

**Policy Number: 3.4**

**Title: Complaints and Grievance**

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| Policy Date                   | January 2014   |
| Policy Review                 | January 2017   |
| Modification History          | January 2016   |
| Related legislation           | <i>Education and Care Services National Regulations 2011 (Cth) Regs 168 (o) 174 2(b)</i><br><i>Anti-Discrimination Act 1977 (NSW)</i><br>UN General Assembly, <i>Convention on the Rights of the Child</i> , 20 November 1989, United Nations, Treaty Series, vol. 1577<br>Interim Standards for In Home Care 2008<br><i>Work Health &amp; Safety Act 2011 (NSW)</i> |
| Related Policies & Procedures |  |
| Related forms                 | Complaints/Grievance Form 3.3A   |

**Purpose:**

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The service has a commitment to quality improvement and promotes an organizational culture that is responsive to grievances. NSW In-Home Childcare Services will provide an 'arena', that allows for a grievance to be heard in a fair, and impartial environment.

Families, educators and staff within NSW In-Home Childcare Services can informally raise concerns in order to improve or change a situation without fear of retribution or jeopardy to their position within the programme.

### **Policy Statement:**

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NSW In-Home Childcare Services endeavour to offer quality care, welcoming suggestions and feedback as opportunities for improvement to our practices, policies and procedures.

A practical mechanism for NSW In-Home Childcare Services staff, families and educators to provide feedback when dissatisfied, will be developed and managed in a timely manner. Procedural fairness will follow in providing an outcome for all persons.

The raising of grievances and complaints will be regarded as an opportunity for NSW In-Home Childcare Services to improve outcomes for families and children to remedy any systemic problems. Where possible, matters are initially raised informally with the person concerned. All grievances or complaints raised are handled as quickly and fairly as possible. There is a definite completion of the process so that the issue cannot be reasonably perceived to be unresolved.

Appropriate confidentiality is exercised during investigations in order to protect the reputation of all parties concerned. However, NSW In-Home Childcare may involve, as part of the investigation process, the family's main contact staff.

All parties are entitled to express a complaint or grievance and to have the complaint or grievance examined and resolved in an effective and timely manner.

Resolving a grievance or complaint will involve:

- A thorough investigation of the complaint/grievance
- All parties' individual confidentiality to be observed and respected
- The opportunity for all parties involved to be heard fairly
- We support the use of an interpreter or support person to either party who may need the service.

**Scope:**

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This policy applies to families, educators and NSW In-Home Childcare Staff.

**Procedures:**

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All parties will be supported and encouraged to satisfactorily resolve the complaints or grievances in accordance with established policy and procedure.

- Step One: The educator and family should attempt to resolve any complaint or grievance. The nanny is encouraged to document the process, indicating the date, time and key points of discussion and agreed outcomes.
- Step Two: If the complaint or grievance cannot be resolved at this stage a Family Liaison Officer will act as the mediator between both parties. The meeting will be documented and signed by all parties.
- Step Three: If both parties were not able to resolve the complaint with a mediator, the parties are able to lodge a formal complaint or grievance in writing to the manager.
- Step Four: If the manager is unable to assist in resolving the complaint or grievance then the Service Manager will involve the Chief Executive Officer to assist with providing a solution.
- Step Five: If both parties are not satisfied with the outcome, parties should conduct the Ombudsman to seek a resolution.
- Refer to Diagram provided

| EDUCATOR   | FAMILY  |
|--|---|
| <p><b>Step 1:</b> Educator encouraged to discuss complaint or grievance with family to resolve what could be a misunderstanding. Educator is advised to document/record the conversation, date it and signed by all parties.</p>   | <p><b>Step 1:</b> We strongly encourage the family to have an open discussion regarding their grievance with their educator to try and resolve the matter. Families are advised to document/record the conversation, date it and signed by all parties.</p>                     |
| <i>If not resolved</i>   | <i>If not resolved</i>  |
| <p><b>Step 2:</b> Educator to consult with the Family Liaison Officer, who will aim to resolve the complaint or grievance between both parties</p>   | <p><b>Step 2:</b> Family is encouraged to discuss concerns or grievance with their Family Liaison Officer, who will try and resolve the complaint or grievance between both parties.</p>  |
| <i>If not resolved</i>   | <i>If not resolved</i>  |
| <p><b>Step 3:</b> If unable to consult at this point the educator must approach the Service Manager to discuss the complaint or grievance. The Manager will endeavour to resolve the complaint or grievance between both parties.</p>                                      | <p><b>Step 3:</b> If the grievance is not resolved the family is advised to write to the Service Manager who will endeavour to resolve the dispute between all parties. A warning/breach letter may be forwarded to the educator if the safety of the child is in question.</p> |
| <i>If not resolved</i>   | <i>If not resolved</i>  |
| <p><b>Step 4:</b> If the Service Manager is unable to resolve the grievance, the (CEO as the licensee) will be notified of the grievance. The CEO will endeavour to resolve the grievance between both parties.</p>  | <p><b>Step 4:</b> If the Service Manager is unable to resolve the grievance, the (CEO as the licensee) will be notified of the grievance. The CEO will endeavour to resolve the grievance between both parties.</p>   |
| <i>If not resolved</i>   | <i>If not resolved</i>  |
| <p><b>Step 5:</b> If the grievance is not resolved the educator may wish to contact: Fair Work Ombudsman Australia <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a> *<br/>         Telephone: 13 13 94<br/>         (*website correct at time of printing)</p> | <p><b>Step 5:</b> If the grievance is not resolved the family may wish to contact: Fair Work Ombudsman Australia <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a> *<br/>         Telephone: 13 13 94<br/>         (*website correct at time of printing)</p>        |