**8.0**

**8.1** COMPLAINTS AND DISPUTES

**Complaints and Disputes Policy – families and educators/staff members.**

Quality Area 4 Staffing Arrangements, Quality Area 6 Collaborative Partnerships with Families, Quality Area 7 Leadership and Service Management, 7.3.4

**Educators/Staff members:**

**Aim**

St Peter’s Preschool aims to ensure that educators/staff member’s work related concerns with the administration, the work programs and with other staff members are resolved to ensure a productive and happy work environment.

**Implementation:**

Staff members who have a grievance should talk directly to the staff member they have the grievance with. Both should try to resolve the issue and develop solutions to ensure that the problem doesn’t happen again.

Ethically, other staff members or families should not be involved in an individual concern and it is not ethical for that concern to affect inter-staff/educator relationships. If unable to resolve the situation, the preschool’s Nominated Supervisor should be called in to conflict resolution to both sides. The Nominated Supervisor’s role is to be non-biased and fair when dealing with a problem and to maintain confidentiality. Only relevant staff members will be informed of the outcome of any conflict resolution. **If applicable**, staff members may also contact their trade union official, or may have a support person present.

Staff members are encouraged to communicate openly with the Nominated Supervisor. Problems can be discussed formally, informally or at an educator meeting. Team work is encouraged amongst all preschool staff members and having respect for other team members is crucial.

**Families:**

**Aim**

The preschool’s aim is to welcome family’s comments and concerns in any area of our work and to encourage parents to speak with us if you have any concerns or comments that may help us improve our preschool or our performance.

Each family that uses St Peter’s Preschool is able to raise issues of concern and to have them resolved.

**To avoid complaints and dispute arising, St Peter’s Preschool will follow the principles of complaint prevention:**

* We will respect and promote the rights of children and their families
* We will encourage families to have a voice in decision making, by having open communication and various opportunities for feedback
* We will clearly model the standards that families can expect the preschool to meet
* We will at all times respect the confidentiality of familles, educators/staff members and committee members
* We will include all staff members in the decision making process, and show respect for their views and experience

**Implementation**

**Awareness of rights**

St Peter’s Preschool recognises the right of individual children to a high quality service. The Preschool aims to have all families aware of the complaints policy.

**Confidentiality of complaints**

In general, complaints will be confidential. They will be discussed with as few people as possible, and where possible, the name of the complainant and/or the person who is the subject of the complaint will not be used.

The exceptions to confidentiality are:

* Where it is revealed that a child may be at risk of abuse
* Where another person is in danger
* Where a person has made threats to harm themselves or others
* Where a criminal offence may have been committed

In these instances, the matter must be discussed fully with the President of the Board of Management.

**Receiving a complaint**

Complaints may be received by the Nominated Supervisor or any member of the Management Committee. Complaints are to be made in writing. All complaints will be accepted.

When receiving a complaint:

* Listen carefully to the person making the complaint
* Ensure they have adequate support if required
* Assist them to be as clear and precise as possible
* Ask them what outcomes they would like to see from the complaint
* Ask for the person’s permission to discuss the complaint with the Nominated Supervisor or the President. If they do not agree to this, explain that it is not possible to take the matter further without informing the Nominated Supervisor or the President.

Agree on a time to see them, when it has been discussed with the Nominated Supervisor or the President. For serious matters, this should be within two working days. For less serious matters, it should be as soon as possible, and not more than one week.

If a grievance is raised with a member of the Board of Management, they should refer the matter immediately to the Nominated Supervisor if possible.

**Timeframes**

When a complaint is first received, the person making the complaint will be told when they can expect to hear back from the Nominated Supervisor or the President. For serious matters, this should be done within two working days. For less serious matters, it should be as soon as possible, and not more than one week.

At this time the complainant will be told:

* Whether, with their agreement, conciliation will be attempted, and if so, when and how this will happen
* Who is the person responsible for overseeing the management of the complaint
* What they can do if they are not satisfied
* The timeframe for the next stage of the process

**Conciliation**

Conciliation is where a complaint is raised through talking to the person raising the issue. Conciliation is an informal process, and all people involved seek to understand the issue and find solutions that meet the needs of all concerned. Conciliation is a process that leads to improvement through feedback.

Conciliation will be used if:

* The complaint is relatively minor and is caught at an early stage
* The conciliation is undertaken by someone in a senior position to the person about whom the complaint was made
* The person raising the complaint has on ongoing relationship with the preschool
* Each person agrees to the process

Conciliation will not be used if:

* The complaint is complex
* If facts are likely to be in dispute
* If the complaint may lead to disciplinary action, or
* If the complainant’s wants cannot be provided, or
* If the complaint contains allegations of a criminal offence, corrupt conduct, abusive behaviour to a child, or
* If the complaint was anonymous

If after initial attempts at conciliation, other information comes out, it may also be necessary to abandon conciliation.

**Recording complaints and concerns**

The Nominated Supervisor is responsible to ensure that all complaints are stored securely and will remain confidential.

**Protection of complainants**

Where a complaint was not able to be conciliated, and was handled formally either within or outside the Preschool, the Nominated Supervisor and the President are jointly responsible for following up with the complainant to ensure that they have not been disadvantaged by making the complaint, and they have not been victimised in any way.

**Advocacy**

Parents have the right to involve an advocate of their choice at any point within the process. The advocate may be a family member or friend, a worker from another agency, or any other person that the family choose. The family has the right to change their nominated advocate at any time.

**Community Services Commission**

In the first instance, conciliation will be attempted where the criteria are met. Where conciliation is not possible or not successful, and a formal grievance process is undertaken, the person raising the complaint will be reminded of their right to contact the Community Services Complaints Division, which can contacted by ringing the NSW Ombudsman’s Office on 1800 451 524, or 02 9286 1000.

Review