



# Springwood and District Preschool Kindergarten

## Complaints and commendation Policy

### **Legislation:**

*Education and Care Services National Law Act 2010*

*Education and Care Services National Regulation 2018*

*Complaints, Appeals and Monitoring Act 1993*

### **Quality Area 7: Leadership And Service Management**

Refer to ACECQA for relevant timeframes: <https://www.acecqa.gov.au/resources/applications/notification-types-and-timeframes>

[Education and Care Services National Law Act 2010: Sections 174\(2\)\(b\)](#)

[Education and Care Services National Regulations 2018: Regulations 168\(2\) \(o\) and 176\(2\)\(b\)](#)

[Privacy and Personal Information Protection Act 1998 \(NSW\)](#)

[Health Records and Information Privacy Act 2002](#)

[Privacy Act 1988 \(Cth\)](#)

[Privacy Regulation 2013](#)

### **Policy Statement**

Our Education and Care Service affirms that people have a right to question and influence decisions made and services provided. We take complaints seriously and manage them in a confidential, timely, transparent and meaningful way. We achieve this by:

- *Maintaining the confidentiality of all parties in line with policy and legislative requirements.*
- *Acknowledging that the common goal is to achieve an outcome acceptable to all parties.*
- *Acting in good faith and in a calm and courteous manner.*

*Showing respect and understanding of each other's point of view and value difference, rather than judge and blame.*

- *Recognising that all parties have rights and responsibilities which must be balanced.*
- *Complaints will be handled objectively and complainants will not suffer any reprisals from making a complaint.*

### **Rationale:**

Springwood and District Preschool Kindergarten is accountable to clients and to the wider community. Consumers' rights to complain and have complaints addressed effectively are protected by the Community Services Complaints, Appeals and Monitoring Act 1993.



Springwood and District Preschool Kindergarten supports consumer rights to receive a high quality service. Parents have a right to have a say in their child's care and be satisfied with the service received. We also recognise their right to complain about or appeal against any action or decision that has consequences for themselves or their children.

**Aim:**

- To provide Springwood and District Preschool Kindergarten consumers with an avenue for commendation and complaints.
- To make this procedure known and readily available.
- To resolve complaints as quickly and as fairly as possible.

**Procedure:**

A commendation is an expression of appreciation towards a person, or event, practice with within the service.

A complaint is an expression of dissatisfaction with how you are treated or the way things are done, e.g.:

- Policies and procedures
- Staff behaviour or decisions
- Management Committee decisions or activities access to the service.
- Quality of the service received.

This applies to anyone who is affected by Springwood and District Preschool Kindergarten, e.g.

- Parents and guardians (current or past consumers).
  - Other professionals.
- All complaints need to be documented at all times.
  - A person appointed by you on your behalf can make complaints. This advocate may be a family member, friend, a professional or anyone else you choose.
  - Upon entry to the preschool, all families have :
    - The right to make a complaint
    - How to make a complaint
    - What will happen with the complaint
    - Avenues for complaint outside the agency.
    - In recognition of using complaints as a means to improve our service Springwood and District Preschool Kindergarten is pro-active in providing opportunities for clients to express dissatisfaction and to make suggestions:
      - Through surveys and questionnaires.
      - Through approaching the Nominated Supervisor .
  - All complaints will be treated as confidential.
  - The complaints procedure has three levels:
    1. Internal – simple, straightforward complaints should be referred to and resolved wherever possible by the staff concerned. Staff should record and refer records of all complaints to the Director (Nominated Supervisor) .
    2. Formal – more complex or serious matters should be made in writing and referred to the Director (Nominated Supervisor) or most senior staff member available. All such complaints will be passed on to the Management Committee.



External – if complaints cannot be resolved internally, the complainant should be Complaints, incidents and serious incidents must be notified to the regulatory authority through the [National Quality Agenda IT System \(NQA IT System\)](#). Log in to access the portal where you can select the incident or complaint type and enter the required information.

### ***Internal Complaint***

Complaints Steps:

1. Be referred to an immediate staff member
2. Be referred to the Nominated Supervisor
3. Be referred to the Management Committee
4. Be referred to Community Services or the NSW Ombudsman.

Complaints procedure should be:

- Timely
- Fair and equitable
- Solutions based
- Non judgemental
- Involve all parties

Complaints can be made:

- By phone
- In person
- In writing (see Attachment 1 – Notification of Complaints Form)

### ***Formal***

- A formally written complaint is referred by the (Director) Nominated Supervisor to the Management Committee.
- The letter is always replied to by the (Director) Nominated Supervisor and the Complaints handling procedure is outlined to the complainant.
- The Management Committee may decide to convene a special or executive meeting to deal with the complaint.
- The Management Committee will review the letter and the complaint and reply to the complainant with decisions or outcomes.
- The **Report Handling Procedure** should:
  1. Clearly identify the **problem** that arose;
  2. Identify **causes**, including both systemic elements and personal factors;
  3. Estimate the likelihood of **recurrence**;
  4. Propose **strategies** to prevent or limit recurrence;
  5. Include a **benefit-cost** analysis of any system change; and
  6. Make **recommendations** for any necessary system changes.

Springwood and District Preschool Kindergarten will try to resolve any problems as soon as possible; the longest it should take is 14 days following the next Management Committee meeting. The complainant will be given regular updates on the progress of the complaint.

## **3 External**

### **Notifiable Complaint**

Complaints alleging that the safety, health or wellbeing of a child was or is being compromised, or that the law has been breached must be reported by the Approved Provider to the Regulatory



Authority within 24 hours of the complaint being made ([Section 174\(2\)\(b\), Regulation 176\(2\)\(b\)](#)).

Refer to the service [Child Protection Policy and Procedure](#).

Complaints, incidents and serious incidents must be notified to the regulatory authority through the [National Quality Agenda IT System \(NQA IT System\)](#). Log in to access the portal where you can select the incident or complaint type and enter the required information.

Approved Providers are required to notify the regulatory authority of a complaint that alleges:

- A serious incident has occurred or is occurring while a child is being educated and cared for by a service.
- The National Law and/or National Regulations have been contravened.
- A serious incident can include:
  - The death of a child while that child is being educated and cared for at the service or following an incident while that child was being cared for by the service.
  - A serious injury or trauma while the child is being educated and cared for, which: Required urgent medical attention from a registered medical practitioner; or
  - The child attended or should have attended a hospital.
  - Any incident involving serious illness at the service, where the child attended, or should have attended a hospital (e.g. severe asthma attack, seizure or anaphylaxis).
  - Any circumstance where a child appears to be missing or cannot be accounted for.
  - Any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this.
  - Any circumstance where a child is mistakenly locked in or locked out of the service premises or any part of the premises .
  - Any emergency for which emergency services attended. NOTE: It does not mean an incident where emergency services attended as a precaution.

NSW Early Childhood & Care Nominated Supervisor ate. Department of Education & Communities

Address

Locked Bag 5107  
Parramatta NSW  
2124

Website: [www.det.nsw.edu.au](http://www.det.nsw.edu.au)  
Email [ececd@det.nsw.edu.au](mailto:ececd@det.nsw.edu.au)  
Phone: 1800619113  
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NSW Ombudsman 1800 451 524

Community Services Commission

Level 3, 128 Chalmers St Surry Hills NSW

Phone - (02) 9384 4999 (Sydney metro)

Toll free 1800 060 409 (NSW country)

Fax - (02) 9384 4948

TTY - (02) 9384 4984

Email: [mail@csc.nsw.gov.au](mailto:mail@csc.nsw.gov.au)



<b>Links to Quality Areas and Standards:</b>	
<b>2.2 Safety</b>	<b><i>Each child is protected.</i></b>
2.2.3 Child protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
<b>4.2 Professionalism</b>	<b><i>Management, educators and staff are collaborative, respectful and ethical.</i></b>
4.2.1 Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2 Professional standards	Professional standards guide practice, interactions and relationships
<b>Quality Area 6</b>	<b><i>Collaborative partnerships with families and communities</i></b>
<b>6.1 Supportive relationships with families</b>	<b><i>Respectful relationships with families are developed and maintained and families are supported in their parenting role.</i></b>
6.1.1 Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
6.1.2 Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.1.3 Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
<b>Quality Area 7</b>	<b><i>Governance and Leadership</i></b>
<b>7.1 Governance</b>	<b><i>Governance supports the operation of a quality service.</i></b>
7.1.1 Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.2 Management systems	<i>Systems are in place to manage risk and enable the effective management and operation of a quality service.</i>
7.1.3 Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.
<b>7.2 Leadership</b>	<b><i>Effective leadership builds and promotes a positive organisational culture and professional learning community.</i></b>
7.2.1 Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2 Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3 Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.



**Source:**

ACECQA – [www.acecqa.gov.au](http://www.acecqa.gov.au)

NSW Ombudsman(2004) ‘Effective Complaint Handling’. NSW Ombudsman 3rd Edition 28 February 2017

Complaints Management Framework June 2015 – [www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/25375/Complaint-management-framework-June-2015.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0004/25375/Complaint-management-framework-June-2015.pdf)

Complaint Handling Toolkit for Community Services Organisations – [www.ombo.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0017/5813/BR\\_Complaint-Handling-Kit-CS-CRAMA-Brochure-2013-web.pdf](http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0017/5813/BR_Complaint-Handling-Kit-CS-CRAMA-Brochure-2013-web.pdf)

Policy Reviewed by: _____	Approved by: _____
Signature: _____	_____
Date: ____/____/____	Date: ____/____/____
Next Review Date: ____/____/____	

**ATTACHMENT 1:**

**NOTIFICATION OF COMPLAINT FORM**

<b>Date:</b>	<b>Comments:</b>
I wish to complain about the following aspects of Springwood and District Preschool Kindergarten:	



<p>I believe the following action needs to be taken:</p>	
<p>I wish this complaint to be forwarded to the Nominated Supervisor and/ or Management Committee for resolution.</p> <p>I wish to be kept informed regarding this matters and understand that should the matter not be resolved within 14 days then the complaint will automatically be forwarded to the Management Committee.</p> <p>Should I not be happy with the Management Committee's decision then I may take this matter to the Community Services Commission.</p>	
<p>Name:</p>	
<p>Address:</p>	
<p>Signed:</p>	

