

## ARMIDALE & DISTRICT FAMILY DAY CARE

### *Complaints Handling Policy*

<b>Related documentation</b> <b>Policy/policies:</b>	<i>Code of Conduct Child Protection Policy Governance Policy Incident, Injury, Trauma and Illness Policy</i>
<b>Regulation/s/ Standards:</b>	<i>Regulations 76, Part 4.2, 170, 182. NQS Elements 7.1, 7.1.2, 7.1.3, 7.2</i>
<b>Related procedures:</b>	<i>De-Registration of Educator from the Service Workplace Health and Safety Complaints Register .</i>
<b>References:</b>	<i>Privacy &amp; Personal Information Protection Act, 1988 Ombudsman Amendment (Child Protection &amp; Community Services) Act, 1998 Commission for Children and Young People Act, 1998 Child Protection (Working with Children) Act 2012 &amp; Regulation 2013.</i>
<b>Date effective</b>	<i>February 2019</i>
<b>Date for review</b>	<i>February 2020</i>
<b>Purpose</b>	<i>To ensure that families, educators or other persons are able to raise, and have resolved, any complaint they may have regarding the service at any time, without fear of repercussion or victimisation.</i>
<b>Responsibility</b>	<i>AFDC' s Board of Directors takes ultimate responsibility for ensuring that complaints are dealt with promptly, fairly and consistently</i>

#### **Key information:**

Armidaled & District Family Day Care Limited aims to handle all complaints efficiently and effectively.

Our complaints management system aims to:

- enable us to respond to issues raised by people in a timely manner,
- handle all complaints confidentially and in an appropriate environment,
- ensure that fair and just solutions are sought to resolve all disputes,
- enhance community confidence in our service, and
- provide information that assists the Company to deliver quality improvements in our service.

#### **Privacy:**

All information collected by the Company will be maintained in accordance with the principles of the Privacy and Personal Information Protection Act 1998 and accordingly will only be used for the purpose for which it is collected, or as otherwise required or authorised by law.

#### **Time Frames:**

- Upon receipt of a complaint, the Coordination Unit will make contact with both parties within two working days.
- The Complaints Handling Policy will be implemented within seven working days of receipt of the complaint.
- Regular contact will be maintained with both parties to the complaint.
- If the time frames are unable to be met, the parties will be contacted and advised of this.

#### **Policy:**

##### **Tier 1:**

- A person wishing to raise a complaint will initially be encouraged to attempt to speak directly about their issues with the other party to the complaint.
- If the complaint is not resolved at the outset, the complainant will be requested to complete a Complaint Notification Form.,
- Coordination Unit staff have clear delegation to resolve simple complaints as quickly as possible and to take remedial action to address issues.
- If the complaint can be resolved at this level, the issue will be recorded in the Company's Complaint Register, copies of the Complaint Notification Form will be provided to both parties and relevant documentation will be filed securely.

##### **Tier 2:**

- Complaints which are unable to be resolved at *Tier 1* will be referred to the Company's Board of Directors, which will decide upon how the complaint will be handled. This may include:
  - interviews with both parties,
  - investigation, and/or
  - dispute resolution.
- The Board of Directors and management will review the results of all investigations having regard to Company policies, procedures and regulatory requirements and will decide upon a course of action to resolve the complaint. This may include, but is not limited to:
  - requesting the development of a risk minimisation plan between an educator and a family,
  - issuing a formal warning to an educator, or
  - reporting a serious complaint to the Director General, and or the Ombudsman,
  - terminating a family's care placement, or
  - determining the complaint is unfounded, and therefore resolved,
- A representative of the Board of Directors or Management will discuss the results of any investigations and decisions of the Board with all parties, giving them the opportunity to respond to the decision.
- Management will record all discussions and actions agreed upon and will provide a written report to all parties within five working days, providing all parties with the right of appeal.

##### **Tier 3:**

- Any Educator or Coordination Unit member who believes a child is at significant risk of harm has a mandatory requirement to report their belief immediately (Refer to AFDC's Child Protection Policy).
- A person complaining about violence or threatening behaviour in an education and care residence must first direct the complaint to NSW Police, and must then notify the Coordination Unit at the earliest possibility.

**Right of Appeal:**

- If either party seeks a review of the decisions of AFDC's Board of Directors they may refer the matter to:

The Administrative Decisions Tribunal,  
Level 15, 111 Elizabeth Street, Sydney. NSW. 2000.  
Telephone: (02)9223 4677 or 1800 060 410.

**Complaints Register**

A Register of Complaints is maintained in a secure location. The information recorded includes:

- The name and contact details of the complainant
- The name and contact details of the person whom the complaint is about,
- The nature of the complaint, including times and dates,
- Actions and outcomes agreed upon, and
- Reporting requirements.

**Monitoring of the Complaints Register**

The Complaints Register will be monitored and evaluated annually by Management and reported upon to AFDC's Board of Directors at the Annual General Meeting.