

Dealing with Complaints Policy

Version 3.0



1. Policy Statement

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Out of School Hours Care Service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details PCYC's procedures for receiving and managing informal and formal complaints. Parents, educators, visitors, students, and members of the community can lodge a grievance or complaint, with the understanding that it will be managed conscientiously and confidentially.

2. Background

The Education and Care Services National Regulations require approved providers to ensure their services have policies and procedures in place for dealing with complaints.

Our Dealing with complaints policy is child focused and means our children, educators, management, coordinators, other staff, families / carers, and the community can be confident that complaints and grievances are taken seriously and addressed effectively.

3. Scope

This policy meets the following Quality Areas and Regulations:

- Quality Area 6: Collaborative partnerships, Quality Area 7: Governance and Leadership
- National Quality Standard Elements: 6, 6.1.2, 6.2, 7.1.2, 7.2.1
- Education and Care Services National Regulations: 172, 174, 168(2) (o), 173(2) (b), 176 183

4. Definitions

Complaint Expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. A *workplace grievance* is a complaint raised towards an employer by an employee due to a violation of legalities (workplace policies, employment contract, national standards).

Notifiable complaint A complaint that alleges a breach of *the Education and Care Services National Law and Regulations*, National Quality Standard or alleges that the health, safety, or wellbeing of a child at the service may have been compromised.

Any complaint of this nature must be reported by relevant regional OOSH Manger or OOSH State Children's Service Manager to the Regulatory Authority within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

Any complaint that alleges that a child or children have or are being physically or sexually abused, ill-treated or neglected by a PCYC employee, contractor or volunteer, whilst being educated and

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cared for at the service must be reported to the Office of The Children's Guardian within 7 days of the complaint.

Serious incident

An incident resulting in the death of a child, or an injury, trauma, or illness for which the attention of a registered medical practitioner, emergency services, or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the Centre in contravention of the Regulations, or is mistakenly locked in/out of the Centre premises (Regulation 12).

A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* as soon as possible and within 24 hours of the incident. The Regulatory Authority must be notified within 24 hours of a serious incident occurring at the service (Regulation 176(2)(a)). These records are required to be retained for the periods specified in Regulation 183. The Approved Provider will notify the regulatory authority of any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

Investigation

A formal and systematic inquiry to establish facts about a complaint by collecting, documenting, examining and evaluating evidence. An investigation is not an end. Throughout an investigation, the investigator should keep an open mind about the possible outcomes of the investigation, such as education, compliance action, or a decision not to pursue the matter.

Personal information

Information or an opinion about an identified individual, or an individual who is reasonably identifiable: a. whether the information or opinion is true or not; and b. whether the information or opinion is recorded in a material form or not.

5. Policy

5.1. The OOSH Coordinator will:

- Ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the service
- Ensure information about our *Dealing with Complaints* Policy is easily accessible to all families, visitors and volunteers
- Treat all grievances and complaints seriously and as a priority, this includes any reports or concerns raised about a child displaying sexual behaviour that may pose a risk to themselves or others.
- Ensure grievances and complaints remain confidential
- Ensure grievances and complaints reflect procedural fairness and natural justice
- Ensure the grievance and complaint are documented in an incident form in CURA within 24 hours of receiving the complaint.
- Escalate and discuss the complaint with their Regional Support Manager and Children's State manager within 24 hrs to determine whether

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- I. Any immediate safeguarding action is required
 - II. An investigation is required
 - III. A notification to NSW Department of Communities and Justice is required
- Should the OOSH Support Manager and State Children Services Manager decide not to proceed with the investigation after initial enquiries, the OOSH Coordinator will draft a written outcome letter outlining the reasoning and this will be provided to the complainant. All correspondence will be reviewed by the OOSH Support Manager prior to sending.
 - Monitor ongoing behaviour and provide support as required
 - Implement all discussed safeguarding measures and ensure the parties are protected from victimisation and bullying
 - Complete an a notification to NSW Department of Communities and Justice if there are reasonable grounds to suspect that a Child/Young Person was, is, or is at risk of being abused and/or neglected,
 - Review the effectiveness of the Service's policies and procedures to ensure all complaints and grievances have been handled fairly and professionally
 - Track complaints to identify recurring issues within the Service

5.2. OOSH Support Manager and State Children's Services Manager will:

- Determine whether an investigation is required
- Notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.
- Notification reports must include:
 - I. details of the event or incident
 - II. the name of the person who initially made the complaint
 - III. if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
 - IV. contact details of the person making the report including; their name, position and contact details.
 - V. any other relevant information
- Refer complaints that pertain to the abuse and/or neglect of a child/ren by either a PCYC employee,

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volunteer, member or visitor or other child/ren to the Quality Compliance and Child protection Manager.

- Investigate and document the grievance or complaint 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 educator, staff member, 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 the employee with a clear written statement outlining the outcome of the investigation
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving 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.
- Keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy Policy*.

5.3. Quality, Compliance and Child Protection Manager

- Notify the Office of the Children's Guardian within 7 days if any employment related child protection concerns are raised about a PCYC employee.
- Investigate any complaint that relates to the abuse and/or neglect of a child/ren by a PCYC employee, member, volunteer or visitor or other child during the provision of PCYC OOSH services.
- Keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy and Record Keeping Policy*
- Review the effectiveness of operational policies and procedures to ensure that practices adequately eliminate or minimise potential child protection risk.

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5.4. Conflict of Interest

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 complaints that involve the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator. Our Service 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 the Services Code of Conduct is adhered to.

5.5. Continuous Improvement

- Complaints provide our Service with opportunities for learning and improvement. We encourage regular and ongoing feedback from staff, children and families and the community.
- PCYC is committed to resolving complaints through prompt investigation, open communication, and transparent processes.

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6. Document Information

Version History

Version	Date	Document Number	Created By	Role	Reason
3.0	Apr 2025	POL-054	Laura Pellegrino	Quality, Compliance & Child Protection Manager	Updating of policy

Reviewed By

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3.0	Apr 2025	Justine Russell	General Manager Programs & Social Impact	Updating of policy

Acceptance Signoff

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3.0	May 2025	Justine Russell	General Manager Programs & Social Policy	

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