



# Nature Alliance Family Day Care Service

Grievance and Complaints



## **POLICY IN THIS SECTION AS REQUIRED BY**

Education and Care Services National Law (WA) Act 2012: Section 3(3)(a)(e); 174(2)(b)(4)

Education and Care Services National Regulations, 2012 – 'Regulations'75;76; 80; 88(2); 93(2); 93(5)(b); 94(2); 99; 157

National Quality Standards for Early Childhood Education and Care and School Age Care (2010) Standard 6.1; 6.2. Element 1.1.4; 7.3.4

## **PURPOSE:**

To ensure any complaints are dealt with efficiently, promptly and in a professional manner.

## **SCOPE:**

This policy applies to Family Day Care Educators; Family Day Care Assistants; regular visitors, Family Day Care Service staff members, Family Day Care Educator family members, students, parents, children (including visiting children) and volunteers.

## **PRINCIPLE:**

The service provider supports the individual's right to be heard fairly, the right to an unbiased decision made by an objective decision maker and the right to have the decision based on relevant evidence. This ensures all persons are provided with procedural due fairness in relation to complaint management.

## **POLICY:**

A practical mechanism for people to provide feedback when dissatisfied with the Family Day Care Service will be developed and managed in a prompt and timely manner. Procedural due fairness will be followed in reaching an outcome for all persons.

## **PROCEDURES:**

Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

It is expected the grievance should initially be discussed with the person concerned. Every effort should be made to resolve the grievance at this level before moving on to the following steps.

All complaints may be lodged via face-to-face contact, telephone conversations or written notification. A record of the complaint will be kept on the Service Complaints Form and in the Service Complaints Register.

Any complaints of a serious nature where the safety or wellbeing of a child or children are alleged to have been compromised will be registered with ECRU on C01 – Notification of Complaint form within 24hour of the complaint being made.

## **Between The Family Day Care Educator And/Or Assistant And A Family**

1. If the grievance is not resolved satisfactorily either party can bring the matter to the attention of the Family Day Care Service staff to assist in the resolution of the matter.

2. Any grievance, which has been fully discussed between the Family Day Care Service staff and the parties involved and is still unresolved, can be referred for further mediation to the approved provider or a representative of the approved provider
3. If still unresolved the matter can be referred to the Western Australian Ombudsman  
Phone: 1800 117 000.

**Between The Family Day Care Educator and/or an Assistant And The Family Day Care Service**

1. The Family Day Care Educator and or assistant has the right to approach the Family Day Care Service staff member concerned and to expect to have the grievance addressed in an understanding and sensitive manner.
2. If unresolved the Family Day Care Educator and or assistant can contact the approved provider or a representative of the approved provider who will attempt to find a resolution or an acceptable compromise by both parties.
3. If still unresolved the matter can be referred to the Western Australian Ombudsman  
Phone: 1800 117 000.

**Between The Family Day Care Service Staff And The Family Day Care Educator And/ Or Assistant**

1. When the Family Day Care Service is dissatisfied with a Family Day Care Educator and or assistant, then the complaints process will be followed.
2. When an issue is raised by a parent, staff member or community member, the Family Day Care Service will ask if the issue is a complaint. If it is deemed to be a complaint, then the complainant will be informed that the complaint will be followed up by all parties concerned.
3. If the complaint relates to a breach of Regulations or of special conditions of the Family Day Care Service, the Family Day Care Service staff will investigate the circumstances and discuss the complaint with the Family Day Care Educator.
4. The Family Day Care Service will advise the Family Day Care Educator and or assistant of non-compliance with the Regulations and/or conditions of the service, and the grievance procedure will be initiated.
5. The verbal advice will be followed up in writing to the Family Day Care Educator and or assistant.
6. The Family Day Care Service will advise the Regulatory body of an alleged complaint that poses a risk to the health, safety and wellbeing of the child. Note: under ACECQA: the monitoring and enforcing compliance with the National Law and National Regulations, the State Regulatory body undertakes including receiving and investigating serious incidents and complaints.
7. De-registration of a Family Day Care Educator and or assistant
  - a) If the Family Day Care Educator and or Family Day Care Assistant contravene the

Date reviewed	May 2018	NA-POL-0008	Version: 3	Page 2 of 4
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service policies and procedures, Regulations, and or Law, the Family Day Care Service may recommend de-registration with the Family Day Care Service.

- b) The Family Day Care Service will advise the Family Day Care Educator and or assistant if s/he has been de-registered from the Family Day Care Service and the reasons for this course of action.
- c) The Family Day Care Service will advise the Regulatory Authority in writing the date from which the Family Day Care Educator is no longer registered with the service.
- d) Approved Family Day Care Educators can appeal their de-registration with a service through the Administrative Appeals Tribunal, if they feel they have been unfairly treated.

### **Between Family Day Care Educator And Family Day Care Educator**

1. Discuss with the person concerned and attempt to resolve the grievance.
2. If unresolved the Family Day Care Educator can contact the Family Day Care Service who will attempt to find a resolution or an acceptable compromise by both parties.
3. If still unresolved the Family Day Care Educator may refer the matter to the representative of the approved provider for further mediation.

### **Between Family Day Care Service Staff**

1. In the first instance the Family Day Care Service staff shall attempt to resolve the grievance between them.
2. If the grievance is still unresolved the complaint can be referred to the approved provider for mediation.
3. If still unresolved, the approved provider, in consultation with the parties involved, will determine the next course of action.

### **Procedures For Receiving Complaints:**

#### **Family Day Care Service Staff Receiving The Complaint Will:**

1. Determine and confirm the details of the complaint and record details including their name and contact detail.
2. Confirm the content and intent of the complaint and the possible outcome to be achieved
3. Explain the courses of action available.
4. Commit to seeking a resolution, if possible, in a positive manner and action immediately.
5. Determine whether the person making the complaint is satisfied with the proposed course of action and, if not, suggest an alternative course of action
6. Follow up and monitor the outcome to confirm the person is satisfied and has received appropriate feedback

NB: Should the nature of the verbal complaint appear major, staff should request that the complaint be put in writing to reduce the possibility of the complaint being misunderstood

#### **Approved Provider Receiving A Complaint Will:**

Date reviewed	May 2018	NA-POL-0008	Version: 3	Page 3 of 4
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1. Acknowledge the complaint in writing within two (2) working days of receipt
2. If follow up is required, an acknowledgement letter will give details of response times, how the matter will be resolved.
3. Follow up and monitor the outcome to confirm the person is satisfied and has received appropriate feedback.
4. Evaluate the nature of the complaint in informing policy and procedural reviews.

### **Use of Interpreter**

The Family Day Care Service will offer an interpreter when handling complaints where required.

### **Access to Information**

Information deemed confidential under Freedom of Information legislation will not be accessible.

### **Right of Appeal**

If any parties are dissatisfied with the decision, they are able to involve the State Ombudsman's office and or the Administrative Appeals Tribunal.