



East Adelaide School Out of School Hours Care Grievance Policy.

Regulatory Authority Details

Education Standards Board

Address: GPO Box 1811 Adelaide SA 5001

Website: www.esb.sa.gov.au

Email: ESB.EarlyChildhoodServices@sa.gov.au

Phone: 1800 882 413 (08) 8226 0077

Approved Provider: School Principal or Delegate

1. Background:

An effective complaints and grievance management system confirms to educators, staff members, children, families and the community that complaints and grievances are taken seriously and investigated promptly and thoroughly. The principles of natural justice and procedural fairness will be applied when managing complaints.

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 site in response to the complaint.

As East Adelaide Out of Hours School Care is a service operating on a school site, the school principal or nominee, as line manager of the OSHC Director, should be informed when there are complaints.

Please note: For services operated by a DfE school, the Governing Council must follow the DfE Parent Complaints Policy at <https://www.education.sa.gov.au/doc/raising-complaint-decd>, or contact 1800 677 435, or email DECD.ParentComplaint@sa.gov.au.

2. Policy Statement

The East Adelaide Out of Hours School Care service takes complaints about the service, its staff, educators, practices and procedures seriously. There are processes in place to ensure all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

The service will address complaints by:

- Ensuring a clear, accessible and documented complaints procedure is made available to all families, educators/staff and children.
- Ensuring that the process is fair to all parties involved.
- Ensuring that complaints are dealt with in a reasonable time frame
- Maintaining confidentiality.
- Maintaining records of complaints, processes and outcomes.
- Notifying the regulatory body of any complaint that alleges the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached.

3. Relationship:

Regulations	National Quality Standard	Other policies/service documentation	Other legislation/Guidelines
168	7.2	Employee Handbook	Children's Services Award 2018
173	7.3	Family Handbook	Privacy Act
176			

4. The Policy:

4.1 General:

The Complaints Policy and procedures will be made available to families through the family handbook available to families via the school website. The service's policy document will also contain the Complaints Policy and procedures and will be available to families at the service.

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

Children will access the complaints procedure through:

- Conversations with educators.
- Clearly displayed posters at the service.
- Discussions with families.

Service staff managing complaints 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 or letter)
- feedback forms.

4.2 Procedures for families lodging a complaint:

The complaints procedures statements for families:

- Families 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 be addressed with the Director in the first instance. Complaints about the Director must be addressed with the school principal.
- In the event that you feel you are unable to discuss your complaint with the Director or in the event that discussion with the Director proves unsatisfactory, your complaint is to be directed to the Principal.
- In the event that 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 relevant regulatory authority.
- The service will display the contact details of the relevant regulatory authority.

East Adelaide OSHC encourages feedback and suggestions as these allow for continuous improvement.

4.3 Procedures for educators lodging a complaint:

The complaints procedure statement for educators:

- If the complaint is of an employment-related nature, the requirements of the relevant award must be addressed and followed. External advice may need to be sought through Fairwork Australia
- From time to time staff conflicts arise. In the interest of the children and the professional operation of the service, these grievances will be investigated within a reasonable time frame, thoroughly and confidentially
- Some complaints 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 with the Director
- If you feel the Director has not dealt with your complaint satisfactorily, you may approach the school principal
- Staff may have a union representative a support person present at any conflict resolution meeting

Educators must follow the *OSHC Employee Complaints Procedure* form displayed in the OSHC room

4.4 Procedures for children making a complaint:

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

The complaints procedure statement for children:

- Educators will take children's complaints seriously and attend to them as appropriately. Where educators are unable to take appropriate action regarding a child's complaint, educators will inform the Director.
- Complaints relating to educators, educator conduct or aspects of the program are to be notified to the Director by a parent on behalf of the child.
- Children are encouraged to give feedback and make suggestions in the child suggestion book.
- Children are encouraged to use the resolution procedure to resolve issues between child-child.

5. Complaint Handling Process:

The Site Leader 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 complain or allegation of legislative breach or where the safety, health or wellbeing of a child was or has been 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/read the complaint and document the 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 relevant state or national regulations or organisational policy that may provide clarity to the complaint.
- 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 appropriately.

Complaints not resolved at this level may be referred by either the complainant or the approved provider to the external agency identified by the approved provider to investigate the matter. Families have a right to lodge a complaint directly with the Regulatory Authority the Education Standards Board (ESB).

5. Definitions

- **Approved Provider:** the approved provider is responsible for ensuring compliance with the National Law and Regulations
- **National Law:** the National Quality Framework (NQF) operates under an applied law system, comprising the Educational and Care Services National Law and the Education and Care Services National Regulations.

6. Resources/References:

1. NCAC OSHCQA Factsheet # 15 at www.acecqa.gov.au (go to NCAC Archive)
2. Fairwork SA: Industrial Action: <https://www.fairwork.gov.au/employee-entitlements/industrial-action-and-union-membership/industrial-action>
3. DfE – Raising a Complaint with DfE:

<https://www.education.sa.gov.au/sites/g/files/net691/f/raising-complaint-with-decd.pdf>

