

Governance & Leadership

Complaints Policy.

Our Vision.

To give every child **the best start in life.**

Our Mission.

To deliver high quality childcare and exciting learning opportunities for every child, giving them a head start as they prepare for school.

Our Values.

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| Care | We take care of the children entrusted to us and our dedicated staff. All are appreciated and diversity is valued. |
| Quality | We maintain the highest standards in care and safety and provide exceptional early years education. |
| Service | We provide exceptional service and are integral to supporting parents bringing up children. |
| Value | We provide outstanding value for our families. |



Busy Bees Early Learning Australia encourages open lines of communication to express concerns, improvement ideas and issues. We are committed to continuous improvement through feedback. It is foreseeable that feedback will include divergent views, which may result in complaints.

NATIONAL QUALITY STANDARDS (NQS)

QUALITY AREA 5 – Relationships with Children	
5.1 – Relationships between Educators and Children	5.1.2 – Dignity and the Right of the Child
Quality Area 6 – Collaborative Partnerships with Families and Communities	
6.1 – Supportive Relationships with Families	6.1.1 – Engagement with the Service
	6.1.2 – Parent Views are Respected
	6.1.3 – Families are Supported
6.2 – Collaborative Partnerships	6.2.1 – Transitions
	6.2.2 – Access and Participation
Quality Area 7 – Governance and Leadership	
7.1 – Governance	7.1.2 – Management Systems
7.2 – Leadership	7.2.1 – Continuous Improvement

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS

Part 6	Operating an Education and Care Service (Law – 172, 174)
Part 4.7	Governance and Leadership (Reg – 168, 170, 171, 173, 176, 183)

RELATED POLICIES

Child Protection and Safeguarding Policy	Record Keeping and Retention Policy
Child Safe Environment Policy	Respectful Relationships with Children Policy
Code of Conduct Policy	Responsible Person Policy
Fee Payment Policy	Student and Volunteer Policy

PURPOSE

Busy Bees Early Learning Australia aim to investigate all complaints and grievances with a high standard of equity and fairness. Our policy is child focused and means our children, employees, management, families / carers, and the community can be confident that complaints and grievances are taken seriously and addressed effectively.

We will ensure that all persons making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- Code of ethics and conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our Service philosophy
- Busy Bees Values

This Policy details guidelines for receiving and managing informal and formal complaints. Families, employees, visitors, students, and the community can lodge a grievance, with the understanding that it will be managed conscientiously and confidentially. This is supported in Busy Bees Code of Conduct and the philosophy of procedural fairness and natural justice concepts.

Busy Bees strategies and practices will include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence

SCOPE

Children, Employees, Management, Visitors, Students, Volunteers and Families

POLICY

Busy Bees has a duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to grievances and complaints management and procedures.

Grievances can transpire in any environment or workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious, and productive environment.

The Complaints Policy ensures that all persons are presented with procedures that:

- value the opportunity to be heard
- promote conflict resolution
- encourage the development of harmonious partnerships
- ensure that conflicts and grievances are mediated fairly
- are transparent and equitable
- Support personnel's wellbeing
- are child focused

All Busy Bees employees will adhere to our Confidentiality and Privacy Policy when dealing with grievances. If a grievance involves an employee or child protection issues, a government agency may need to be informed. (Refer to: Reportable Conduct Scheme in our Child and Family Protection Policy).

Busy Bees will ensure complaints that allege a child is exhibiting harmful sexual behaviours are managed in line with our child focused procedures and all parties involved are supported following any incidents.

All grievances, whether considered minor or not, will be dealt with promptly, professionally, and thoroughly. Where a complaint alleges a breach of the Regulation and Law, National Quality Standard or alleges that the health, safety, or wellbeing of a child at the Service may have been compromised, it must be reported to the Regulatory Authority within 24 hours of the complaint being made.

Our complaint handling process will be child focused, ensuring that children understand who to talk to if they are feeling unsafe and that they know what will happen if they do.

The Importance of Communication with Families

Good communication is key to avoiding or reducing complaints and ideally should begin before a child enters the care of the Service. Both the Family and employee have an obligation to communicate effectively with each other, helping to build mutual respect and trust, which in turn will provide the best outcome for the child.

Families and children should feel confident that any concerns or issues they may raise will be handled promptly and professionally. Complaints and grievance management may become difficult if families feel anxious or unsure about raising their concerns, which could lead to a higher level of dissatisfaction, the issue escalating, or the child being removed from the Service altogether.

Busy Bees provides Families with an opportunity to provide regular feedback via a digital platform (Resonate).

Families should talk with the room Lead Educator or Nominated Supervisor as soon as a problem arises, which will help to resolve any concerns quickly and effectively. Having regular informal chats with the Nominated Supervisor will help build a positive, open relationship which should make it easier to avoid issues before they arise and address any concerns which do come up.

Families should consider the following points before having conversation:

- Clearly identify concerns and know how you would like to resolve them – adopt a problem-solving approach to the conversation
- Be very clear about where you stand on the issue and think about what you would be willing to compromise on and what, in your opinion, is non-negotiable in the development of a solution
- Be sure to choose an appropriate time and location to explain your concerns. It may not be constructive to hold the discussion in front of other people
- Adopt a tactful non-accusatory manner and be sure to cover positives as well as negatives. This will help to reassure the person to whom the matter relates that the concern isn't personal
- Take time to listen to the person's point of view and make sure you clarify facts and feelings until you arrive at a common understanding of the problem
- Try to finish the conversation with an understanding about how the situation will be progressed, even if you agree to disagree
- Let the Nominated Supervisor know if, in your opinion, the situation improves and if it doesn't either contact the Area Manager, People and Culture or the Regulatory Authority

Maintaining a successful relationship with the people is a two-way partnership that requires everyone's constant involvement. Despite the processes available some people may never feel completely satisfied with the arrangement and it is important to establish a comfort level so that they are able to leave their concerns at the door each day without worrying about ramification.

The Importance of Communication between Employees

Positive communication between employees is vital to the smooth running of the Service and to ensure a positive environment for children. Employees are expected to treat others with respect, accept differences and share ideas. It is every employee's responsibility to contribute to the development of an open, healthy, and constructive work environment.

Busy Bees acknowledge that conflict is a natural part of the work environment. It is important that all conflict is resolved as unresolved conflict can lead:

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| - To tension | - Bitter relationships; excess time off |
| - Stress | - Ill health |
| - Low productivity | - Anxiety and many other destructive emotions |

When conflict is addressed and handled constructively, the outcomes are feelings of:

- | | |
|---------------------|-------------------------------|
| - Relaxation | - Vitality; good health |
| - Openness | - Empowerment |
| - High productivity | - A sense of achievement etc. |

When the persons involved in conflicts or grievances cannot resolve the issues between them in a constructive and professional way, formal procedures will be followed.

Meetings will be arranged as necessary throughout the process of dealing with conflicts and grievances, and outcomes will be advised to relevant parties as appropriate.

Resolution of Grievances

Grievances are considered resolved when all persons involved agree to a solution, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate, to repair any damage and distress suffered by the persons involved. Strategies agreed upon by both parties are to be put in place to help avoid further conflict.

Unresolved Conflict

If resolution of the conflict is unsuccessful after all procedures in the management of grievances have been followed, it may then be necessary to take disciplinary action.

Confidentiality

Mediators are to use discretion and do their utmost to maintain confidentiality. Any breach of this confidentiality could result in a charge of misconduct. However, confidentiality cannot be guaranteed in the following situations: if it is considered that someone is in danger, if disciplinary action or criminal investigation might be necessary; or if employer liability might be involved.

No action will be taken against the person about whom a formal complaint is lodged until they are made aware of any allegations so that they may respond.

Support Person

An employee can nominate a support person to attend any meetings with them. This person may be a union representative, impartial friend, or Family member.

Conflict of Interest

It is important to understand that conflicts of interest may arise during a grievances or complaints management procedure, therefore, it is important for the complainant to feel confident in

- Being heard fairly
- An unbiased decision-making process

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator.

Busy Bees may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process Busy Bees Code of Conduct is adhered to.

Evaluation

To ensure complaints and grievances are handled appropriately, the Nominated Supervisor will:

- Evaluate each individual complaint and grievance as recorded in the *Complaints Register* to assess that a satisfactory resolution has been achieved
- Review complaints and grievances as recorded in the *Complaints Register* to ensure a pattern of similar grievances is not occurring
- Review the effectiveness of the policy and procedures to ensure all complaints and grievances have been handled fairly and professionally
- Consider feedback from employees and Families regarding the policy and procedure

Management will:

- Ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the Service
- Ensure all employees are aware of, understand and adhere to this Policy on induction
- Ensure information about our Complaints Policy is accessible to all Families, visitors and volunteers
- Discuss the Complaints Policy with Families during enrolment and orientation
- Treat all grievances seriously and as a priority, and ensure grievances remain confidential
- Ensure grievances reflect procedural fairness and natural justice
- Discuss the issue with the complainant upon receiving the verbal or written complaint
- Investigate and document the grievance fairly and impartially - the investigation will consist of:
 - Reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent
 - Discussing the nature of the complaint (or breach) and giving the accused employee, volunteer, or visitor an opportunity to respond
 - Permitting the accused person to have a support person present during the consultation (for example: Union Representative or Family member; however, this does not include a lawyer acting in a professional capacity).
 - Providing a clear written statement outlining the outcome of the investigation
- Keep the complainant updated with the steps taken to ensure transparency and confidentiality as it is important that the complainant has a level of trust of being heard from the original complaint lodged
- Advise all affected parties of the outcome of the verbal or written complaint
 - Provide a written response outlining the outcome and provide a copy to all parties involved.
 - If a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreement.
- Should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant
- Keep appropriate records of the investigation and outcome and store these records in accordance with our confidentiality and privacy policy and record keeping policy
- Monitor ongoing behaviour and provide support as required
- Ensure the parties are protected from victimisation and bullying
- Request feedback on the grievance process
- Review the effectiveness of the policy and procedures to ensure all complaints and grievances have been handled fairly and professionally
- Track complaints to identify recurring issues within the service or with an employee
- Notify the regulatory authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised

Employees will:**In relation to Families:**

- Listen to the Family's views
- Clarify and confirm the grievance, documenting all the facts prior to the investigation
- Encourage and support the Family to seek a balanced understanding of the issue
- Discuss possible resolutions available to the Family. These would include external support options
- Encourage and assist the Family to determine a preferred way of solving the issue
- Document meetings, confirming the details with the Family at the end of the meeting
- Maintain confidentiality at all times
- Refer Families (as necessary) to Service policies that may assist in resolving the grievance

In relation to other employees:

- Be aware of the possible ramifications of their actions when dealing with employee issues
- Raise the grievance or complaint directly with the person they have grievance with, in a professional manner and at an appropriate time. Both parties should try to resolve the issue and develop solutions to ensure the problem does not reoccur. Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness, will not involve other employees, volunteers or visitors (e.g. Parents) and will take place away from children
- If the person is unable to resolve the issue or feels uncomfortable raising the matter directly with the person concerned, the grievance or complaint must be raised with their direct line manager. It may be requested for the issue to be put in writing
- If the direct line manager is unable to resolve the issue, they are to contact human resources. It may be requested for the issue to be put in writing
- Provide all relevant information, outlining the issue, identifying any other person involved in the problem, steps taken to date, and any suggested solutions
- Communicate openly about the issue with the relevant parties
- Raise any grievance involving suspected or actual unlawful activity (including bullying) with the manager or human resources immediately and privately
- Maintain confidentiality at all times
- Maintain professionalism at all times
- Will not become involved in complaints or grievances that do not concern them
- Will not raise complaints with an external complaints body, without exhausting Busy Bees grievance procedures
- If you observe conduct that concerns you, or that appears to violate Busy Bees policies and procedures or be unethical in any way, we encourage you to follow the Busy Bees Speak Up policy

In relation to Children:

- Encourage them to share concerns, feelings, fears etc.
- Ensure they understand who to talk to if they are feeling unsafe
- Ensure they understand what will happen if they do talk about their concerns
- Listen to their story and validate concerns
- Report any concerns

Families will:

- Be informed of our duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to the management of grievances. The grievance procedure for Families ensures a fair opportunity for all stakeholders to be heard and promotes effective conflict resolution within our Service
- Attempt to discuss their grievances with the relevant employee associated with a particular child and/or Family as the first step to resolving the issue
- Communicate (preferably in writing) any concerns they may have
- Raise any unresolved concerns with the approved provider or nominated supervisor
- Maintain confidentiality at all times

Children will:

- Be encouraged to voice any concerns or feelings they may have or be experiencing
- Be treated with respect
- Be supported by all employees
- Have their concerns and feelings validated, investigated and resolved
- Understand who to talk to if they are feeling unsafe and know what will happen if they do

Reflection

Busy Bees employees are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships, and ultimately provide better education and care for children. Employees are also to be aware of their responsibility to be a good role model for children, and appropriately and professionally handle conflict with work colleagues, children, Families, and other associates.

Employees should regularly reflect on *Early Childhood Australia's Code of Ethics* for guidance of appropriate behaviour when dealing with conflict. The Code of Ethics states that all employees should "make every effort to use constructive methods to resolve differences of opinion in the spirit of collegiality."

Using Complaints to Support Continuous Improvement

When working hard to ensure quality outcomes for children and Families, it is tempting to view complaints and grievances in a negative way, however, it is important to recognise that complaints are an opportunity for critical reflection and will drive quality improvements.

Continuous improvement is an essential practice for education and care services and an underpinning requirement of the National Quality Framework. Complaints and grievances can be used to identify a focus for critical reflection of practices, programs, and team performance.

Complaints can be used as a positive resource for self-assessment and can inform the Service's philosophy, quality improvement plan, policies, and procedures. Services require the constant review of a changing environment to enable continuous improvement, and using the complaint or grievance as the basis could assist in achieving continuous improvement.

SOURCES

[ACECQA – Regulatory Authorities](#)

[Educational and Care Services National Regulations](#)

[National Quality Standards](#)

[Various State Child Protection Acts and Legislation](#)

[Australian Human Rights Commission](#)

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

[Early Childhood Australia Code of Ethics](#)

[Fair work](#)

[Australian Children's Education & Care Quality Authority](#)

[Safe Work Australia](#)

VERSION CONTROL

This policy will be reviewed every 2 years and/or in line with legislation and organisation requirements.

Version	Date	Owner	Responsibility	Change Description
1	01/10/2023	Chief Operating Officer	Policy Development Officer	Replace all previous versions
2	01/11/2023	Chief Operating Officer	Policy Development Officer	Redefined child focuses

This document is uncontrolled when printed and may be varied, replaced, or terminated without notice.