EARLY LEARNING CENTRE
COMPLAINTS POLICY

NATIONAL QUALITY RELATED STANDARDS/REGULATIONS

Standard 7.1 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.
   Element 7.1.3 Roles and responsibilities: Roles and responsibilities are clearly defined and understood, and support effective decision making and operation of the service.

Regulation 168 Education and care services must have policies and procedures

AIM
The purpose of these guidelines is to establish mechanisms for parents or staff to raise concerns or lodge a complaint about any Early Learning Centre matter or the actions of a staff member.

EXPLANATION
From time to time situations may occur where a staff member or parent is not satisfied that a situation has been handled appropriately or where they feel a policy or procedure is not appropriate. It is important that all stakeholders have the opportunity to have their concerns heard and that their concerns are dealt with appropriately.

There are two types of complaints that can be made, informal and formal. In the case of an informal complaint, an investigation is not required and the situation is resolved by the individual or the supervisor talking with the person against whom the complaint was made. An informal complaint becomes a formal complaint when it cannot be resolved successfully by these means.

PRACTICE
INFORMAL COMPLAINTS
• In the case of an informal complaint the parent or staff member will raise the issue directly with the relevant staff member. If the situation cannot be resolved between the people involved, the matter will then be addressed to the Director of Junior School (ELC), then in turn, the Head of Junior School and the Principal.
• The Director of Human Resources will be involved in all internal complaints between staff members.
• In some cases it may be necessary for the complaint to be addressed directly to the relevant member of the Junior School Management Team.
• Complaints may also be made by parents directly to the Children’s and Young People’s Complaints Commission (62052222 actkids@act.gov.au)
• Contact details for any member of staff can be sought by phoning the Early Learning Centre (62026458 earlylearningcentre@cggs.act.edu.au)
• Contact numbers are displayed on the parent notice board in the ELC.

Where the complaint cannot be resolved informally it may be necessary to make a formal complaint.

FORMAL COMPLAINTS
The grievance should be discussed with the Head of Junior School.

NATURAL JUSTICE
The principles of natural justice (procedural fairness) must be observed when dealing with a formal complaint. The principles of natural justice are as follows:
• a person who is the subject of a complaint must be fully informed of the allegations against them;
• a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence;
• the allegations should be properly investigated, all parties heard and relevant submissions considered;
• a person who makes an allegation cannot be involved in determining it; and the decision maker must act fairly and without bias.

Responsibility for ensuring that these requirements are met rests with the Principal.

PRESCRIBED STEPS
The prescribed steps for dealing with a grievance are as follows:
1. The complainant is interviewed and the allegations are particularised in writing;
2. The allegations are conveyed to the subject of the complaint in full;
3. The alleged subject of the complaint is given the opportunity to respond;
4. If there is a dispute over the facts, statements from witnesses and other relevant evidence are gathered;
5. A finding is made on whether the complaint has substance;
6. A report documenting the investigation process, the evidence, the finding and the recommended outcome/s is submitted to the Principal; and
7. The Principal implements the recommended outcome or decides on an alternative course of action.

Where the complaint has been found to be without substance, a formal apology should be made and the subject of the complaint exonerated.

RECORD OF A FORMAL COMPLAINT
If a formal complaint is lodged, the documentation collected is likely to be substantial and will include statements provided by the parties, records of interview with the investigation officer, personal notes and reports. All this information will be highly sensitive and strict guidelines are required to ensure that it is kept confidential and is not used for improper uses.

The investigation officer will need to document all interviews with the complainant, the teacher or student, and any witnesses. Records of interview should contain as much relevant, factual information as possible, such as times, dates, details of specific incidents and frequency. It is desirable that the interviewees’ own words are used as far as possible.

The parties to a complaint and any witnesses should be given the opportunity to peruse, correct and endorse their record of interview.

The interviewee should be provided with a copy of their own record of interview as requested. To avoid any possibility of collusion, they should not be provided with anyone else’s statement or record of interview.

If a formal complaint is found to be substantiated, a summary of the complaint, the outcome and the action taken should be recorded in the relevant staff member’s their personal file. This can be removed after a reasonable period to be determined by the Principal if there has been no repetition of the action. All other documentation relating to the investigation should be kept in a sealed, confidential file which can be accessed only with the authority of a specified senior management representative.

Policy reviewed and updated by ELC staff: 04/09/17