



Callington Kindergarten Grievances and Complaints Management Policy

Policy Number 7

Issue Number 1

Link to NQS for ECE Principles: 4.1.2 7.3.1
4.3.1 7.3.2
4.3.2 7.3.3
4.3.4 7.3.4
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6.4.1

Policy statement

The Callington Kindergarten fosters and values a positive and harmonious relationship between all individuals involved with the service, including children, parents, staff and the community.

- The Callington Kindergarten's Grievances and Complaints Management Policy values:
 - procedural fairness and natural justice;
 - a code of ethics and conduct;
 - a kindergarten culture free from discrimination and harassment;
 - transparent policies and procedures; and
 - avenues for recourse and further investigation.
- The Grievances and Complaints Management Policy ensures that all persons¹ are presented with procedures that:
 - value the opportunity to be heard;
 - promote conflict resolution;
 - encourage the development of harmonious partnerships;

¹ For the purpose of this policy, 'persons' include <children, families, staff, carers, carers' family, ancillary staff (administrative staff, and maintenance personnel, students, volunteers, visitors, local community, school community.

- ensure that conflicts and grievances are mediated fairly; and
 - are transparent and equitable.
- Callington Kindergarten has a duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to grievances and complaints management and procedures.
- In meeting the kindergarten's duty of care, staff/carers agree to implement and endorse the service's Grievances and Complaints Management Policy.
- The *Occupational Health and Safety Act 1986* and the *OHS&W regulations 1995* states that employers have a duty of care to their employees to ensure that the working environment supports emotional and mental wellbeing.
- The kindergarten's Site Behaviour Policy guides the Grievances and Complaints Management Policy and procedures.

Rationale

The grievances and complaints management policy supports and guides the actions of each stakeholder that accesses the kindergarten; this not only includes children and families but also staff/carers, management and the wider community.

Procedural fairness and natural justice

- The three core principles of natural justice or procedural fairness are:
 - the 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.

Strategies to resolve grievances and complaints

Privacy and confidentiality

- Callington Kindergarten is committed to ensuring the right to privacy and confidentiality for all children, families and staff at the centre.
- Callington Kindergarten has a set of procedures supported by DECS. The kindergarten policy on privacy and confidentiality is linked to the Grievances and Complaints Management Policy.
- Note: there may be a requirement to disclose information to a third party when directed by legislative regulations. For example, if the complaint involves a staff member or carer, or if the nature of the complaint is about child protection issues, a government agency may need to be informed. In other circumstances, the complaint may be held in confidence with those individuals directly involved.

Conflict of interest

- Conflicts of interest may arise during a grievances or complaints management procedure and that a set of guidelines to address this are included here.

Procedure for conflict of interest

1. Discuss the issue with kindy staff in a confidential and respectful manner.
2. If the situation is not resolved or involves Kindy staff then the party involved should discuss the issue with the Kindergarten Governing Council Chairperson – for 2016 this is Narelle Thomas ph 0417 877 426.
3. If the situation is still not resolved then the party concerned can speak to Regional Office Staff on 8491 4705.

Grievances and complaints management procedure

Notification

- Document the grievance or complaint.
- Consider any legal requirements in relation to the complaint.
For example, if the complaint is related to a child protection issue.
- Notify regulatory or licensing bodies if required.
- Lines of communication.
Who knows of the complaint and why? How will this affect the fairness of procedures? For example, staff may be directed not to disclose information about the complaint to other stakeholders who are not directly involved. This supports an individual's right to be heard fairly without bias and prevents other staff from forming an opinion before hearing all the facts.
- Timeframes.
Identify the proposed timeframe from notification to resolution.

Investigation

- All investigations must be equitable, transparent and fair.
- All conversations and/or observations will be recorded on paper.
- If necessary the meetings will be mediated by the Kindy Director if appropriate of the Early Childhood consultant or Regional District Director.
- If any external agencies need to be involved during the course of the investigation the Kindergarten Director or concerned party can source these?

Resolution

- When a resolution is reached the outcome is documented and a copy provided to those involved.

Evaluation

- The kindergarten director will analyse the occurrence, frequency and nature of grievances and complaints with the Early Childhood Consultant at the end of each year (if necessary e.g. if there are any processes documented in the calendar year)

Role models

Staff/carers, students and volunteers as role models

- Children learn through example and role modelling is an important strategy to encourage children to manage conflict appropriately.
- Staff/carers, students and volunteers are encouraged to comply with the Grievances and Complaints Management Policy.
- There are professional development and training opportunities for staff/carers to improve their conflict resolution skills when necessary.
- Staff/carers can role model to one another. There are opportunities for staff/carers to discuss issues that consistently arise that cause conflicts of opinion.
- Staff/carers can role models to families.

Policy review

- The service will review the Grievances and Complaints Management Policy and procedures every 12 months.
- Families are encouraged to collaborate with the service to review the policy and procedures.
- Staff are essential stakeholders in the policy review process and will be encouraged to be actively involved.

Procedures

The following are examples of procedures that Callington Kindergarten may employ as part of its daily practices.

- Documenting and reporting a grievance or complaint.
- Employee induction procedure.
- Evaluating and monitoring grievances or complaints outcomes.
- Policy development and review procedure.
- Procedure for dealing with the media.
- Procedure for handling complaints against a family member, staff/carer, student, volunteer or visitor.
- Procedure for non-compliance of the Grievances and Complaints Management Policy and procedures by a:
 - child;
 - staff/carer;
 - parent or family member;
 - student/volunteer; or
 - visitor.
- Procedure for reporting to a regulatory body or external agency.
- Procedures for supporting staff/carers before and after a complaint.
- Student and volunteer induction procedure.

Links to other policies

The following are a list of examples:

- Child protection
- Confidentiality and privacy
- Enrolment of new children and families to the service
- Guiding children's behaviour
- Meeting children's individual and group needs
- Occupational health and safety
- Records management

Sources and further reading

- *Age Discrimination Act 2004* (Cwlth)
- *Disability Discrimination Act 1992* (Cwlth)
- *Human Rights and Equal Opportunity Commission Act 1986* (Cwlth)
- NSW Ombudsman. (2005). *Natural justice/procedural fairness: Public sector agencies factsheet No 14*. Retrieved 6 February, 2007, from http://www.ombo.nsw.gov.au/publication/PDF/factsheets/FS_PublicSector_14_Natural_Justice.pdf
- *Occupational Health and Safety Act*
- *Privacy Act 1988* (Cwlth)
- *Racial Discrimination Act 1975* (Cwlth)
- *Sex Discrimination Act 1984* (Cwlth)

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