

# Early Learning Complaints, Grievance Policy

Uniting is committed to:

- Maintaining an accessible, fair and responsive feedback system
- Establishing mechanisms to promote prompt, efficient and satisfactory resolution of complaints and grievances
- Maintaining confidentiality at all times
- Supporting a culture of openness and willingness to learn from complaints, compliments and suggestions
- Providing consumers with the right information, in a format that facilitates understanding, to enable them to make a complaint or provide feedback, including avenues external to Uniting and the right to an advocate
- Promoting a transparent and 'No Blame' reporting culture to enable effective monitoring and oversight
- Ensuring consumers are protected from retribution when making a complaint, are supported, and their rights to confidentiality respected as per privacy legislation
- Improving quality and safety across all programs by following a robust process that contributes to building a continuous improvement culture.

Term	Meaning
Complaint	Refers to an expression of concern, dissatisfaction, unmet expectation, or frustration by or on behalf of a consumer regarding any aspect of the quality or delivery of services, policies, procedures or conduct or any other element of the way we do our business, regardless of how it is made
Compliment	An expression of gratitude, satisfaction, or exceeding of expectations by or on behalf of a consumer regarding the quality or delivery of services policies, procedures or conduct or any other element of the way we do our business, regardless of how it is made
Suggestion	An expression of an idea for consideration for an alternative approach or improvement to a particular issue
Consumer	Refers to current and former consumers of Uniting, their family, support persons and advocates, as well as supported employees engaged in social enterprises
Feedback	Information from consumers, consumer advocates, family members, stakeholders and the community about any action, policy or person within Uniting and their experience of it which includes complaints, compliments and suggestions

## Background

Complaints or grievances may be received from anyone who comes in contact with the service including parents/guardians, volunteers, students, members of the local community and other agencies.

In most cases, dealing with complaints and grievances will be the responsibility of the Approved Provider. All complaints and grievances, when lodged, need to be initially assessed to determine whether they are a general or a notifiable complaint.

When a complaint or grievance has been assessed as 'notifiable', the Approved Provider must notify Department of Education (DE) of the complaint or grievance. The Approved Provider will investigate the

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complaint or grievance and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by DE.

There may be occasions when the complainant reports the complaint or grievance directly to DE. If DE then 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 co-operating with any investigation by DE.

DE 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 legislation.

## Definitions

A **complaint** is defined as an issue of a minor nature that can be resolved promptly or within 24 hours and does not require a detailed investigation. Complaints include an expression of concern, dissatisfaction, unmet expectation, or frustration by, parents or internal/external stakeholder, and any verbal or written complaint directly related to the service.

A **notifiable complaint** is a complaint that alleges:

- The safety, health or wellbeing of a child or children was or is being compromised while being educated and cared for by the approved education and care service; or
- The contravention of legislation has occurred.

Notifiable complaints must be investigated and reported to the Approved Provider. Some notifiable complaints will be reported to the regulatory authority by the Approved Provider in writing within 24 hours of the complaint.

A **grievance** is a formal statement (written or verbal) that cannot be addressed immediately and involves matters of a more serious nature, e.g. the service is in breach of a procedure/regulation or child protection issues.

## Early Learning Resources

- RiskMan Feedback module - all early learning complaints must be entered into RiskMan
- Early Learning Managers – Incidents and feedback user guide – [Click here](#)
- Early Learning User Guide for incidents and feedback – [Click here](#)
- Refer to Consumer Handbook - [click here](#)  
Email complaint to [approvedprovider@vt.uniting.org](mailto:approvedprovider@vt.uniting.org)

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## Reference/Sources

This procedure should be read in conjunction with

Uniting Child Safety Policy – Uniting adopts the Uniting Church Australia National Child Safety Policy Framework, 2019 and the principles of this Policy Framework

- Code of Conduct Policy
- Child Safety Code of Conduct
- Incident, Injury, Trauma, and Illness Policy
- Inclusion, Diversity and Equity Policy
- Interactions with Children Policy
- Privacy Policy
- Staffing Policy
- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#)
- Children’s Services Amendment Act 2019
- Children’s Services Regulations 2020
- Department of Education and Training – Regional Office details are available under ‘Contact Us’ on the website: [www.education.vic.gov.au](http://www.education.vic.gov.au)
- Education and Care Services National Law Act 2010: Section 174(2)(b)
- Education and Care Services National Regulations 2011: Regulations 168(2)(o), 170-172, 173(2)(b), 181
- [Kindergarten Funding Guide](#) Department of Education and Training 2023 (Vic)
- National Quality Standard, Quality Area 7: Leadership and Service Management
- [National Quality Standard. Information Sheet Quality Area 7 Using Complaints to Support Continuous Improvement. Australian Children’s Education & Care Quality Authority, Feb 2018](#)
- Tasmanian Licensing Standards for Centre Based Child Care Class 5 2014. Standard 16 c) (iv)
- Department of Education, Skills and Employment - <https://www.dese.gov.au/early-childhood>
- [Tasmania education department](#)

This policy/procedure is shared with the whole service community with opportunities to provide feedback/input

## Authorisation

This procedure was adopted by Uniting Early Learning on: 05/12/2023

## Review

This procedure is to be reviewed by: 15/03/2025

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## Responsibilities relating to the Complaints and Grievances Procedure Approved Provider

- Be familiar with and enact the legislative requirements, service policies and the procedures for dealing with complaints and grievances
- Ensure the name and telephone number of the person responsible at the service to whom complaints may be addressed are displayed prominently at the service
- Ensure the contact details of the Regulatory Authority are displayed prominently at the service
- Advise parents and staff of the *Complaints and Grievances policy* upon enrolment or employment at the service
- Ensure this procedure is always available for inspection at the service
- Be aware of and committed to the principles of communicating and sharing information with service employees, students, parents, contractors and volunteers
- Respond to all complaints and grievances in the most appropriate manner and at the earliest opportunity
- Treat all complainants fairly and equitably
- Inform DE in writing within 24 hours of serious incident, or notifiable complaint via the ACECQA NQATIS portal, and for CCCF/R restricted services, inform Department of Education
- Identify, prevent and address potential concerns before they become complaints/grievances
- Comply with the *Uniting Privacy policy* and maintain confidentiality at all times
- Provide your families with a copy or a link to the [Consumer Handbook](#) (Welcome to Uniting Vic.Tas)
- Provide training to staff on how to register a compliment or complaint in RiskMan
- Analyse complaints, concerns and safety incidents to identify causes and systemic failures to inform continuous improvement.

## Responsible person, Educators & Staff

- Be familiar with and enact the legislative requirements, service policies and the procedure and practice for dealing with complaints and grievances
- Ensure the complaints processes is child focused, understood broadly (including by children, their parents, staff, students and volunteers), culturally safe and compliant with privacy laws, reporting obligations and employment law
- Ensure that children have access to age appropriate information, support and complaints processes in ways that are culturally safe, accessible and easy to understand
- Notify and inform the Approved Provider within 12 hours where practicable of any serious incident or notifiable complaint/grievance
- Upload the notifiable complaint in RiskMan feedback portal within 12 hours of receipt
- Identify, prevent, and address potential concerns before they become complaints/grievances
- Respond to and resolve issues as they arise where practicable
- Maintain professionalism and integrity at all times
- Discussing minor complaints directly with the party involved as a first step towards resolution. The parties are encouraged to discuss the matter professionally and openly work together to achieve a desired outcome
- Inform complainants of the *Complaints and Grievances policy*
- Provide information as requested by the Approved Provider e.g. written reports relating to the grievance
- Work co-operatively with the Approved Provider and DE in any investigations related to grievances about the service, programs, or staff
- Comply with the Uniting Privacy policy and maintain confidentiality at all times.

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## Parents

- Comply with the Uniting *Privacy* policy and maintain confidentiality at all times
- Discuss a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the *Complaint and Grievance* procedures
- Communicate (preferably in writing) any concerns relating to the management or operation of the service as soon as is practicable
- Raise any unresolved issues or serious concerns directly with the Approved Provider, via the Responsible Person or by emailing [approvedprovider@vt.uniting.org](mailto:approvedprovider@vt.uniting.org)
- Maintain confidentiality at all times.

**Note:** *Additional assistants, volunteers, contractors and students, while at the service, are responsible for following this policy.*

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## Complaint and grievance procedure

### Dealing with a complaint

When a complaint is received, the person to whom the complaint is addressed will:

- Inform the complainant of the *Complaints and Grievances Policy*
- Discuss the complaint directly with the complainant, ensuring a clear and accurate understanding of the issue/s of concern
- Action the complaint, engaging a translator if necessary, to facilitate understanding and communication
- Ensure the Responsible person is aware of the complaint
- Upload the complaint into RiskMan feedback portal together with the outcome
- Comply with the *Uniting Privacy policy* regarding all meetings/discussions in relation to a complaint
- Inform the Approved Provider if the complaint escalates and becomes a grievance ([refer to Glossary](#)), a notifiable complaint or is unable to be resolved appropriately in a timely manner.

### Dealing with a grievance/notifiable complaint

When a grievance is lodged with the service:

- The staff member receiving the complaint or grievance will record all relevant details regarding the Grievance or complaint in RiskMan Feedback portal ([refer to Glossary](#))
- The staff member is to escalate complaint/grievance to line manager and ensure Senior Manager is notified
- An investigator may to be appointed
- An investigation may be conducted
- If the grievance/complaint is notifiable, the Approved Provider will be responsible for notifying the Regulatory Authority. This must be in writing within 24 hours of receiving the grievance/complaint
- If the complaint/grievance alleges that a Uniting staff member, educator or volunteer has harmed or abused a child, the Uniting Incident & Investigation team must be notified. The team will determine if the conduct is reportable under the Reportable Conduct Scheme.

### Investigating the grievance and gathering relevant information (see flowchart attachment c)

When investigating the grievance and gathering relevant information, the Investigator will:

- Meet with individual witnesses and give right of reply to the person against whom the allegations are made in relation to any accusation or information relating to an alleged incident
- Offer the complainant the opportunity of meeting to discuss the complaint and provide additional information where relevant
- Provide access to a translator or support person if required
- Inform the complainant of the procedures for dealing with the grievance
- If the complainant takes up the opportunity to attend a meeting;
  - Document the time, date and detail of meetings/discussions, and follow this up with a letter to the complainant outlining the information discussed
- Be available to meet with Regulatory Authority staff, if required, and provide additional information as requested
- Review relevant information and documents
- Obtain any other relevant information or documentation that will assist in resolving the grievance.

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## Investigator responsibilities and procedures (see flowchart attachment d)

### In the event of a grievance being lodged, the investigator will:

- Deal with the grievance in a timely manner
- Disclose any conflict of interest
- Consider the nature and the details of the grievance
- Identify which Uniting and/or Early Learning policies (if any) the grievance involves
- If the grievance is a notifiable complaint (refer to *Glossary*), inform the complainant of the requirements to notify the Regulatory Authority of the grievance and explain the role that they may take in investigating the complaint
- Where appropriate, inform and request advice from the relevant Uniting People & Culture representative
- Maintain appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the grievance
- Respect the confidential nature of information relating to the grievance. The Approved Provider and the investigator must handle any grievance in a discreet and professional manner
- Store all written information relating to grievances securely and in compliance with the Uniting Privacy policy.

### Following the investigation

#### Once the investigation of the grievance is complete:

- Attempts will be made to resolve the grievance by mutual agreement of the parties involved
- The investigator will meet to discuss information gathered and determine further action, including generating recommendations to be presented to the Approved Provider
- Any recommendations or actions are in accordance with relevant legislation and funding requirements including, but not limited to:
  - *Child Care Act 2001 (Tas)*
  - *Children's Services Amendment Act 2019 (Vic)*
  - *Children's Services Regulations 2020 (Vic)*
  - *Education and Care Services National Law Act 2010*
  - *Education and Care Services National Regulations 2011*
  - *Kindergarten Funding Guide (Vic)*
  - State and Federal funding agreements
  - *Tasmanian Licensing Standards for Centre Based Child Care Class 5 (October 2014)*
- Reported outcomes, that include relevant information gained in the investigation and any consultations, are presented to the Approved Provider
- Follow up to ensure the parties involved are satisfied with the outcome and monitor progress on any actions taken by the Approved Provider.

#### The Approved Provider or delegate:

- Is informed of any involvement, and the outcomes of any investigation by the Regulatory Authority
- Reviews the report and any investigator recommendations and will be responsible for making decisions on the action to be taken (if any), including relevant review mechanisms
- Advises the complainant and other relevant parties of any decisions made by the Approved Provider in relation to the grievance
- Follows up to ensure the parties involved are satisfied with the outcome and monitor progress on any actions taken by the Approved Provider
- Conducts a review of allegation and response provided about the notification

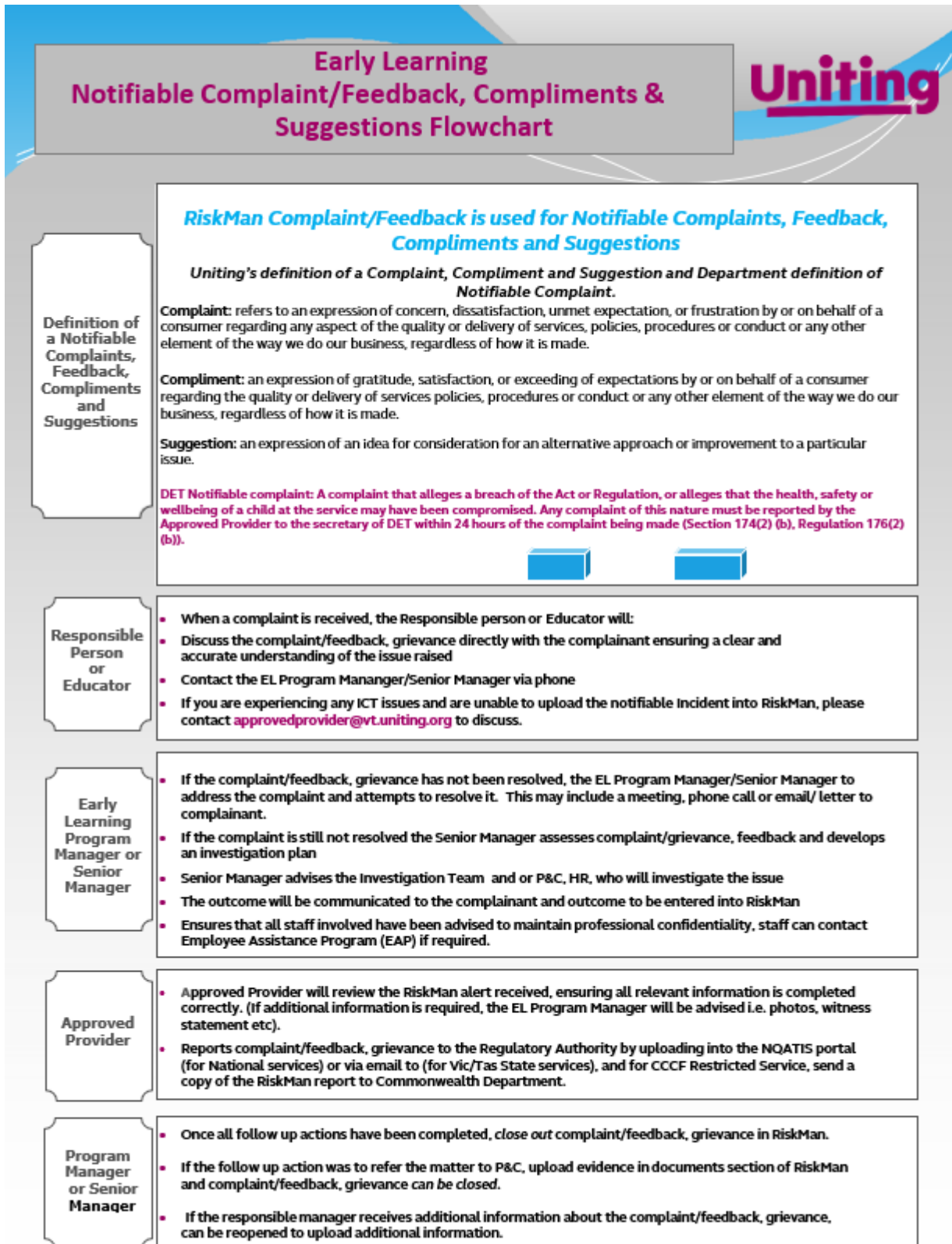
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# Notifiable complaint /Feedback Compliments & Suggestions flowchart

A notifiable complaint is a complaint that alleges:

- The safety, health or wellbeing of a child or children was or is being compromised while being educated and cared for by the approved education and care service; or
- That the National/State Laws/Regulations have been contravened.



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