



**Dara School**

**Out of School Hours Care**

**Grievance Policy**

## GRIEVANCE OSHC POLICY

### 1. PURPOSE

The Service promotes and values feedback and works to manage grievances to improve performance, systems and service delivery. There are processes in place to ensure all grievances and complaints are addressed, investigated fairly and documented in a timely manner. The principles of natural justice and procedural fairness will be applied when managing grievances.

Under the Education and Care Services National Law, the Approved Provider has a legal responsibility to notify the Regulatory Authority of certain matters within a stated time frame. One of these matters is where a complaint is made in relation to either of the following:

- a complaint alleging that the safety, health, or wellbeing of a child was or is being compromised
- that the law has been breached.

Complaints of this nature are to be identified at a site as 'notifiable complaints' and the Approved Provider must inform the Regulatory Authority within 24 hours.

The following details are required in the notifiable complaint report:

1. Date complaint received
2. Complainant's name and contact details
3. Name of child/children to whom complaint relates (if relevant)
4. Copy of written complaint (or written summary) and any other relevant documentation (including correspondence, photographs, statements)
5. Steps taken/actions planned by the Service in response to the complaint.

The school Principal should be informed when there are complaints.

### 2. SCOPE

This policy applies to children, families, Educators, management, and visitors of the Service.

### 3. POLICY PRINCIPLES

Dara OSHC Service takes grievances about the Service, its Educators and other staff, practices, and procedures seriously. We recognise that families, Educators, other staff and

the community need to feel confident that any concerns or issues they may raise will be handled promptly and professionally. We will provide effective complaint management which meets our families'/carers' needs.

#### 4. HOW THIS POLICY WILL BE IMPLEMENTED

##### 4.1 General

The Grievance Policy and procedures will be made available to families through the family handbook given to families on enrolment. The Service's policy document will also contain the Grievance Policy and procedures and will be available to families at the Service.

Educators and staff will access the Grievance Policy and procedures through the policy documents and staff handbook issued on employment and whenever an updated version is issued.

Children will access the Grievance procedure through conversations with educators, clearly displayed posters at the Service and through discussions with families.

Service staff managing grievances must be aware that there may be situations where a conflict of interest arises, and action may need to be taken to manage such situations.

Complaints can be made in the following manner:

- verbally—in person or by phone
- in writing—via email, fax or mail
- suggestion box
- feedback forms.

##### 4.2 Families lodging a complaint

Following families becoming aware of concerning information, they are requested to not discuss complaints in front of children. It may be that an appointment with the Director will need to be made.

- Complaints regarding any aspect of the Service should try to be resolved in an informal manner with staff in the first instance. If you feel you are unable to discuss your complaint with a staff member or in the event that discussion with the staff member proves unsatisfactory, your complaint can be directed to the Director. If the complaint is about the Director, it should be addressed to the Nominated Supervisor, Dara School Principal.
- If you feel uncomfortable in dealing with a complaint personally, you may nominate an advocate to mediate on your behalf.

Families have a right to lodge a complaint directly with the Regulatory Authority, the phone details for the Regulatory Authority are 1800 882 413 (toll free) or (08) 8226 0077. Feedback and suggestions are always welcome, and may help to continuously improve the Service.

### 4.3 Educators lodging a complaint

Where complaints are made by Educators in relation to Enterprise Agreement issues, they are directed to discuss this initially with the OSHC Director in the first instance, who will consult with the Nominated Supervisor, Dara Principal. Should this not resolve the issue, Educators would need to discuss this with the Nominated Supervisor, Dara Principal, directly.

- Staff may have a union representative or other person present at any meeting or interview and may withdraw from the process at any time.
- From time-to-time staff conflicts arise. In the interests of the children and the professional operation of the Service, these grievances will be investigated promptly, thoroughly, and confidentially.
- Some grievances may be resolved by presenting the matter for discussion at a team meeting. In the event that you feel you have a problem with any aspect of the Service, please make a time to speak to the Director.

### 4.4 Children lodging a complaint.

The opportunity for children to make complaints should be fully explained to them. Such complaints may be in relation to incidents with other children, issues with Educators or of a general nature.

- Educators will take children's complaints seriously and attend to them as a matter of priority while maintaining confidentiality.
- Where Educators are unable to take appropriate action regarding a child's complaint, Educators will inform the Director.
- Grievances relating to Educators, Educator conduct, or aspects of the program are to be directed to the Director.
- Children may have a family member or other representative to assist them to raise their concerns.
- Children are encouraged to give feedback and make suggestions through conversations with Educators and evaluation forms.

### 4.5 Complaints Handling Process

The Nominated Supervisor will be responsible for ensuring that any complaint that alleges a breach of legislation or a serious incident is reported to the Approved Provider.

The Approved Provider will be responsible for ensuring that the Education and Early Childhood Services Registration and Standards Board is notified within 24 hours of any complaint that alleges a breach of legislation or where the safety, health or wellbeing of a child was or is being compromised.

The Approved Provider and/or Director will:

- Investigate complaints promptly and thoroughly with the understanding that the complainant will not be disadvantaged through the process.
- Listen to/read the complaint and document the exact details of the complaint.

- Seek further information, to clarify the issues and investigate the complaint, including speaking to other parties involved as required.
- Seek additional advice from line managers and other agencies, including legal advice as required.
- Refer to any State or National Regulations or organisational policy that may provide clarity to the complaint, as required.
- Assess the complaint fairly and determine the best possible resolution.
- Inform the complainant of the outcome in writing or verbally, as required, in a timely manner.
- Ensure that the complaint process and its outcome are documented, and that all documentation is treated and stored confidentially.

#### 4.6 Reporting and recording complaints

- OSHC Directors must follow the Service Grievance Policy and report the complaint to the school Principal and Board of Governance.
- The approved provider must report the complaint to the Education Standards Board through the [National Quality Agenda IT System \(NQAITS\) public portal](#) within the regulated timelines on the [OSHC notification requirement checklist \(PDF 279KB\)](#). Or [Australian Children's Education & Care Quality Authority Notifications](#) or Appendix A Notifiable events
- Complaints **alleging that a serious incident has occurred or that the National Law has been contravened** must be reported within 24 hours of the complaint.
- The Director/Principal will notify the Chairperson of the Board of Governance.
- The Service will keep a record of complaints with the complainant's details, an outline of the complaint and the action taken to resolve the complaint.

#### 4.7 Tip-offs

The Child Care tip-off line and other departmental channels are monitored for information about potential breaches. Anyone who is aware of practices that could be incorrect, or illegal, is encouraged to contact the tip-off line on 1800 664 231. Information can be given anonymously. Alternatively, information can be given in writing to the department through [tipoffline@dese.gov.au](mailto:tipoffline@dese.gov.au). Tip-offs may be passed on to other government agencies.

## 5. OTHER OSHC POLICIES OR DOCUMENTS RELATED TO THIS POLICY

Employee handbook

Family Handbook

A7 Governance and Management OSHC Policy

## 6. RELATIONSHIP TO REGULATIONS

[National Quality Standards \(NQS\)](#)

Quality Area 7- Governance and leadership

Standard 1 Governance, Element 7.1.2 Management Systems: Systems are in place to manage risk and enable the effective management and operation of a quality service.

Standard 2 Leadership, Element 7.2.1 Continuous Improvement: There is an effective self-assessment and quality improvement process in place.

### Education and Care Services National Regulations

Regulation 168 (2)(0): requires policies and procedures for dealing with complaints.

Regulation 173 (2)(b): requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the Service.

Regulation 176 (2)(b): requires an approved provider to notify the relevant regulatory authority in writing, within 24 hours of the complaint alleging that a serious incident has occurred or is occurring while a child is being educated and cared for by a Service, or that the National Law and/or National Regulations have been contravened.

## 7. REFERENCES

- NCAC OSHCQA information sheet QA7 using complaints to support continuous improvement, date accessed 21 February 2022, [https://www.acecqa.gov.au/sites/default/files/2018-04/QA7\\_UsingGrievanceToSupportContinuousImprovement.pdf](https://www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingGrievanceToSupportContinuousImprovement.pdf)
- Department of Education SA Complaint Management Policy accessed 22 February 2022 <https://www.education.sa.gov.au/complaint-management-policy>
- Parents Concerns and Complaints Procedure, date accessed 22 February 2022 <https://www.egcc.sa.edu.au/images/Forms/Policies/DECD-Parents-Concerns-and-Grievance-Procedure.pdf>
- Australia Children’s Education and Care Quality Authority [Guide to the National Quality Framework](#)

<b>Governing Council Approval: March 2022</b>	<b>Review Date: March 2025</b>
<i>Director Signature</i>	<i>Chairperson Signature</i>

### Appendix A Notifiable events

Incidents and Complaints		Responsibility	Time frame
Section 174(2)(a) Regulation 12 Regulation 176(2)(a)(i)	Serious incident - Death of a child	Approved provider	As soon as practicable, but within 24 hours
Section 174(2)(a) Regulation 12	Serious incident - Any incident involving serious illness of a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12	Serious incident - Any incident involving serious injury or trauma to a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital, or a reasonable person would consider that the child would require urgent attention from a registered medical practitioner	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12	Serious incident - Any emergency for which emergency services attended	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12	Serious incident - A child is missing or cannot be accounted for or appears to have been removed from the premises by a person not authorised by a parent	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12	Serious incident - A child is mistakenly locked in or out of the premises or any part of the premises	Approved provider	Within 24 hours of the incident
Section 174(2)(b) Regulation 12	Any complaint alleging that a serious incident has occurred or is occurring at an education and care service, or the National Law has been contravened (refer to Serious Incidents outlined in table above)	Approved provider	Within 24 hours of the complaint
Section 174(2)(c) Regulation 175(2)(b)	Any incident that requires the approved provider to close, or reduce the number of children attending the service for a period	Approved provider	Within 24 hours of the incident

Section 174(2)(c) Regulation 175(2)(c)	Any circumstance at the service that poses a risk to the health, safety or wellbeing of a child attending the service	Approved provider	Within 7 days
Section 174(2)(c) Regulation 175(2)(d)	Any incident where the approved provider reasonably believes that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service	Approved Provider	Within 7 days
Section 174(2)(c) Regulation 175(2)(e)	Allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service	Approved Provider	Within 7 days
Section 174(2)(c) Regulation 175(2)(ca)	The centre-based service is educating and caring for extra child/ren due to an emergency	Approved Provider	Within 24 hours