



Dealing with Complaints Policy

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| QA7 | 7.3.4 | Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner. |
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Regulations

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| Regs | 173 (2) (b) | Display and Reporting of Prescribed Information |
| | 176 (2) (b) | Time to Notify Certain Information to Regulatory Authority |

Aim

We believe parent(s)/guardian(s) are partners in the education of children. Regular two-way communication between parent(s)/guardian(s) and the kindergarten is essential in helping children achieve their potential. Our kindergarten is committed to ensuring that anyone with parental responsibilities for a young person can raise a concern or complaint, with confidence that it will be heard and responded to in an appropriate and timely manner.

Guiding Principles

Safety of children is always the first priority. Our procedures are underpinned by the following principles:

1. Everyone within the *J.B. Cleland Kindergarten Community* including children, parent(s)/guardian(s), staff and volunteers have the right to be treated with respect and courtesy in accordance with the kindergarten's values.
2. Parents have the right to raise concerns, make enquiries or complaints about any aspect of the kindergarten.
3. Information about how, where and to whom complaints can be made should be visible and accessible via standard kindergarten procedures.
4. Complaints will be acknowledged and addressed promptly within specified timelines. Wherever possible, complaints should be resolved at the kindergarten level.
5. Individual complaints will be assessed objectively and without bias using principles of natural justice.
6. The rights and responsibilities of all parties will be considered and balanced in attempting to find a mutually acceptable outcome to complaints.
7. The confidentiality of all parties will be maintained wherever possible.

Procedure for Parent/Guardian Concern/Complaint

Step 1: Talk to the Kindergarten Staff

If your concern or complaint relates to an issue concerning your child's education or experiences you should talk to one of the staff members as soon as possible.

You may prefer to organise a mutually convenient time to meet rather than discuss the issue via a telephone conversation. You are welcome to bring a support person with you, if you wish. The role of the support person is to provide advice and support during the process and not to answer questions on behalf of any of the parties or interfere with the discussion.

Our staff will, following a direct complaint:

- Listen to the complaint.
- Identify actions to resolve the concern.
- Let you know what will or has been done and any applicable timeframes.
- Get back to you to find out how things are going.
- If appropriate, refer the matter to the *Kindergarten Director*.

If your concern has not been resolved following discussions you should contact the *Kindergarten Director*.

The *Kindergarten Director* will:

- Acknowledge receipt of the complaint as soon as reasonably possible (within 5 school days).
- Listen to the issue and provide support to you if necessary while the complaint is being considered.
- Investigate, consider and determine the most appropriate way to resolve the issue fairly and promptly.
- Consider relevant legislation, DECD policy and guidelines, preschool procedures.
- Communicate any timeframes for resolution (if applicable).
- Inform you if there is a delay in the process.
- Ensure your complaint and the outcome is documented.

- Ensure that the outcome of the process is communicated to you verbally and, if appropriate, in writing including the right to refer the matter to the Eastern Adelaide Regional office.

Please Note:

Interpreters and Aboriginal Education Coordinators are available to assist parents in communicating with us. Please contact the Eastern Adelaide Regional office on (08) 8366 8800 for assistance.

Step 2: Contact the Local DECD Regional Office

If the complaint is about the *Kindergarten Director* or if you are not satisfied with the outcome you may contact our local DECD Eastern Adelaide Regional Office.

Eastern Adelaide Regional Office.

5- 11, Briar Road

Felixstow SA 5070

T: (08) 8366 8800

F: (08) 8365 1601

Website: <http://www.decs.sa.gov.au/easternadelaide/>

The Regional Office will:

- Provide written acknowledgement of receipt of your complaint within five working days.
- Clarify and record the nature of the complaint, including expectations in relation to outcomes.
- Determine the appropriate way to resolve the issue fairly and promptly.
- Where appropriate the complaint will be referred back to the kindergarten.
- Inform you if there is a delay in the process.
- Ensure your complaint and the outcome is documented.
- Ensure that the outcome is communicated to you verbally and, if appropriate, in writing.

Step 3: Contact the Parent Complaint Unit

If your complaint remains unresolved after working together with our kindergarten staff, regional personnel and *Regional Director*, you should submit, in writing, your complaint to:

Manager, Parent Complaint Unit

Level 6 / 31 Flinders Street

ADELAIDE SA 5000

Ph: 1800 677 435 or by email to decd.parentcomplaint@sa.gov.au

You should include information about the complaint, including why it remains unresolved and an outline of what actions have been taken to resolve the complaint. You should also outline what you think a reasonable solution would be.

The *Parent Complaint Unit*, on behalf of the *Chief Executive*, will:

- Acknowledge receipt of the complaint
- Assess and make a recommendation to the *Head of Schools* or the *Head of Child Development* that:

1. A review is not warranted and that you should be advised that no further action is considered necessary and that the complaint is now concluded; or
2. A review is necessary; or
3. The complaint should be referred to an external agency for investigation or review.

The *Head of Schools* or the *Head of Child Development* will review the advice and decide that the complaint:

- Can be resolved (all parties agree on an appropriate response).
- Should be dismissed (complaint is either unsubstantiated, vexatious, outside of reasonable expectations in relation to confidentiality, cooperation, courtesy and respect or is orientated towards conflict).
- Remains unresolved and that an independent review by an external agency is required.

Please Note:

Any written or verbal complaints that contain personal abuse, inflammatory statements, and comments of a threatening nature or intended to intimidate will not be addressed and the parent will be advised accordingly.

Parents can call the Parent Complaint Unit Hotline at any stage on 1800 677 435 for information, advice and support.

In some circumstances it may be appropriate that a concern or complaint is escalated directly to the Parent Complaint Unit. In these instances the parent will be advised.

Parents can also contact the Education and Early Childhood Services Registration and Standards Board of South Australia (EECSB) Ph: 1800 882 413 or the State Ombudsman: www.ombudsman.sa.gov.au for information, advice, support and in circumstances where the complaint remains unresolved.

Requesting Your Identity to Remain Confidential

Parents may request that their identity remain confidential when making a complaint. In this situation, every effort will be made to keep the parent's identity confidential but this may limit options for negotiating a resolution. (For example, an apology is unlikely to be forthcoming if the identity of the complainant is not known.) These circumstances also raise issues in relation to procedural fairness for those who have a complaint made about them as they have a right to know the particulars of the complaint.

While every effort will be made to comply with a request to keep the parent's identity confidential, *Freedom of Information* requirements may result in a parent's identity becoming known.

Anonymous Complaints

J.B Cleland Kindergarten will assess every complaint that is made. The extent to which an anonymous complaint can be investigated will be limited, as preschool staff cannot liaise with the parent about the

complaint. Anonymous complaints also raise issues in relation to natural justice for those who have a complaint made about them as they have a right to know the particulars of the complaint.

The *Kindergarten Director* will determine upon receipt of an anonymous complaint to what extent the complaint will be investigated. Where the complaint is in relation to the *Kindergarten Director*, the *Assistant Regional Director* will make the determination and for *Regional Directors*, the *Head of Schools* or the *Head of Child Development* will make the final decision.

Approaches that may be used to Resolve a Parent Complaint

Our kindergarten may take one of the following approaches to resolve a parent's concern or complaint:

- An acknowledgement that the complaint is valid and is worthy of investigation (overall or in part).
- Identification of areas of agreement between the parties involved.
- Opportunities for all the parties involved to express their concerns, explain their point of view and clarify any misunderstandings.
- Acknowledgement that the situation could have been better handled (this does not constitute an admission of negligence).
- An opportunity for an apology.
- A recognition that the situation presents an opportunity for changes or alternate arrangements to be made to resolve the complaint.
- Discussion with the parties about the steps that will be taken to ensure that the event complained about will not reoccur.
- An undertaking to review school policy, procedures or practices.

Additional Information

These procedures apply to parent concerns and complaints in relation to J.B. Cleland Kindergarten. These procedures do not apply to matters where there are legislated requirements or existing policies and processes of appeal, such as the following:

- Concerns and allegations of misconduct by staff, volunteers and service providers (criminal matters, child protection, corruption, etc.).
- Employee disputes and grievances. (Employees should refer to *HR17 Complaints Resolution for Employees 2000* for these types of complaints).
- *Duty of Care* or *Mandatory Reporting* responsibilities.
- *Occupational Health, Safety and Welfare* related issues.
- *Health Support Planning*.

Sources

Adapted from the DECD Parent Complaint Policy.

Adapted from the DECD Preschool Site Complaint procedure.

Review

This policy will be reviewed on a 3 yearly basis by the kindergarten staff and the Governing Council.