



Occasional Child Care Complaints and Appeals Policy and Procedures

Children's Services Regulations 2009

(i) Provision for dealing with complaints

Prahran Community Learning Centre Inc. (*thereafter known as PCLC or the Children's Service*) seeks to continuously provide a high quality childcare, education and training service in which all are encouraged to strive for excellence and fulfil their potential.

It is committed to developing and maintaining effective, timely, fair and equitable complaints handling system which is easily accessible and offered to complainants at no charge and where possible, are managed quickly, at the local level and with a minimum number of people involved. The resolution process will focus on a rapid re-establishment of good educational working relationships and positive outcomes. The procedures aim to avoid blame and undue investigation.

This policy applies to all Parents/ Guardians and Children (*including current, past and prospective children*) who have contact with the Children Service. This policy applies to all complaints requiring resolution except those covered under equal opportunity or access and equity.

Complainants can choose to utilise resources outside PCLC to resolve their complaint.

In handling a complaint, whether formal or informal, confidentiality will be maintained to:

- Protect all parties involved in a complaint under the principles of natural justice;
- Prevent the possibility of a defamation or other legal action; and
- Involve the minimum number of people possible.

All parents/guardians, children and staff are to be informed of the complaint resolution procedures. The focus for resolution will be on issues rather than individuals. Parents/guardians, children and staff are to be protected from victimisation. Natural justice principles will be used to ensure procedural fairness.

A complainant has the right to withdraw the complaint at any stage.

If a parent/guardian or child is utilising this process, their enrolment must be maintained while the complaints and appeals process is on-going.

Process

There are two types of complaint: Informal and Formal. Parents/guardians may choose either process. Specific procedures for student complaints resolution should be referred to as each circumstance indicates.

Informal complaint

A complaint is considered to be informal when it is made verbally. It is also considered to be informal when it is made in writing and addressed to the person against whom the complaint is being made unless a signed copy of that letter is also sent to an assigned nominee of the

Children's Service. An informal complaint will be referred to an appropriate person to assist the effective and rapid resolution. Resolution of a complaint is to be achieved as quickly as possible, at the local level and with a minimum number of people involved.

Formal complaint

A "formal" complaint can be defined as a Parents/Guardians or Child's expression of dissatisfaction with any aspect of the Children's Services and activities including, and around which they request that action be taken. The complaints may include, amongst others:

- The enrolment, induction/orientation process;
- The quality of care provided;
- Access to personal records;
- The way someone has been treated;
- The resources and facilities available for children; and

All parties have a right to confidentiality and privacy, subject to necessary legal responsibilities and the complaint will be forwarded to the most appropriate person (*as determined by the Principal Executive Officer*) to assist the effective and rapid resolution of any complaint.

At all times, parties to the complaint may be accompanied by another person of their choosing, except where that person is a legal practitioner. Each party will have opportunity to formally present their case should they wish to do so.

Before an issue becomes a "formal" complaint

Parent/guardians are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. This could be a childcare professional, administration staff or a support staff available to assist parents/guardians to resolve their issues at this level. If the matter cannot be resolved at this level, to the satisfaction to the complainant, then the issue moves to one of a "formal complaint"

Who can lodge a complaint using this procedure?

- An individual participant
- A group of participants (class)
- Parent/ Guardian
- A group of Parents/ Guardians
- A committee who represents the complainant

It is the children's services responsibility to deal with all complaints and to notify the Department, if required.

The children service is required to deal with and respond to the complaint in a discrete, effective and timely way. Also, the children's service must tell the Department within 24 hours if the complaint alleges that:

- a child's health, safety or wellbeing has been compromised
- the relevant legislation has been contravened

2. Procedure

This procedure is designed to be utilised by parents/guardians or children who wish to lodge a formal complaint. Where a person lodges a formal complaint, their enrolment will be

maintained throughout the process. There is no cost for a person to lodge a complaint or an appeal.

2.1 Stage One

2.1.1 Complaints must be submitted in writing by way of a Complaint Form to the nominee (list of nominees displayed in the children's service). Receipt of any complaints will be acknowledged in writing within 5 business days and the complaint process will commence within 10 business days of the receipt of the complaint.

2.1.2 The nominee will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. This should occur by way of a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview with the complainant, they may ask another person to accompany them (*not a legal practitioner*).

2.1.3 This initial meeting will endeavour to resolve the complaint, and provide a written report to the complainant within 20 working days on the steps that will be taken to address the complaint, stating clearly the reasons for the decision

2.1.4 The Complaints and Appeals Register will be updated to record the outcome.

2.2 Stage Two

2.2.1 If the complainant is unsatisfied with the outcome at Stage One, they may appeal the decision reached in Stage One in writing to the Principal Executive Officer within 14 days of receiving the written report of the outcome of Stage One.

2.2.2 The Principal Executive Officer may appoint a person who was not involved in the original decision to consult with the complainant and other relevant parties.

2.2.3 Where such consultations should take the form of face-to-face interviews so that the complainant has an opportunity to formally present their case. The complainant may ask another person (*not a legal practitioner*) to accompany them to the interview.

2.2.4 Once the Principal Executive Officer receives a written report of the consultation procedure, she will provide a written report to the complainant on the further steps taken to address the complaint, together with the Principal Executive Officer clearly stating the reasons for the decision.

2.2.4 The Complaints and Appeals Register will be updated to record the outcome.

2.3 Stage Three

2.3.1 If the complainant is unsatisfied with the outcome of their appeal, they may make a written request to PCLC that they wish the matter to be dealt with by the Department of Education & Training.

2.3.2 Contact details for Department of Education & Training

Level 5, 165-169 Thomas Street

Dandenong, Victoria 3175

Telephone: (03) 8765 5787

DX: 211583

PO Box 5

Dandenong, Victoria 3175

Email: smr.qar@edumail.vic.gov.au

2.3.3 Direct complaints can be made to the Department where the complaint alleges that:

- the safety, health or wellbeing of a child or children was or is being compromised while that child or children is or are being educated and cared for by the approved education and care service
- the relevant legislation has been contravened

For more information on raising your concerns, see: [Parent Complaints – Child Care or Children’s Services](#)

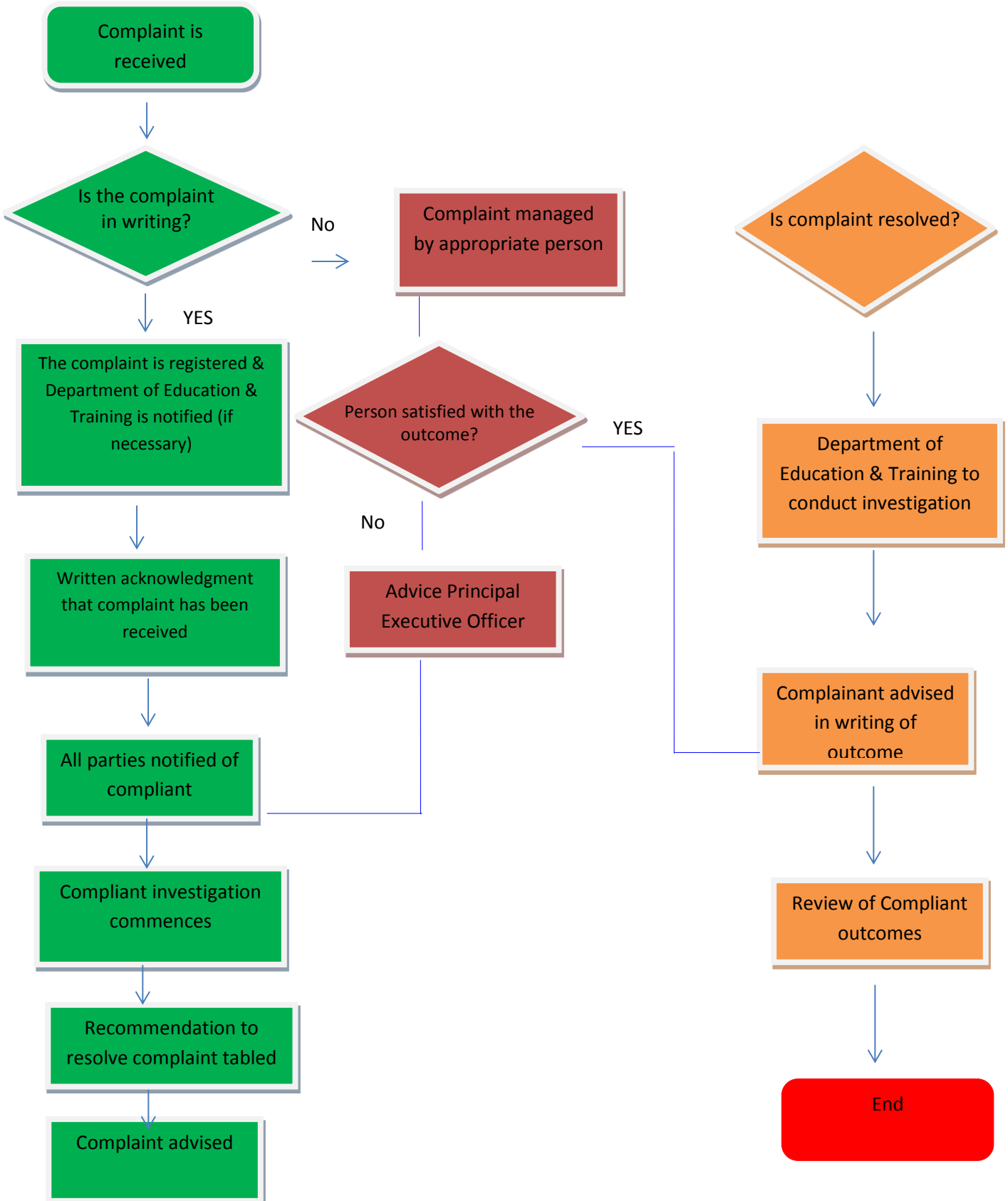
In this situation, an authorised officer from your local regional office will assess how serious the complaint is and then take further action. An authorised officer will always investigate any complaints the allege a child’s health, safety or wellbeing has been compromised or there has been a contravention of the relevant legislation. Among other things, the authorised officer may telephone the service, inspect the service, question staff members, take written statements, conduct formal interviews, or seize evidence when investigating complaints.

2.3.4 For contacts of your regional office, see: [Regional Offices](#)

This to consider before making a complaint

Before you approach our child’s child care service or staff member you should:

- be clear about the topic or issue you want to discuss
- focus on the things that are genuinely affecting your child
- always remain calm and remember you may not have all the facts relating to the circumstances of the topic or issue you wish to discuss
- think about what would be an acceptable outcome for you and your child
- be informed; check the relevant legislation and the service’s policies or guidelines, where relevant



Document Title	Version No	Key Words	Approval Date	Author	Approved by	Amendment
----------------	------------	-----------	---------------	--------	-------------	-----------

Occasional Child Care Complaints and Appeals Policy and Procedure	One	Child Care Complaints and Appeals	03/15	Client & Community Services Manager	Principal Executive Officer	N/A
---	-----	-----------------------------------	-------	-------------------------------------	-----------------------------	-----