

POLICY – GENERAL GRIEVANCE POLICY

1.	National Quality Standards	1
2.	Purpose	1
3.	Scope	1
4.	Policy Statement	2
2.	Implementation	2
5.	Feedback	5
6.	Approval and Review Details	5
	Appendix	6

1. National Quality Standards

Quality Area 6: Collaborative partnerships with families and communities		
Area	Concept	Descriptor
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.

Quality Area 7: Governance and leadership		
Area	Concept	Descriptor
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality Service
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

2. Purpose

- 2.1 Baringa Early Learning Centre (Baringa) is committed to a safe, professional, and positive organisational culture. This includes empowering stakeholders to raise complaints and grievances in a respectful process, to enable supportive and effective dispute resolution practices.

3. Scope

- 3.1 This policy applies to the families, community members and other stakeholders related to Baringa. Further background is provided in the **Appendix A**.

4. Policy Statement

- 4.1 Baringa believes in a professional organisational environment, which include:
- a) The right to be heard fairly
 - b) The right to an unbiased decision made by an objective decision maker
 - c) The right to have the decision based on relevant evidence.
- 4.2 Grievances can transpire in any organisation. Handling them appropriately is important for sustaining a safe, professional and productive organisational environment. The Grievance Policy ensures all persons are presented with procedures that:
- a) Value the opportunity to be heard
 - b) Promote conflict resolution
 - c) Encourage the development of harmonious partnerships
 - d) Ensure that conflicts and grievances are mediated fairly
 - e) Are transparent and equitable

2. Implementation

- 2.1 A stakeholder (e.g. family, community member or others related to Baringa) can raise a **complaint** about staff, centre management, board member, family or other community member related to Baringa. This can include incidents where a stakeholder may feel the other person has not adhered to the [Code of Conduct](#), a concern about a matter in the organisation, or would like to raise awareness about an issue.
- 4.3 **Internal Process** – It is important stakeholders feel supported. In the first instance, complaints raised will be dealt with through an internal process, as outlined below.

Step 1: Reporting

- a) The stakeholder is encouraged to raise the complaint with, and request a meeting with a Team Leader or Centre Management. For the purpose of this policy, the person approached by the stakeholder will be referred to as the **Complaints Officer**.
- b) The purpose of the meeting is for the Complaints Officer to support the stakeholder and gain an understanding of the complaint. The meeting will take place in a private, comfortable, safe environment that is free from distraction and interruptions. The meeting will be held in confidence, the stakeholder provided the opportunity to express their concerns and have them duly considered. The stakeholder may choose to have a support person during this meeting.
- c) The Complaints Officer will:
 - Provide options to support the stakeholder's wellbeing and confidentiality during this process;
 - Seek an understanding of the stakeholder's desired outcome and may request the stakeholder to write a file note of their complaint.
 - Outline the internal process including setting a follow up meeting.

Step 2: Information Gathering

- a) The Complaints Officer will gather information about the complaint, such as conducting separate, confidential meetings with other persons mentioned in the complaint. All persons will be provided with the same support and communication as per Step 1, including setting a follow up meeting.
- b) During this process, if persons relevant to the complaint are staff, they will:
 - continue to perform their work as they would normally unless they have a reasonable concern about an imminent risk to their health or safety; and
 - comply with direction from Baringa to perform other available work, as long as it is safe and appropriate to do so.

- c) In circumstances where the Complaints Officer is not a member of Centre Management, from hereon, the process will be managed by Centre Management, if:
- the complaint alleges the safety, health or wellbeing of a child is being compromised. The Centre Management will notify the *Children's Education and Care Assurance* and if relevant, the *ACT Ombudsman* as per the Reportable Conduct Policy; or
 - there may be potential for the complaint to be a bullying, discrimination or harassment matter, or circumstances which may risk the health, safety or wellbeing of the stakeholder; or
 - the complaint involves a Team Leader, or a member of Centre Management. If it is the latter, another member of Centre Management will be appointed as the Complaints Officer (e.g. Executive Officer, Centre Director, Educational Leader).

Step 3: Assessment

- a) The Complaints Officer, in consultation with Centre Management, will determine the complexity and seriousness of the complaint, and the length of time for which it has existed. The Complaints Officer will determine, in consultation with the stakeholder about an appropriate dispute resolution. The Complaints Officer will document the information gathered and next steps.
- b) In circumstances when the Complaints Officer is a member of Centre Management, they will consult with another member of the Centre Management during this step of the process. (e.g. Executive Officer, Centre Director, Educational Leader).

Step 4: Informal Dispute Resolution

- a) The Complaints Officer will facilitate an informal dispute resolution, which involves speaking separately with the stakeholder and other parties involved to communicate a desired solution and strategies to achieve this solution.
- b) Where appropriate and all parties involved consent to do so, a follow up / mediation meeting will be held with the Complaints Officer, the stakeholder and other parties involved, as well as any support persons.
- c) Where parties involved do not wish to have a mediation meeting, the Complaints Officer will have separate follow up meetings and continue to communicate separately to parties about the progress of strategies and actions to reach the desired solution.
- d) In circumstances where the Complaints Officer is not a member of Centre Management, they may request for Centre Management to be present at the follow up / mediation meetings, or request for Centre Management to manage the process from hereon.

Step 5: Follow Up

- a) The Complaints Officer will continue to follow up with the stakeholder and parties involved, and once the matter is resolved, available support mechanisms will be reiterated to all parties.
- b) If the stakeholder is dissatisfied with the outcome, the Complaints Officer will provide the options of an **Appeal** or to pursue the **External Process**.
- c) A confidential record of the complaint will be filed by the Complaints Officer documenting Steps 1 to 5 and the outcome.

4.4 **Appeal Process** – After the Internal Process is completed, if the stakeholder who raised the complaint is dissatisfied of the outcome, they may wish to make an appeal.

- a) This involves the stakeholder requesting an appeal in writing (e.g. via email to the Complaints Officer or Centre Management). The Internal Process will be conducted a second time, but with a different Complaints Officer.

- b) The Complaints Officer during the Appeal Process will be Centre Management. In circumstances where the original Contact Officer was a member of Centre Management, a different member of Centre Management must manage the Appeal Process (e.g. Executive Officer, Centre Director or Educational Leader). In circumstances where this is not feasible, the Contact Officer may be a Board Member, or an independent mediator appointed by Centre Management or the Board.

4.5 **External Process** – After the Internal Process or Appeals Process is completed, if the stakeholder who raised the complaint is dissatisfied of the outcome, they may wish to pursue the external process.

- a) This involves the stakeholder requesting an external process in writing (e.g. via email to the Complaints Officer or Centre Management). From hereon, the complaint will be referred to as a ***grievance***. A grievance is formal statement of a complaint that have not been resolved using internal processes or involves matters of a more serious nature.
- b) The grievance will be referred to the appropriate external agency in accordance with applicable law. The appropriate external agency will primarily depend on the nature of the dispute.
- c) Centre Management will assist the stakeholder to pursue the grievance with the external agency. The Board will be notified and a Board Member may be assigned to support the stakeholder if appropriate.

4.6 **Resolution** – Complaints and grievances are considered resolved when all persons involved agree to a solution, when the cause has been removed or resolved, and when arrangements have been made, if appropriate, to repair any damage and distress experienced by the persons involved.

- a) Strategies agreed upon by parties involved are to be put in place to help avoid further conflict.
- b) Centre Management and stakeholders will work together to develop and implement appropriate strategies to facilitate consultative and collaborative decision-making processes within the organisation.
- c) If resolution of the conflict is unsuccessful after all processes have been followed, and it involves a staff member, it may be necessary to take disciplinary action.
- d) If, after exhausting the internal, appeals, or external process, the stakeholder is not satisfied with the outcome, a complaint may be lodged with The ACT Regulatory Authority, Children's Education and Care Assurance (CECA) through their complaints telephone line (02) 6207 7581 or email complaintsCECA@act.gov.au.

4.7 **Conflicts of Interest** – It is important for the stakeholder reporting a complaint or grievance to feel confident in being heard fairly; and an unbiased decision-making process.

- a) Should a conflict of interest arise during the process that involves the Complaints Officer, an alternative Complaints Officer will manage the process (e.g. another Team Leader, or member of Centre Management).

4.8 **Record Keeping**

- a) Baringa recognises information relating to complaints and grievances are highly sensitive, as such records will be protected with reasonable security safeguards.
- b) A confidential record of the complaint will be filed on the Complaints Register, including relevant file notes from the stakeholder and parties involved, and the outcome of the Internal Process, Appeals Process or External Process.
- c) Where the complaint leads to a regulatory reporting requirement, Centre Management will provide a copy of the redacted notification report to the Board. This will ensure the Board is kept informed while protecting the privacy of the stakeholder and parties involved.

- d) Where a grievance is referred to an external agency, stakeholder and parties involved will be given the opportunity to peruse, correct and endorse their files notes, or records of their meetings. To avoid any possibility of collusion, parties will not be provided with anyone else's records. Records will remain confidential and placed on file. These records may be removed after a reasonable period of time as determined by Baringa, if there has been no repetition of the matter.

4.9 **Evaluation** – To ensure complaints and grievances are handled appropriately, Centre Management will:

- a) Evaluate each individual complaint and grievance as recorded in the Register to assess that a satisfactory resolution that has been achieved;
- b) Review the Register at least bi-annually to ensure a pattern of similar matters is not occurring;
- c) Review the effectiveness of the internal, appeal and external processes, to ensure all complaints and grievances have been handled fairly and professionally; and
- d) Consider feedback from stakeholders regarding the policy.

5. Feedback

Stakeholders may provide feedback about this document by emailing admin@baringa.org.au.

6. Approval and Review Details

Approval and Review	Details
Approval Authority	Baringa Board
Administrator	Centre Management
Next Review Date	31 December 2023

Approval and Amendment History	Details
Original Approval Authority and Date	27 April 2021
Amendment Authority and Date	N/A
Notes	27 April 2021: This policy replaces s58 <i>Parent and Carer Grievances</i> (July 2010) in the 2018 Policies and Procedures Manual (August 2018)

Appendix

Education and Care Services National Regulations

168	Education and care service must have policies and procedure
173	Prescribed information to be displayed
176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

Additional Information

Privacy and Confidentiality: Stakeholders are requested to adhere to the *Privacy Policy* when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed. (see: Reportable Conduct Scheme in *Child Protection Policy*)

Notifiable complaint: A complaint that alleges a breach of the Regulation and Law, National Quality Standard or alleges that the health, safety or wellbeing of a child at Baringa may have been compromised. Any complaint of this nature must be reported by the Approved Provider or Nominated Supervisor to the Regulatory Authority within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

If Centre Management is unsure whether the matter is a notifiable complaint, it is good practice to contact the Regulatory Authority for confirmation. Written reports must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor)
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).

Effects of unresolved conflict: We acknowledge that conflict is a natural part of organisations. It is important that all conflict is resolved as unresolved conflict can lead to tension; stress; low productivity; bitter relationships; excess time off; ill health; anxiety and many other destructive emotions. When conflict is addressed and handled constructively the outcomes are feelings of relaxation; openness; high productivity; vitality; good health, empowerment; a sense of achievement etc.

Sources

Australian Children's Education & Care Quality Authority. (2014).

Australian Human Rights Commission: <https://www.humanrights.gov.au>

Commonwealth Ombudsman. (2009). Better practice guide to complaint handling: https://www.ombudsman.gov.au/_data/assets/pdf_file/0020/35615/Better-practice-guide-to-complaint-handling.pdf

Education and Care Services National Regulation. (2011).

Fair Work Australia: <https://www.fairwork.gov.au/>

National Quality Standard. (2017).

Revised National Quality Standard. (2018).