

### Complaints and Feedback Policy

#### Purpose

At ECMS, we welcome the opportunity to listen to and learn from our service users. We recognise through receiving compliments and complaints about our services, together we can affect high-quality service provision.

All service users have the right to provide complaints and to have these managed fully, fairly, and within a reasonable time frame. Service users will not be adversely affected by raising and lodging complaints.

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 about a service. It can also help prevent further escalation of the 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 reportable conduct, or where staff suspect a child is at risk, they will implement the Child Safe Policy or the Reportable Conduct Policy and associated procedures immediately (including the Reportable Matters Handbook).

Any complaints or feedback solely related to Child Information Sharing Scheme (CISS) or the Family Violence Sharing Scheme (FVISS) will be addressed and investigated as outlined in this policy. However, regulatory reporting requirements differ for these reforms, specific details are outlined in the Information Sharing Scheme Policy and Procedure.

#### Scope

This policy applies to all ECMS staff including the Board, Executive, support services, students on placement, volunteers, parents/guardians, and others attending ECMS services, including during off-site excursions and activities.

#### Definitions

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

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*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*

A **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).

## Principles

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

An approach to compliments and complaints management supports:

- Peoples' understanding their rights and responsibilities
- Information on the compliment and complaint management process being easily accessible
- Increased satisfaction of clients in the management of their compliments and complaints
- The recording of data to identify emerging and existing trends or systemic issues
- Staff to demonstrate an awareness of feedback, compliment, and complaint management processes
- Staff to develop the range of skills and capabilities required to manage compliments, 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 individuals and:

- Explain how and where to make a compliment or complaint, including an anonymous complaint
- Ensure the website and service sites have easily accessible information on how to lodge a compliment or 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

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- 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 acknowledgment
- Actively listening, 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 the complaint alleges the infringement of child safety or reportable conduct and, if so, immediately implement the procedure detailed in the Child Safety Policy or the Reportable Conduct Policy and associated procedures immediately (including the Reportable Matters Handbook)
- Determine whether the complaint alleges the infringement of privacy in relation to the Child Information Sharing Scheme (CISS) or the Family Violence Sharing Scheme (FVISS), and implement Information Sharing Scheme Policy and Procedure
- Enable complaints to be considered independently, fairly, and objectively. In some circumstances, this will include the interviewing of adults (inclusive of educators and families) and where appropriate children (with the support of a trusted family member or an educator). We will also provide an Interpreter where/when appropriate and requested.

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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 we will communicate our progress and how we will check things are 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
- 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.

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## Roles & Responsibilities

<p>Director, ECE</p>	<p>Accountable for:</p> <ul style="list-style-type: none"> <li>• Service users' rights are upheld through the organisation's complaints management system</li> <li>• Ensuring that practice complies with relevant legislation and with ECMS policy</li> <li>• Complaints are used to inform quality improvement</li> <li>• Issues are effectively addressed and reviewed in line with ECMS' Code of Conduct</li> <li>• Appropriate action is taken for complaints brought to this level.</li> </ul> <p>And to:</p> <ul style="list-style-type: none"> <li>• Act as the final arbitrator of complaints</li> <li>• Report to the Board at regular intervals regarding complaints made and issues relating to organisational policy, practice and procedures.</li> </ul>
<p>Area Managers</p>	<p>Are responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• Local processes are in line with this policy and procedure</li> <li>• Staff are aware of the complaints process and are supported when involved in the complaints process</li> <li>• Service users' rights to complain are managed accordingly and that they have access to the necessary information and services to make a complaint</li> <li>• Reportable complaints are reported to the Director ECE, in line with the procedure</li> <li>• Forward compliments to the Director, Marketing, Communications, and Digital.</li> </ul>
<p>Compliance Desk</p>	<p>Is responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• All reportable complaints to the Department of Education and Training (DET) are reported within 24 hours</li> <li>• All reportable complaints are recorded in the complaints database</li> <li>• Trending and analysis reports are conducted quarterly</li> </ul>
<p>Nominated Supervisors and Centre Directors</p>	<p>Are responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• Staff are aware and adhere to this policy and procedure</li> </ul>

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	<ul style="list-style-type: none"> <li>• The Compliance Desk is notified (within 2 hours) of a parent complaint</li> <li>• Support staff to complete required paperwork in relation to parent complaint following procedures outlined in the Reportable Matters handbook</li> <li>• Summary information about the complaints procedure for service users is given to new service users as part of enrolment</li> <li>• Complaints information is displayed poster style in services</li> </ul>
Employees, Volunteers, Contractors, and Student Placement Workers	<p>Are responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• Service users are aware of their rights with regards to making complaints</li> <li>• Service users are assisted in making complaints and are dealt with in a timely and empathetic manner</li> <li>• Complete complaint paperwork in line with the Reportable Matters handbook and lodge with the Compliance Desk within 24 hours</li> <li>• Forward compliments to the Director, Marketing, Communications and Digital</li> </ul>
Parents/Guardians	<p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Raising a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the complaints and grievances procedures</li> <li>• Communicating any concerns as soon as is practicable</li> <li>• Raising any unresolved issues or serious concerns directly with the Area Manager as per the Compliments and Complaints Poster located on the prescribed information board of the service</li> <li>• Maintaining complete confidentiality at all times</li> </ul>

## Sources

Related Policy and Procedure	<ul style="list-style-type: none"> <li>• Acceptance or refusal of authorisation Policy and Procedure</li> <li>• Child Safe Culture Policy</li> <li>• Child Safety Policy and Procedure</li> <li>• Code of Conduct</li> <li>• Emergency and Evacuation Management Policy</li> <li>• Excursion Policy</li> <li>• Incident Reporting Policy and Procedure</li> <li>• Infectious Diseases Policy and Procedure</li> </ul>
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	<ul style="list-style-type: none"> <li>• Interactions with Children Policy and Procedure</li> <li>• Information Sharing Scheme Policy and Procedure</li> <li>• Medical Conditions Policy and all associated Medical Procedures</li> <li>• Medication Policy and Procedure</li> <li>• Nutrition, Food Beverages and Dietary Requirements Policy and Procedure</li> <li>• Reportable Conduct Policy and Procedure</li> <li>• Sun Protection Policy</li> <li>• Supervision of Children Policy</li> <li>• Use of Images of Children</li> <li>• Participation of Volunteers and Students Policy and Procedure</li> <li>• Water Safety Policy</li> <li>• Whistleblower Policy</li> </ul>
Relevant Legislation	<ul style="list-style-type: none"> <li>• Children, Youth, and Families Act 2005 (Vic)</li> <li>• Child Wellbeing and Safety Act 2005 (Vic)</li> <li>• Charter of Human Rights and Responsibilities Act 2006 (Vic)</li> <li>• Education and Care Services National Law Act 2010 (Vic): Sections 165, 166, 167, 172</li> <li>• Education and Care Services National Regulations 2011 (Vic): 84, 85, 86, 99, 100, 101, 102, 168(2)(h), 173</li> <li>• Education Training and Reform Act 2006 (Vic)</li> <li>• Occupational Health and Safety Act 2004 (Vic)</li> <li>• Working with Children Regulations 2006 (Vic)</li> <li>• Child Wellbeing and Safety Act 2005 (VIC) (Part 2: Principles for Children)</li> <li>• Information Privacy Act 2000</li> <li>• Disability Act 2006</li> </ul>
Sources and Further Reading	<ul style="list-style-type: none"> <li>• <a href="#">Child Protection in Early Childhood (PROTECT)</a></li> <li>• Child Information Sharing Scheme</li> <li>• <a href="https://www.vic.gov.au/child-information-sharing-scheme">https://www.vic.gov.au/child-information-sharing-scheme</a></li> <li>• ECA Code of Ethics</li> <li>• Guide to the National Quality Framework</li> <li>• <a href="#">Parent Complaints - Childcare and children's services</a></li> </ul>

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## Appendix 1

### 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](http://www.dhhs.vic.gov.au)

#### 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.
- Telephone: 9637 2000
- Web: [www.education.vic.gov.au](http://www.education.vic.gov.au)

#### Approved childcare or licensed children's services

- Licensed Children's Service Help Line: 1300 307 415
- Email: [licensed.childrens.services@edumail.vic.gov.au](mailto: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](mailto: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](http://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](http://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](http://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: [www.cpdp.vic.gov.au](http://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](http://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.ccyp.vic.gov.au](http://www.ccyp.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](http://www.ibac.vic.gov.au)

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