy aims to ensure that processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

Brentwood Drive Kindergarten values:

- Lawful behaviour
- Respect and courtesy
- Confidentiality
- Fairness and natural justice
- The public sector Code of Ethics
- Freedom from discrimination and harassment
- Transparent policies and procedures
- Avenues for recourse and further investigation.

The Dealing with Complaints policy ensures that all persons are provided with procedures that:

- Value the opportunity to be heard
- Work towards conflict resolution
- Encourage harmonious partnerships
- Ensure that complaints and conflicts are mediated fairly.

This Kindergarten has a duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to the management of concerns and complaints. In meeting this duty of care management and staff agree to implement and endorse this complaint and concern management policy.

The public sector Code of Ethics guides the concern and complaint management policy and procedures. “respect for human dignity and the value of every person is at the heart of every action employees take and every decision employees make” The South Australian Public Sector Code of Ethics, P6.

Dealing With Complaints Procedures

Our management and administration systems contribute to delivering a quality service for children and their families.

- We display the Prescribed Information at the entrance to the Kindergarten including:
  - provider approval, including: the approved provider name, the provider’s approval number any conditions relating to the provider approval
  - service approval, including: the name of the approved service the service approval number any conditions relating to the service approval
  - nominated supervisor, including: the name of the nominated supervisor if the nominated supervisor belongs to a class under regulation 49
  - service rating, including the: current ratings for each quality area under the National Quality Framework, overall rating of the service
  - service or temporary waivers, including: the elements of the National Quality Standard and/or National Regulations that have been waived, the duration of the waiver, whether the waiver is a service or a temporary waiver

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o service operation, including the: opening days and hours, name and phone number of the responsible person in charge at any given time, name and phone number of the person who can be contacted for a complaint
o name of the educational leader
o contact details of the Regulatory Authority
o health and safety, including a notice: stating that a child at risk of anaphylaxis is enrolled at the service, if applicable of an occurrence of an infectious disease at the service, if applicable (Regulation 173 2,b)

- Families are provided with clear processes which describe how to raise a concern or a complaint. The following brochure “Parent Complaint Policy: a guide to raising a concern or complaint” is provided to families on enrolment as part of the Enrolment Pack and this is also available on the website.

- Families are provided with the sites Nominated Supervisor and Certified Supervisors names as well as the sites phone number as contact details in order to raise a concern or complaint. This is identified in the Prescribed Information placed at the entrance to the Kindergarten.

**Concerns and complaints raised by families**

*Key document: Parent Complaint Policy: a guide to raising a concern or complaint.*

In raising and resolving parent concerns or complaints the wellbeing of children is the first priority. Resolution of concerns and complaints of families is founded on respect and courtesy. Complaints will be considered in a confidential, timely and impartial manner.

“Concern – an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation.

Complaint – an expression of grievance or resentment where the parent is seeking redress or justice.”

*Parent Complaint Policy: a guide to raising a concern or complaint*

- Raise the concern.
  o With the teacher/ individual with whom the concern or complaint is.
  o At a mutually agreeable time
  o In a confidential manner away from children
  o If not satisfied, raise the concern or complaint in writing with the Director, or if the concern or complaint involves the Director, with the Director’s line manager. The Director or line manager will acknowledge the concern or complaint in writing and consider the most appropriate ways of managing the issue/s.
  o The Director/ line manager will assist in resolving the concern or complaint.
- If not resolved, the family may contact the Southern Adelaide Regional Office who will review the complaint, and the family may be offered mediation.
- If not resolved, the concern or complaint will be referred to the Parent Complaint Unit, or the family may contact the Parent Complaint hotline at any time in the process.
  o A senior leader from the Unit will make a final decision about the complaint.
Concerns and complaints raised by staff

Key document: Guide to resolving Grievances and Complaints for DECD employees.

1. In the first instance try to resolve the issue at the local level. Take up your concern directly with the person/s involved.
   a. Be clear about the grievance
   b. Seek advice if needed
   c. Take personal responsibility
   d. Discuss it confidentially
   e. Work towards resolution of the issue. Make the first move.
   f. Work towards constructive solutions
   g. Remain flexible.

2. Lodge a formal complaint. In this process you provide information that enables you to seek formal intervention by a DECD representative to satisfactorily resolve your issue.
   “Consider the following indicators to assist you to decide whether making a complaint is justified and appropriate:
   • You have explored and tried different ways of raising or confronting the issue to no avail.
   • The issue has become untenable; for example, it involves others, divides people, and/or continues to grow unabated.
   • The behaviour of another is having a negative impact on you and continues without regard to your expressed wishes.
   • Raising the issue with your direct line manager/principal would expose you to further abuse.
   • You have tried different approaches but have been unable to resolve the issue satisfactorily.
   • In your judgment, this issue requires intervention at a more formal level.
   • The serious nature of the issue justifies or requires making a complaint.”

Guide to Resolving Grievances and Complaints for DECD employees.

A formal complaint may be lodged, in writing, with your line manager, or their senior if the complaint is with the line manager who will respond in writing. In your formal complaint include

- The nature of the complaint
- Details of the circumstances
- Evidence
- State what outcome you seek and a reasonable alternative outcome.

The complaint manager will

- Acknowledge the receipt of the complaint
- Assess it
- Work with you to determine the best approach
- Take steps to provide for your safety, plan steps to resolve it, recommend actions, and implement strategies for final settlement of the matter.

If you are not happy with the outcome you may apply to the Chief Executive for a review of the outcome. In doing so you must provide sound reasons explaining why.

- All complaints or concerns raised that have the capacity to impact on the provider approval or service approval, breach legislation or are deemed to be a serious incident are reported to the Regulatory Authority within 24 hours and are investigated/ followed up within 7 days (Regulation 176 2,b)
**Concerns and complaints raised by children**

*Key document: The Child protection Curriculum and You Can Do It, Site Behaviour and Bullying Code*

- No child should be made to feel rejected, insecure, embarrassed or ashamed
- Children have the right to be supported by educators who model appropriate behaviours and ensure consistent limits are set
- All children have the right to feel secure and to learn and develop in a psychological and physically safe, environment
- Children have a right to express their feelings and to be supported to develop positive behaviours that underpin the development of relationships with peers and adults
- Planning and enabling opportunities for children to develop skills including resilience, agency, entry and exit skills when playing, appropriate risk taking, conflict resolution, independence, leadership, respect for others and communication.
- Intentional teaching of appropriate behaviours and play skills, building on each child’s strengths and achievements and providing choices when possible

*Source: Brentwood Drive Kindergarten Bullying and Behaviour Code*

**Children with a concern or a complaint will with adult support...**

1. Be encouraged to say “Stop” in a loud, clear voice with their hand up in a stop sign.
2. Be encouraged to play in another area or with other equipment if possible.
3. Be encouraged to tell a trusted adult and to continue telling a trusted adult until the adult helps them.

- Staff act to support children to assert their right to be safe and happy.
- Staff recognise the need to assist children in raising a concern or complaint, and in resolving conflict.
- Staff use the Child Protection Curriculum annually and as part of the ongoing curriculum as the key document in helping children to understand the themes of
  - The right to be safe
  - Relationships
  - Recognising and reporting abuse
  - Protective strategies
- Staff use You Can Do It as a key strategy to teach children explicitly about persistence, resilience, confidence, getting along with others and organisation.

**Our systems and processes are reviewed in order to improve efficiency.**

- Concerns and complaints are recorded in a folder stored confidentially in the filing cabinet. Issues raised as a concern or complaint are shared in a confidential manner among relevant stakeholders eg. Staff and/or relevant Regional Office staff and are used to develop actions and systems to improve our improve practices.
- The concern or complaint is reviewed annually and the effectiveness of outcomes and actions reviewed.

**Our management of confidential information meets requirements.**

- All staff are required to abide by the Public Sector Code of Ethics and recognise their responsibility to maintain confidentiality and act ethically when either raising or managing a complaint or concern.
• Records of concerns or complaints are stored confidentially and disposed of in accordance with General Disposal Schedules.
• All conversations regarding a concern or complaint will take place in a private area away from children, other parents and staff who are not involved.
• Confidentiality will be respected at all times.

Policy development and review

This policy has been developed in consultation with staff and the Parent Group at Brentwood Drive Kindergarten.

This policy will be reviewed at least every 2 years.

This policy will be made available to families on enrolment.