

Complaints and Feedback Policy

Service users will not be adversely affected by raising and lodging complaints.

Purpose

The purpose of this policy is to provide guidance to the entire complaints management system; from the awareness of complaints through to resolution.

At ECMS, we welcome the opportunity to listen to and learn from our service users. We recognise being receptive of **feedback, whether positive or negative (complaints)**, affords us an opportunity for continual service improvement, thereby, strengthening our ability to provide high quality early childhood education and care.

All service users have the right to provide feedback to ECMS services, including complaints, and also have the right to have these managed fully, fairly and within a reasonable time frame.

Resolving complaints at the earliest opportunity in a way that respects and values the person's feedback, can be one of the most important factors in recovering the person's confidence in a service. It can also help prevent the further escalation of a complaint. A responsive, efficient, effective and fair complaint management system can assist an organisation to achieve this.

Any feedback or complaint received that is related to child safety, or where staff suspect a child is at risk, they will implement the Child Safe Policy and the procedure detailed in the Child Safety & Compliance: Reportable Matters Handbook.

ECMS has zero tolerance of any forms of abuse committed against children. We are legally obligated protect all children in our care from harm. This legal responsibility includes reducing or removing any risk of harm, while reporting all incidents that infringe upon child safety.

Principles

An effective feedback handling system addresses the principles of visibility and accessibility, responsiveness, assessment and investigation, feedback, improvement focussed and service excellence.

The ECMS approach to feedback and complaints management supports:

- peoples' understanding of their rights and responsibilities
- information on the complaints management process being easily accessible
- increased satisfaction of clients in the management of their compliments and complaints

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- the recording of data to identify emerging and existing trends or systemic issues
- staff to demonstrate an awareness of feedback and complaint management processes
- staff to develop the range of skills and capabilities required to manage complaints and feedback
- an organisational culture that is focused on effective, person-centred complaints resolution and utilising feedback for continuous improvement.

Visibility and accessibility

The complaints management process will be visible and accessible to all staff and service users and:

- explains how and where to provide feedback and/or make a complaint, including an anonymous complaint
- ensure the website and service sites have information on how to lodge feedback and a complaint
- consider specific needs of the individual or barriers they may experience
- explain alternative complaint resolution pathways when the complaint is first lodged and when it is closed
- explain how the organisation will manage a complaint and the expected timeframe for resolution
- support individuals to identify and seek their preferred outcome.

Responsiveness

The complaints management process will be responsive and provide mechanisms and strategies to:

- promote service user rights, particularly those with special support needs, so they can actively participate in the complaints process
- inform and train staff to use the complaint management system
- support the individual to seek the most appropriate resolution
- ensure there is clarity about the requested outcome
- provide a respectful, valuing and informative acknowledgement
- actively listen, empathising and acknowledging when the service was not the best it could have been
- monitor timeframes for resolution
- communicate with all relevant parties about the progress of the resolution of the complaint.

Assessment and investigation

The complaints management process will have mechanisms to:

- assess complaints for severity, safety, complexity, impact and the need for immediate action
- collect adequate and appropriate information
- protect the privacy and confidentiality of the information
- determine who and at what level the complaint should be dealt with
- determine whether a complaint alleges the infringement of child safety and, if so, immediately implement the procedure detailed in the Child Safety & Compliance: Reportable Matters Handbook
- enable complaints to be considered independently, fairly and objectively.

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Feedback

The complaints management process will provide mechanisms and strategies to:

- explain what happened and why, what will be done to fix the issue, and who will do it, how ECMS will communicate the progress and ensure the process is on track
- explain the reasons for the decision
- provide an apology where the organisation has failed to meet its service obligations
- where an apology is provided, ensure it is sincere, and accepts responsibility for what occurred and the impact
- explain the circumstances without making excuses, and summarise the key actions that will be taken
- provide regular updates to the complainant if the resolution is delayed
- notify the complainant of alternative complaint resolution pathways and review mechanisms
- follow up with complainants to determine the effectiveness of the outcome, where appropriate.

Improvement focussed

The complaint management system will provide mechanisms and strategies to gather and record feedback and other information to:

- meet any statutory, policy or procedural reporting requirements
- improve the training and capabilities of complaint management staff
- analyse the complaint data and identify complaint trends for performance improvement
- monitor the time taken to resolve complaints
- notify service providers as part of a continuous quality improvement approach.

Service excellence

The complaint management system and resolution process is a part of a quality culture where complaints are an opportunity for improvement through:

- positive attitudes towards dealing with complaints and respect for the person who has raised the matters
- values that reinforce the commitment of the organisation to quality service delivery and encouragement for provision of feedback on what is and what isn't working
- a clear statement that no one will be adversely affected as a result of making a complaint or a complaint being made on their behalf
- a policy that enables the complaint management system to address and investigate issues relating to all employees, including senior management.
- data analysis to identify and explore trends that highlight opportunities to improve service delivery and complaint handling
- a commitment to continued training and development of the capabilities of complaint management staff
- a commitment by the organisation's leadership to an effective complaints management process as part of a robust quality improvement framework.

Scope

This policy and procedure includes all service users, (past, present and future).

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The management of complaints as per the complaint management system outlined in this policy and procedure is the responsibility of all ECMS staff.

Roles & Responsibilities

<p>CEO</p>	<p>Is accountable for ensuring:</p> <ul style="list-style-type: none"> • service users' rights are upheld through the organisation's complaints management system • practice complies with relevant legislation and complies with ECMS policy • all reasonably grounded complaints that constitute a reportable allegation under the Victorian Reportable Conduct Scheme are reported to the Commission for Children and Young People • complaints are used to inform quality improvement. • issues are effectively addressed and reviewed in line with ECMS' Code of Conduct • appropriate action is taken for complaints brought to this level <p>And to:</p> <ul style="list-style-type: none"> • act as the final arbitrator of complaints • report to the Board at regular intervals regarding complaints made and issues relating to organisational policy, practice and procedures
<p>Board</p>	<p>Are accountable for ensuring:</p> <ul style="list-style-type: none"> • if an allegation of reportable conduct is made against the CEO, the Chair will ensure that ECMS discharges its legal obligations under the Victorian Reportable Conduct scheme and all other applicable reporting obligations (e.g., mandatory reporting, the National Law and Regulations, etc.)
<p>Executive Directors, Senior Managers P&C and Finance Departments Area Managers</p>	<p>Are responsible for ensuring:</p> <ul style="list-style-type: none"> • local processes are in line with this policy and procedure. • staff are aware of the complaints process and are supported when involved in the complaints process. • service users' rights to complain are managed accordingly and that they have access to the necessary information and services to make a complaint. • reportable complaints are reported to the CEO in line with the procedure. • forward compliments to the Coordinator, Business Systems and Quality Assurance
<p>Compliance Desk</p>	<p>Is responsible for ensuring:</p> <ul style="list-style-type: none"> • all reportable complaints to the Department of Education & Training (DET) are reported within 24 hours • all reportable complaints are recorded in the complaints database. • Trending and analysis reports on a quarterly basis • determining whether a complaint constitutes a reportable allegation under the Victorian Reportable Conduct Scheme

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	and, if it does, the Compliance Desk must implement the ECMS Reportable Conduct Procedure
Nominated Supervisors & Centre Directors	Are responsible for ensuring: <ul style="list-style-type: none"> This policy and procedure is followed. Complaint forms, are accessible to service users Summary information about the complaints procedure for service users is given to new service users as part of enrolment complaints information is publically displayed poster style in the services a register of non-reportable complaints is kept at service level Reporting & Monitoring
Employees, Volunteers, Contractors, and Student Placement Workers, as well as Individuals sharing a common Workplace but not a common employer	Are responsible for ensuring: <ul style="list-style-type: none"> Service users are aware of their rights with regards making complaints. Service users are assisted in making complaints and are dealt with in a timely and empathetic manner. Forward compliments to the Coordinator, Business Systems and Quality Assurance
Director, Marketing and Communications	Is accountable for ensuring: <ul style="list-style-type: none"> The current Compliments and Complaints Policy and Procedure is accessible on the ECMS website. Information regarding the organisation's Compliments and Complaints Policy and Procedure is provided in the parent and staff handbook

Definitions

Australian Standard AS/NZS ISO 10002:2014 Guidelines for Complaints Management in Organisations defines a **complaint** as:

An 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.

DET defines a **reportable complaint** as:

Concerns that the health, safety and wellbeing of children may have been compromised, or the relevant legislation has been contravened

Non reportable complaint is defined as above in the Australian Standard and is not reported to DET.

Complaints will be accepted in whatever format is most comfortable for the person providing the feedback. Complaints can be received in many formats including via electronic media, verbally and via ECMS actively seeking that Complaints by formal and informal means. (surveys, focus groups, etc)

Reportable Conduct means behaviour by an ECMS employee (including students and volunteers) of one or more of the following types of conduct:

- (i) any sexual offence or sexual misconduct committed against or in the presence of a child,
- (ii) any physical violence committed against or in the presence of a child,

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- (iii) any behaviour that causes significant emotional or psychological harm to a child, or
- (iv) the significant neglect of a child

Reportable Allegations means any information that leads a person to form a reasonable belief that an ECMS employee (including students and volunteers) has committed:

- (v) reportable conduct; or
- (vi) misconduct that may involve reportable conduct.

Such alleged conduct is reportable irrespective of whether it occurs at work or outside the workplace.

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Relevant Legislation	<ul style="list-style-type: none"> • <i>Child Wellbeing and Safety Act 2005</i> (Vic), Part 2 (Principles for Children), Sections 16K & 16M • <i>Privacy and Data Protection Act 2014</i> (Vic) • <i>Disability Act 2006</i> (Vic) • <i>Education and Care Services National Law 2010</i> (Vic) • <i>Education and Care Services National Regulations 2011</i> (NSW), Regulations 168, 173 • Child Safe Policy • Child Safety & Compliance: Reportable Matters Handbook • PC 1.1 Code of Conduct • OCEO 2.0 Protected Disclosure policy and procedure • National Quality Standard: 7.3.4 Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner. • Client Services Charter DHHS • Parent Complaints - Childcare and children's services
Relevant ECMS Policy and Procedure	<p>Administration of First Aid</p> <p>Emergency</p> <p>Excursions</p> <p>Nutrition</p> <p>Incident, Injury, Trauma and Illness</p> <p>Occupational Health and Safety</p> <p>Supervision of Children</p>
Sources and Further Reading	<p>Royal Life Saving Society – Australia: www.royallifesaving.com.au</p> <p>Water Safety Victoria – Water Safety Guide: Play it Safe by the Water: www.watersafety.vic.gov.au</p> <p>Kidsafe – Water Safety Fact Sheet: www.kidsafevic.com.au</p>
Related to NQS Q.A	2, 6 and 7
Attachments	<p>Feedback and complaints</p> <p>Acknowledgment of feedback and complaints</p> <p>Reporting & monitoring template for services</p>

Listing of organisations for additional support

Department of Health and Human Services

The Department of Health and Human Services develops and delivers policies, programs and services that support and enhance the wellbeing of all Victorians.

Telephone: 1300 650 172

Web: www.dhhs.vic.gov.au

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Department of Education and Training

The Department of Education and Training offers learning and development support, services and resources for all Victorians from birth through to adulthood.

General enquiries

Telephone: 9637 2000

Web: www.education.vic.gov.au

Approved child care or licensed children's services

Licensed Children's Service Help Line: 1300 307 415

Email: licensed.childrens.services@edumail.vic.gov.au

Other early childhood services and programs

Refer to Other Early Childhood Services and Programs for further information.

Email: community.stakeholders@edumail.vic.gov.au

Regions: Contact the Early Childhood Performance and Planning Advisers in the Regional Offices.

Disability Services Commissioner

The Disability Services Commissioner works with people with a disability, and disability services to resolve complaints.

Telephone: 1800 677 342 (free call)

TTY service for people with hearing or speech difficulties: 1300 726 563

Web: www.odsc.vic.gov.au

Office of the Health Service Commissioner

The office of the Health Service Commissioner is an independent body established to receive and resolve complaints about healthcare provided by individual health practitioners, unregistered health practitioners and health services.

Telephone: 1300 582 113

TTY service for people with hearing or speech difficulties: 1800 136 066 (toll free)

Web: www.health.vic.gov.au/hsc

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Mental Health Complaints Commissioner

The Mental Health Complaints Commissioner receives and resolves complaints about public mental health services in Victoria.

Telephone: 1800 246 054

Web: mhcc.vic.gov.au

Office of the Commissioner for Privacy and Data Protection

The Privacy and Data Commissioner will investigate complaints about a Victorian Government agency or local council's failure to comply with one or more of the Information Privacy Principles.

Telephone: 1300 666 444

Web: <https://www.cpdp.vic.gov.au>

Victorian Ombudsman

The Ombudsman has the power to investigate complaints about State and local government authorities. The Ombudsman investigates complaints made about decisions, actions or inaction by these bodies.

Telephone: 9613 6222

Regional: 1800 806 314

Web: www.ombudsman.vic.gov.au

Commission for Children and Young People

The Commission for Children and Young People has been established to promote continuous improvement and innovation in policies and practices relating to the safety and wellbeing of children and young people generally, and in particular those who are vulnerable and in the provision of out of home care services for children.

Telephone: 1300 782 978

Web: www.cryp.vic.gov.au

Independent Broad-based Anti-corruption Commission

The Independent Broad-based Anti-corruption Commission has the powers to investigate complaints that are assessed as serious corrupt conduct.

Telephone: 1300 735 135

Web: www.ibac.vic.gov.au

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