

# COMPLAINTS & FEEDBACK POLICY



## RISK & COMPLIANCE

### PURPOSE

ECMS is committed to creating a culture that values reflection, feedback, ensures transparency, and prioritises the safety and wellbeing of children. This policy outlines how ECMS responds to complaints and concerns, with a focus on child safety and compliance with the Victorian Child Safe Standards (Standard 7). This policy aligns with the *Child Safety and Wellbeing Policy* and supports our commitment to ensuring all children feel safe, seen, heard and valued.

### SCOPE

This policy applies to:

- The Approved Provider, persons with management or control, Centre Director, Nominated Supervisor, and persons in day-to-day charge.
- Early Childhood teachers, educators, employees, contractors, students, volunteers, parents/guardians, children, and others enrolled and participating in ECMS programs and services, including during offsite excursions and activities.
- All ECMS-operated Early Learning Centres and Kindergarten programs.

### POLICY STATEMENT

ECMS is committed to an anti-bias approach in early childhood. ECMS operates within a framework of social justice and equity - this means we take up the ethical challenge of learning how to live well together and to flourish with difference. We celebrate family and cultural diversity and are committed to creating safe, inclusive and respectful environments where all children, families and communities are valued. We have zero tolerance of racism and zero tolerance of harm and abuse to children. This policy is underpinned by the principles of quality teaching and learning, child safety, respect, responsibility, and inclusion.

### POLICY PRINCIPLES

The following principles underpin all ECMS policies:

- Our policies reflect our purpose
- We use evidence to guide decisions
- Our policies are clear, accessible and purposeful
- Safety, equity and inclusion are non-negotiable
- We are accountable, transparent and always learning.

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Alongside ECMS’s overarching principles, the following principles provide specific guidance for this policy:

- **Child-Centred:** All processes prioritise the rights, voice, and safety of children, ensuring they feel safe, seen, heard and valued.
- **Culturally Safe and Inclusive:** Complaints can be made in culturally respectful, accessible ways.
- **Transparent and Fair:** All complaints are taken seriously and handled with procedural fairness.
- **Supportive:** Complainants are offered support, including interpreters, advocates, or staff guidance.
- **Continuous Improvement:** Feedback and complaints are used to identify systemic issues and strengthen practice.

## POLICY

### Making a Complaint

Complaints can be made:

- In person
- Via email or phone
- Through the QR code at service locations
- Through developmentally appropriate, child-friendly mechanisms (e.g. visual prompts, trusted adult conversations).

These mechanisms are aligned with our commitment to child-friendly and culturally safe communication, as outlined in the Child Safe and Wellbeing Policy.

Complaints may be made anonymously. All complaints are treated confidentially and respectfully. ECMS recognise that individuals may feel more comfortable raising concerns anonymously and treats them with the same seriousness as identified complaints. ECMS encourages anyone providing anonymous feedback to include as much information as possible. Without sufficient details, ECMS may be limited in its ability to investigate or respond adequately. All complaints, anonymous or not, are assessed for risk and actioned appropriately, in line with our commitment to child safety and service quality.

### Responding to Complaints

Complaints are assessed and triaged as follows:

- **Child Safety Concern:** Immediate referral to Risk & Compliance. May require notification to Victorian Early Childhood Regulatory Authority (VECRA), The Social Services Regulator (SSR), Child Protection, or Police.
- **Code of Conduct Breach:** Managed in line with disciplinary procedures.

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- **Service Feedback:** Addressed at the local level and resolved promptly where possible.

All complaints will be acknowledged within 2 working days and resolved as promptly as possible.

The way ECMS responds to complaints aligns with the ECMS Child Safeguarding Practice Framework, explicitly shared in the *Child Safety and Wellbeing Policy*.

Complainants will be kept informed throughout the process unless doing so would compromise safety, legal obligations, or privacy. ECMS is committed to closing the loop by communicating outcomes and actions taken to the relevant individuals and groups. Where appropriate, families and team members will be informed of the findings, any changes to prevent recurrence and how feedback has contributed to service improvement. While respecting privacy and confidentiality, ECMS aims to be as transparent as possible in sharing how concerns lead to meaningful outcomes.

### Support for Complainants

ECMS provides trauma-informed, culturally safe and inclusive support to all complainants, tailored to individual needs and circumstances. This may include:

- Assistance from a trusted team member
- Access to a social worker or psychologist
- Interpreters or translated materials
- External advocacy referrals, if required
- Trauma-informed response for those affected by harm - children, families, and staff affected by harm are treated with care, respect and sensitivity, with responses that prioritise safety, emotional wellbeing, choice and trust.

### Child-Friendly Processes

ECMS is committed to ensuring children:

- Know how to raise concerns and what will happen if they do
- Are supported to participate in ways that are safe and developmentally appropriate
- Can raise issues through trusted adults, drawings, stories, or tools tailored to their age and abilities

These processes reflect our commitment to creating environments where children are safe, seen, heard and valued, including through trusted adult relationships, visual supports and culturally responsive communication tools.

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## Recordkeeping and Privacy

All complaints are documented in line with privacy and information-sharing legislation. Records are retained securely and used to inform organisational learning and reporting.

## Analysis and Continuous Improvement

Complaint data is reviewed regularly to:

- Identify trends or systemic issues
- Inform system, process, environmental improvements, training and policy updates
- Strengthen risk mitigation strategies
- Support transparent reporting to Executive and the Board

Learning is used to improve systems and ensure children are protected, respected, and heard.

## Escalation and External Reporting

Where complaints involve significant risk, regulatory or legal obligations, ECMS may notify:

- Victorian Early Childhood Regulatory Authority (VECRA)
- The Social Services Regulator (SSR)
- Child Protection
- Victoria Police
- The Department of Education (DE)
- WorkSafe

Families will be informed of this process unless it is unsafe to do so.

## Monitoring, Review and Continuous Improvement

ECMS reviews and assesses this policy for effectiveness, adequacy and relevance every three years, or earlier if legislation, Child Safe Standards, or organisational priorities change. The review and update process will be aligned to legislative and regulatory changes, and interim updates may be made sooner, if significant changes occur, with regard to new regulatory obligations, audit findings, or organisational structure. Feedback from children, families, educators, and leaders informs learning and opportunities for continuous improvement to inform training, practice improvement and policy review. Insights are used to strengthen and implement improvement strategies through practice and systems, ensuring children remain safe, seen and heard.

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## BACKGROUND AND LEGISLATION

### BACKGROUND

Under the *National Law and Regulations*, early childhood services are required to ensure the safety, wellbeing, and protection of children by complying with the *Education and Care Services National Law 2010*, *National Regulations 2011* and Occupational Health and Safety legislation. This includes meeting mandatory child-safety obligations. Services are required to protect privacy obligations and compliance with relevant legislation and standards including Privacy Act, the National Quality Standard and Child Safe Standards.

### LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Privacy Act 1988 (Cth)
- Child Wellbeing and Safety Act 2005 (Vic)
- Health Records Act 2001 (Vic)
- Information Privacy Act 2000 (Vic)
- Occupational Health and Safety Act 2004 (Vic)
- Public Health and Wellbeing Act 2008 (Vic)
- Public Health and Wellbeing Regulations 2019 (Vic)
- National Quality Standard: QA2, QA3, QA6, QA7
- Child Safe Standards – Standard 2: Child Health and Safety

The most current amendments to listed legislation can be found at:

- **Victorian Legislation** – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)
- **Commonwealth Legislation** – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)

## SOURCES AND RELATED POLICIES

### SOURCES

- ACECQA - [Managing and Responding to Injury, Trauma, Illness and Incidents](#)
- VECRA - [Notifying the Victorian Early Childhood Regulatory Authority about incidents, complaints and other circumstances | vic.gov.au](#)
- Department of Education (Vic) - [Protecting children: Mandatory reporting and other obligations](#)
- WorkSafe Victoria – [Report health and safety incidents](#)

### ECMS FRAMEWORKS

- Assurance Framework
- Compliance Management Framework
- Policy Governance Framework
- Risk Management Framework

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## RELATED POLICIES

- Acceptable Use of IT and Online Safety Policy
- Child Health and Hygiene Policy
- Child Safety and Wellbeing Policy
- Code of Conduct
- ECMS Reportable Matters Handbook
- Incident Reporting & Reportable Conduct Policy
- Interactions with Children Policy
- Participation of Students and Volunteers Policy
- Privacy and Confidential Information Policy
- Supervision of Children Policy
- Occupational Health & Safety Policy

## EVALUATION

To assess whether the values and purposes of the policy have been achieved, ECMS will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedure, unless a lesser period is necessary due to risk (Regulation 172 (2)).

## APPENDICES

- **Appendix 1:** Roles & Responsibilities
- **Appendix 2:** Definitions

## DOCUMENT VERSION HISTORY

Document Version History			
Version	Reason for Amendment	Approved by	Review date
6.0	Policy reviewed, consulted and updated	ECMS Executive	June 2025

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7.0	Reviewed within a year of 2025 rapid review process. No material changes.	ECMS Executive	June 2026
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## APPENDIX 1: ROLES AND RESPONSIBILITIES

This section outlines the key roles and responsibilities required to implement and uphold this policy.

ROLE	RESPONSIBILITIES
Approved Provider/ Executive Team	<ul style="list-style-type: none"> <li>Oversee systemic risks and trends.</li> <li>Oversee policy governance, implementation and compliance.</li> <li>Ensure systems are in place to implement this policy consistently across all ECMS services.</li> <li>Provide resources, training, and support to services.</li> </ul>
Risk, Compliance & OHS Business Partners	<ul style="list-style-type: none"> <li>Support with the complaints process, investigations, data analysis and reporting, when required under reporting obligations as an early learner provider.</li> </ul>
Operational Leaders (Area Managers, Nominated Supervisors & Centre Directors)	<ul style="list-style-type: none"> <li>Lead local responses, ensure records are kept, and escalate serious matters.</li> </ul>
Educators, Employees, Students on Placement, Volunteers, as well as Individuals sharing a common workplace but not a common employer	<ul style="list-style-type: none"> <li>Must report complaints or concerns and escalate where appropriate. Support a culture where children feel safe, seen, heard and valued.</li> </ul>

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## APPENDIX 2: DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms, refer to the Definitions file of the ECMS Policy Catalogue.

Term	Definition
<b>Approved Provider</b>	The person or entity approved under the <i>Education and Care Services National Law 2010</i> to operate an education and care service.
<b>Complaint</b>	Any expression of dissatisfaction about the service, behaviour, decisions, or actions.
<b>Child-related concern</b>	Any issue raised involving actual or potential harm to a child.
<b>Trauma informed response</b>	Recognition that children, families and staff may be affected by trauma or distress and ensuring responses are safe, respectful, transparent, culturally sensitive and empowering. A trauma informed response seeks to avoid further harm or re-traumatisation by prioritising dignity, choice, trust, emotional wellbeing and appropriate support.

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