

Croydon Central Kindergarten Inc.

Complaints Policy

1. Authorisation

This policy was adopted by the Croydon Central Kindergarten Inc. Committee of Management, at the Committee meeting on 4th April 2009 .

2. Review Date

This policy will be reviewed annually (March) , or varied earlier if necessary, and the Committee will within 28 days of making any change, notify the parents/guardians of the children attending, of that change.

3. Scope

This policy applies to the staff, parents/guardians, Committee, and any other person involved with the Croydon Central Kindergarten Inc.

All notifiable complaints will be handled under this Complaints Policy.

All other complaints received by the Croydon Central Kindergarten Inc. will be dealt with under this policy except for:

- Complaints relating to sexual and other forms of harassment, which will be dealt with under the Policy on the Prevention and Management of Sexual and other forms of Harassment.
- Complaints relating to equal opportunity, which will be dealt with under the Equal Employment Opportunity Policy.
- Complaints between members of the association, or a member and the Committee of Management related to the operation of the incorporated association, will be dealt with under the Grievance Procedure in the Croydon Central Kindergarten Inc.'s Constitution.
- Complaints related to industrial or employment matters, where the Committee will act in accordance with specific staffing policies and the requirements specified under relevant awards, industrial agreements or legislation.

The Committee may, in relation to complaints concerning the unacceptable behaviour of a specific child or children, refer to the resolution procedures set out the Behavioural Guidance Policy if this is seen to be appropriate in resolving the issue.

4. Background and Relevant Legislation

Acts and Regulations

The Children's Services Regulations 1998 requires that:

- The Croydon Central Kindergarten Inc. have a provision for dealing with complaints as soon as possible after the complaint is made, and as discreetly as practicable in the circumstances.[Reg 51(1)]
- The Croydon Central Kindergarten Inc. must nominate a person or persons to whom complaints may be addressed and display the name and telephone number of the person/persons at the children's Croydon Central Kindergarten Inc..[Reg 20(g)]
- The Croydon Central Kindergarten Inc. must display the names and details of the Department of Human Services' contact person.[Reg 20(h)]
- The Croydon Central Kindergarten Inc. must notify the Department of Human Services within 48 hours after a complaint is made, if the complaint alleges that the health, safety or wellbeing of any child may have been compromised, or there may have been a contravention of the Act or the Regulations.[Reg 51]

- The Children's Services Act 1996.
- The Association Incorporation Act 1981.
- Relevant industrial awards and agreements.
- The Constitution of the Croydon Central Kindergarten Inc.

5. Definitions

CCK: Croydon Central Kindergarten Inc.

Complaint: any verbal or written grievance from a parent/guardian, staff, committee member or person involved with the Croydon Central Kindergarten Inc.

Complaint Resolution Procedure: the method used to resolve complaints, disputes or matters of concern through an agreed resolution process.

DHS: Department of Human Services

Notifiable Complaints: Under Regulation 51 of the Children's Services Regulations 1998, a notifiable complaint is a complaint that alleges a breach of the Act or Regulations, or alleges that the health, safety or wellbeing of a child at the Croydon Central Kindergarten Inc. may have been compromised. Any complaint of this nature must be reported by the proprietor to the Secretary of the Department of Human Services (DHS) within 48 hours after the complaint has been made.

Proprietor: The incorporated association of a preschool is the proprietor. The proprietor/licensee representative of the Committee would notify DHS of a complaint.

Licensee Representative: Members of the Committee who have been police checked and assessed as 'fit and proper persons' under the Children's Services Regulations 1998.

6. Policy Statement

Values

The CCK is committed to:

- The resolution, where possible, of complaints to the mutual satisfaction of those involved.
- Fairness and equity in dealing with disputes, complaints and complainants.
- Compliance with all legislative and statutory requirements.
- Keeping confidential, where practicable, the information provided by any person involved with a complaint.

Purpose

The CCK will:

- Provide clear procedures for making and dealing with complaints at CCK.
- Comply with all legislative requirements.
- Investigate all complaints, dealing with them as soon as practicable.
- Attempt to resolve the complaint to mutual satisfaction of those involved.

7. Procedures

- Complainants will be encouraged to put their complaints in writing, in order to make the terms or basis of any complaint as clear as possible.
- Those involved with a complaint will have the opportunity to present their point of view.
- Complaints to the CCK will be investigated as soon as practicable after being received.

- All complaints will be treated seriously and investigated, regardless of whether they are being investigated by an external organisation such as the DHS.
- A record of all complaints will be maintained and a report provided to each Committee meeting, on the number and nature of any complaints received since the previous report.

If the President, Vice President or other Committee members are personally involved in issues as a complainant, or are materially involved in the complaint, they will stand aside from participation in sub-committees, or procedures related to the investigation, or management of complaints, because of a possible conflict of interest.

Step 1: Assessment of complaint

Written complaints are to be addressed to the President or in their absence the Vice President.

On the receipt of a complaint the President or in their absence the Vice President will determine:

- Whether the complaint should be dealt with under the Complaints Policy, another of the CCK's policies or under the grievance procedure of the CCK's constitution. (See section 3 Scope for details).
- Whether the complaint is a notifiable complaint under Regulation 51 Children's Services Regulation 1998 and if it is, notifies the Department of Human Services within 48 hours after the complaint is received.
- Where a complaint is received that should be dealt with under this policy, the President or in their absence the Vice President will form the Complaints Sub-committee.

Step 2: Formation of Complaints Sub-committee

The Committee delegates authority to the President, or in their absence the Vice President, on the receipt of a complaint, to appoint a minimum of two Committee members (one of whom may be the President or Vice President) to form a sub-committee to deal with the complaint as set out in this policy.

The Complaints Sub-committee will:

- Meet to deal with the complaint as soon as possible.
- Consider the nature and the details of the complaint
- Inform the complainant of the procedure for dealing with the complaint.
- Give the complainant the opportunity to meet with them to discuss the complaint and to provide additional information where relevant.
- Maintain appropriate records of the information and data collected.
- Respect the confidential nature of information relating to the complaint. The Committee and the Complaints Sub-committee will handle any complaint in a discrete and professional manner. All written information relating to the complaints will be kept in a secure place with access limited to those designated by the Committee or Complaints Sub-committee.

Step 3: Investigate the complaint and gather relevant information

Complaints Sub-committee:

- Meets individually with all witnesses to any alleged incident, giving right of reply to the person or persons against whom the allegations are made in relation to any accusation or information relating to an alleged incident.
- Reviews relevant information and documents.
- Obtains any information or documentation that will assist them in trying to resolve the complaint.
- Seeks advice, where appropriate from individuals and organisations that may be able to help resolve the complaint.

Step 4: Resolution stage

The Complaints Sub-committee will wherever possible, endeavour to resolve the complaint by mutual agreement of the parties involved.

In the event that the complaint is resolved, the Sub-committee will report this to the Committee and where appropriate set out the terms of any recommendation to be considered by the Committee.

In the event that the complaint has not been resolved to the satisfaction of the parties involved, or particular decisions require Committee approval, the Sub-committee will refer the matter to the Committee.

Step 5: Committee involvement

Where an issue is referred to the Committee, the Complaints Sub-committee will provide a report and include relevant information they have gained in investigations and consultations relating to the complaint.

The Committee reviews the report and any recommendations from the Sub-committee and makes a decision on the action, if any, to be taken, including relevant review mechanisms.

Step 6: Report back and follow up

The Complaints Sub-committee (or Committee), will advise the complainant and other relevant parties, of any decisions they have made relating to the complaint. Where appropriate the Complaints Sub-committee, (or Committee), will set in place relevant review mechanisms and/or procedures to monitor progress.

8. Key Responsibilities and Authorities

Responsibilities

The Committee is responsible for:

- Implementing this policy.
- Ensuring confidentiality is maintained.

The President, or in their absence the Vice President, is responsible for:

- Determining whether a complaint should be handled under this policy, or another of the CCK's policies, or the grievance procedure under the CCK's Constitution.
- Deciding if the complaint is notifiable, and if the complaint is deemed to be notifiable, ensuring that it is reported to the DHS regional Children's Services Adviser within 48 hours.

The Complaints Sub committee is responsible for:

- Responding to, investigating and resolving any complaints to the CCK that are covered by this policy, in accordance with this policy.
- Seeking assistance and advice from relevant organisations such as DHS, KPV, or any other relevant person or organisation, in dealing with the complaint.

Authorities

The Committee must authorise and approve any changes made to this policy.

9. Resources and Support

Related Documents

- The Constitution of the CCK.
- The CCK's policies.
- The DHS publication *Children's Services Licensing Operational Guide*.
- Children's Services Act 1996.

- Children's Services Regulations 1998.

Training

If appropriate, training may be provided for the members of the Complaints Sub-committee.

10. Evaluation

In order to assess whether the policy has achieved the values and purposes set out under 6. Policy Statement, the Committee will:

- Monitor complaints received and assess whether a satisfactory resolution has been achieved.
- If appropriate, conduct a survey in relation to this policy or incorporate relevant questions within the general parent/guardian survey.
- Take into consideration feedback on the policy from staff, parents/guardians and Committee members.