

COMPLAINTS AND GRIEVANCE POLICY FOR PARENTS / STAFF

PURPOSE:

We recognise that families, educators, other staff and the community need to feel confident that any concerns or issues they may raise will be handled promptly and professionally. We will provide effective complaints management which meets our families needs. We will have a clear procedure in place for both staff and parents of the centre to utilise in the event of a grievance or complaint arising. We aim to ensure that all grievances are addressed and managed with procedural fairness and natural justice; promptly, sensitively, objectively, equitably and confidentially.

Procedural fairness and natural justice;

1. The right to be heard fairly.
2. The right to an unbiased decision made by an objective decision maker.
3. The right to have a decision based on logically relevant evidence.

BACKGROUND

We recognise that all staff and parents have a right to communicate concern about the service or work related matters. This policy acknowledges that effective grievance management contributes to an improved work place and family environment. It also means that our educators, management, other staff, families and the community can be confident that complaints and grievances are taken seriously and addressed effectively.

The Guide to the National Quality Framework describes how an effective system for dealing with complaints confirms to educators, staff, families and the community that complaints and grievances are taken seriously and investigated promptly, fairly and thoroughly.

IMPLEMENTATION:

A grievance / complaint pertaining to any aspect of the service's operations or care practices may be given either verbally or in written format and can be initiated by parents to staff, staff to parents or staff to staff. Any written complaint initiated by a parent, may be completed on either a pro-forma complaints form available on request from the office or in the complainant's own format. We have centre complaint forms available for families to utilise from our front administration area.

The Licensee/Director will assume the role of mediator unless directly involved in the grievance or complaint. In such case the mediator's role will be taken by the HR/Director.

The mediator will:

- Investigate the full history of the matter, any contributing incidents and other possible causes for the complaint.
- Interview staff members and/or witnesses implicated in the matter who may have relevant information.
- Ensure investigator responses are accurately recorded, signed and dated.
- Agenda formatted before calling a joint meeting at which both parties will air their feelings, discuss each party's ultimate goal and devise strategies to be put in place with a view to resolving the conflict.
- The mediator will continue to monitor and evaluate the situation to ensure the strategies remain in place.

If no agreement can be reached and the service is clearly unable to meet the child's or family's needs, it may be suggested that the family withdraw their child from the centre.

Should the childcare position be discontinued a full report of the history of the grievance will be made available to the Department of Community Services, Children's Service Advisor and Director General.

DEALING WITH STAFF CONFLICT

The Workplace Health and Safety Act states that employers have a duty of care to their employees to ensure that the working environment supports emotional and mental wellbeing. This is enacted and embed in our practice by the support of our 'Critical Mentor Framework'.

The staff at Elder Street Early Childhood Centre, advocate team collaborations and mutual respect in their workplace. However, with even the best of intentions and practices sometimes conflict can flare. Management aims to discuss the issues surrounding potential conflict often and works with staff individually and as a group to help promote healthy communication, group problem solving and a feeling of empowerment by fostering autonomy in decisions regardless of job position. The management will foster, support and promote staff skills in addressing conflict through availability of recognised in-services, workshops and resources.

It is important for all staff to understand the difference between healthy and unhealthy conflict and how our actions and many different factors of personality and styles of communication can effect our interactions at work.

Signs of Healthy Conflict

Conflict amongst staff in a service can be constructive if it:

- Generates new ideas, new perspectives.
- Disentangles intent from impact by identifying contributing factors.
- Provokes an evaluation of organisational structures or centre design.
- Brings individuals' reservations and objections out into the open.

- Heightens the debate about pending decisions or problems.
- Forces the re-examination of current goals, policies, or practices.
- Focuses the attention on problems inhibiting performance at the centre.
- Energises staff – gets them actively involved in the life of the centre.

Signs of Unhealthy Conflict

Conflict amongst staff in a centre can be destructive if it:

- One person or faction is bound and determined to emerge victorious.
- If feelings determine the truth about a situation rather than facts
- Focus of the debate changes but the adversaries remain the same.
- Discussion never moves from complaints to solutions.
- Staff members start taking sides.
- Parents or other outside parties get drawn into the debate.
- Continuing acrimony starts to erode staff morale.
- Dissension continues even after a decision is hammered out.
- Debate focuses on personalities or 'perceived' intent rather than issues.

When a conflict does arise the Director and other parties utilise a process known as conflict mapping which is used to help identify the issues at hand in a non threatening environment with the aim to reaching a solution. The system has several steps;

1. Define the problem; to separate facts from interpretations, people from problems, and positions from interests/needs/fears.
2. To enable a change of perspective, to "walk in the other persons shoes", to make motivations of all actors plausible.
3. To broaden perspectives.
4. Identify what the parties want – focusing on needs and fears; to elaborate hypotheses on new options, without taking the ownership of the conflict or solutions of the conflict away from the involved parties.

Workplace counselling may also assist employees who are having difficulties at work. Counselling can help employees to identify and deal with the causes of work-related problems before they become a major issue.

During annual Professional Goal Setting, staff complete a 'Vision" self-appraisal addressing different areas including teamwork, staff communication and interactions. From these evaluations, issues that may relate to past or potential conflict can be identified and personal and professional goals are then set.

DEALING WITH MEDIA

If at any time a situation attracts media attention it is the Service's responsibility to protect the interests and wellbeing of all parties involved. In order to avoid placing anyone's privacy at risk or providing

incorrect information the release of information will be the responsibility of the Licensee/Director.

CONFIDENTIALITY The parties involved in a grievance are required, at all stages of this policy and procedure, to maintain confidentiality in relation to the concern or complaint. In regard to confidentiality: there may be a requirement to disclose information to a third party when directed by legislative regulations. For example, if the nature of the complaint is about child protection concerns, a government agency may need to be informed. In other circumstances, the complaint may be held in confidence with those individuals directly involved.

Children's safety, health and wellbeing is our key priority. In line with regulatory requirements, we notify the regulatory authority of any complaints alleging the occurrence of a serious incident or contravention of the Education and Care Services National Law.

Our families are integral to our service. We welcome their input into all aspects of our service's operation, including any complaints they may have.

We welcome complaints as an opportunity to enhance the quality of our education and care practices. We reflect on each complaint received, identifying any issues or areas of improvement for our service.

Reviewed: 10 June 2005
21 April 2006 by M Duffy-Fagan
17 October 2008 by M Duffy-Fagan
21 September 2012 by M Duffy-Fagan
11 June 2016 by K Pomfrett and M Duffy-Fagan
20 September 2018 by K Pomfrett and M Duffy-Fagan
12 October 2021 by K Pomfrett and M Duffy-Fagan

Source: Department of Community Services
"Everyone can Win", Cornelius, H & Faire, S 1989,
Simon and Schuster, Roseville, NSW
"When Friction Flares: dealing with staff conflict,
Child Care Information Exchange, no. 65.
National Quality Framework Resource Kit 2011
NSW Government Industrial Relations 31 May 2013
NSW Government Safework NSW- Mental Health
The Workplace Health and Safety Act-Preventing
Psychological Injury 26 May 2014
Privacy Act 1988 (Cth)
Guide to the NQF (Regulatory Authority Powers –
Monitoring, compliance and enforcement
Australian Government Fair Work Ombudsman
ACECQA – Australian Children's Education and
Care Quality Authority

ELDER STREET ECHC COMPLAINT FORM

Date of incident or complaint:

What happened to cause you to be dissatisfied?

How can we make this right?

How would you prefer your follow up to this complain? (please circle)

Phone call

Email

Arrange an interview

Name:

Address:

Phone:

Mobile:

Email: