

Dealing with Complaints Policy

Background

At Peak Sports and Learning, we prioritize the confidence and trust of all stakeholders involved in our community, including children, families, educators, staff, and the wider community. We acknowledge the importance of promptly and professionally addressing any concerns or issues that may arise.

Recognising the significance of feedback in continuously improving our Service, we value input from families, children, educators, staff, and the broader community. We understand that such feedback may encompass a range of perspectives, potentially leading to the emergence of complaints.

Our commitment is to handle all complaints with the utmost seriousness and dedication to finding satisfactory resolutions whenever possible. We have established effective complaints management procedures tailored to meet the needs of our families and carers. These procedures outline how both informal and formal complaints are received and addressed within our Service.

All stakeholders, including families, children, parents, visitors, students, and members of the community, are encouraged to voice their grievances or complaints with the assurance that they will be handled conscientiously and confidentially by our management team.

Considerations and Legislative Requirements

Education and Care Services National Regulations	National Quality Standard/s	Other Service policies/documentation	Other
National Law Section 172, 174 National Regulations 12, 84, 149, 168(2)(o), 170, 171, 172, 173(2)(b), 173, 176, 183	QA 7	- Child Safe Environment Policy - Governance Policy	Child Safe Standards

Purpose

The *Education and Care Services National Regulations* requires approved providers to ensure their services have policies and procedures in place for dealing with complaints (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

We aim to investigate all complaints and grievances with a high standard of equity and fairness. 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

Roles and Responsibilities

Approved Provider / Nominated Supervisor / Responsible Person

- ensure that obligations under the *Education and Care Services National Law and Regulations* are met
- 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* are easily accessible to all families, children, staff, educators, visitors and volunteers
- treat all grievances and complaints seriously and as a priority
- ensure grievances and complaints remain confidential
- ensure grievances and complaints reflect procedural fairness and natural justice
- ensure people feel safe or comfortable when making a complaint, including children
- ensure educators, staff, volunteers and students are well informed about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child. (ACECQA 2023)
- ensure the complaint handling processes are child-focused providing support and guidance for children to know who to talk to if they are feeling unsafe
- conduct a review of policies and procedures, where required, following a complaint or grievance as part of our continuous improvement practices
- provide an induction program for new staff and educators that includes an overview of policies and procedures, including this *Dealing with Complaints Policy* and procedure
- ensure the approved provider is notified of all complaints and grievances
- acknowledge the complaint or grievance in writing within 2 working days of receipt
- discuss the issue with the complainant within 1 business day of receiving the verbal or written complaint
- investigate and document the grievance or complaint fairly and impartially
- provide details of an outcome following an investigation if required.
- The investigation will consist of:
 - reviewing the circumstances and facts of the complaint and inviting all affected parties to provide information where appropriate.
 - discussing the nature of the complaint 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: 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.
 - management will provide a response with the outcome
 - if a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflect the resolution
 - all written responses will need to cater for complainant to be able to understand such as spoken language and special needs regarding reading
- should management decide not to proceed with the investigation after initial enquiries, the complainant will be given notification outlining the reasoning
- keep appropriate records of the investigation and outcome

- monitor ongoing behaviour and provide support as required
- ensure the parties are protected from victimisation and bullying
- request feedback on the grievance or complaint process
- track complaints to identify recurring issues within the Service
- 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.

Educators

- report all complaints received to the nominated supervisors, and/or approved provider within required timeframes
- listen to the complainants view of what has happened
- clarify and confirm the grievance or complaint, documenting all the facts prior to the investigation
- encourage and support the complainant to seek a balanced understanding of the issue
- discuss possible resolutions available to the complainant
- encourage and assist the complainant to determine a preferred way of solving the issue
- record the meeting, confirming the details with the family at the end of the meeting
- maintain confidentiality at all times
- refer family complainant (as necessary) to Service policies that may assist in resolving the grievance or complaint
- be informed about the different ways children can express concerns or distress and disclose harm
- be aware of child protection law and their individual responsibilities as mandatory reporters/notifiers
- ensure children know who to talk to if they are feeling unsafe and know the process that will happen to support them

If the grievance cannot be resolved, it is to be referred to the nominated supervisor who will investigate further:

- if appropriate, collect relevant written evidence. This evidence will be treated in strict confidence and will be held in a secure place
- involve the approved provider or nominated supervisor in the conflict resolution as required
- should it be necessary to interview relevant people concerning the grievance, their involvement should be kept to the minimum necessary to establish the facts
- third parties providing evidence must also be made aware that the matter is to be kept confidential.

Should the grievance or complaint be lodged against another person(s), these persons will be interviewed separately and impartially. Individuals must be given the opportunity to respond fully to the allegations and may have another person present, as a support person, if they wish. If after investigation, it is concluded that the grievance is substantiated:

- both parties will be told of the decision and the reason for it
- immediate and appropriate steps will be taken to prevent the grievance from recurring
- if after investigation, it is concluded that the grievance is not substantiated both parties will be notified of the decision and the reason
- the complainant will be informed that if they are not satisfied with any decision relating to the grievance procedure that they should consult with an external body for further advice such as the Regulatory Authority

if the grievance or complaint is of a serious nature, or there is a reasonable belief the complaint is any allegation of sexual or physical abuse the Nominated Supervisor is responsible to inform the Regulatory Authority within 24 hours.

Complainants 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 complaints. The complaints procedure ensures a fair opportunity for all stakeholders to be heard and promotes effective conflict resolution within our Service.
- children are able to express their concerns or allegations to either the management, educators, and/or families
- attempt to discuss their grievances/complaints with the relevant educator associated with a particular child and/or family as the first step to resolving the issue, unless it is a reportable offence to the Regulatory Authorities to be made with 24 hours of complaint
- communicate any concerns they may have in writing addressed to the approved provider or nominated supervisor
- raise any unresolved concerns with the approved provider or nominated supervisor
- maintain confidentiality at all times
- be provided with details of external agencies to contact should they feel our Service has not resolved their concerns (e.g., regulatory authority)

Procedures

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling.

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.

Our Service is committed to the National Principles for Child Safe Organisations and adopts a child safe approach to complaints involving a child or young person. As a child safe organisation, we will respond promptly and systematically to any concerns, disclosers, allegations or suspicions while fostering an environment where children feel confident that their safety and wellbeing are paramount.

Any grievances or concerns raised in feedback or complaints will be dealt with within a reasonable time frame and will be child focused.

Our complaint management system generally follows a process to receive, acknowledge, assess and investigate, provide outcome and explore options to redress and close complaint.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiples and accessible ways to make complaints
- listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for review.

The Responsible Person shall be the first contact for all complaints.

Where this is not reasonable, the Service Support Manager/Nominated Supervisor may handle the complaint where the following is relevant:

- The complaint is about the conduct of the Responsible Person.
- The complainant is not comfortable to take the complaint to the Responsible Person;
- The complainant is not satisfied with the Responsible Persons' handling of the complaint.
- The complaint is about a matter of management and administration Policy.

To make contact with any relevant persons, the complaint can be managed through the Head Office by calling 1300467325 or emailing admin@peaksportslearning.com.au so it may be passed onto the relevant individual.

For this purpose, families and others will be kept informed of the current contact details through the parent handbook, on display at the service and through the Head office or other appropriate forms of communication, and otherwise will be available on request.

The Responsible Person will ensure that another staff member is present when meeting with any person to discuss a complaint. The Responsible Person will make and keep a written record of the discussion at the time, or immediately afterwards, and will have the other staff member, and if possible the complainant, sign that record. A copy should be provided to the complainant on request.

The Responsible Person will seek to resolve all genuine and reasonable complaints in the most appropriate way possible in consultation with the complainant.

Discussions with the complainant are not to be conducted in presence of the children, other staff or parents, and heated discussions are to be avoided as far as possible.

The Responsible Person is to promptly log all complaints, the records of relevant discussions, and the resolution of the complaint in the Critical Reflection Diary and is to report to the Service Support Manager on all entries.

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Complaints should be addressed in fortnightly management meetings to focus on quality improvement opportunities and to ensure that any initiatives for improvement can be made across the whole organisation.

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.

Concerns that relate to Child Safe Standards

Concerns or any allegation about a staff member or someone in the service should be reported to Peak Management Immediately. Should Peak Sports and Learning become aware of any allegation or conviction against a member of staff, volunteer, trainee or person visiting the service, it should be reported to the Office of the Children's Guardian within 7 days.

Regulatory authority ACECQA must be notified of certain matters occurring while a child or children are being educated and cared for by the service including:

- any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring at the service
- any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

Version Control Table

Version Control	Date Released	Next Review	Approved by	Amendment
1	January 2014	November 2019	Directors	Amendments to procedures as needed annually.
2	November 2019	November 2020	Directors	Version Control table introduced. Rewritten and edited to reflect updated Quality Standards.
3	March 2020	December 2022	Directors	Reviewed with no amendments. Moved to new document review timeline.
4	December 2022	December 2024	Directors	Child Safe Standards Incorporated
5	October 2023	December 2024	Directors	Policy title changes to Dealing with complaints.
6	March 2024	December 2025	Directors	Changes in line with added information to ensure our complaint handling system is child focused and addresses complaints that alleges a child is exhibiting sexual behaviours.