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# ARANDA AFTERS ASSOCIATION INCORPORATED

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## SUGGESTIONS AND COMPLAINTS POLICY

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Implemented	Updated/Reviewed	Next Review Due By
March 2015	May 2015	March 2017

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# 1 REFERENCES

## NATIONAL QUALITY STANDARDS

QA2	2.3.2	Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury
QA4	4.2.1	Professional standards guide practice, interactions and relationships.
	4.2.2	Educators, co-ordinators and educators work collaboratively and affirm, challenge, support and learn from each other to further develop their skills, to improve practice and relationships.
	4.2.3	Interactions convey mutual respect, equity and recognition of each other's strengths and skills.
QA7	7.3.2	Administrative systems are established and maintained to ensure the effective operation of the service.
	7.3.4	Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

## NATIONAL REGULATIONS

Reg	168	Policies and procedures are required in relation to health and safety.
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# 2 AIM

Aranda Afters Association Incorporated [Aranda Afters] aims do everything possible to protect the health, safety and welfare of all staff and children who participate in our service.

# 3 IMPLEMENTATION

## DUTY OF CARE

The Approved Provider and the Director will ensure they take all reasonable steps to ensure the health and safety of all educators, staff, volunteers, children, their families and any other people impacted by the service operations. This includes identifying and eliminating or reducing all reasonably foreseeable hazards and providing appropriate training and instruction.

Our educators, staff and volunteers will also ensure they take reasonable care for their own health and safety and that their conduct does not adversely affect the health and safety of other people.

## 4 MANAGING BREACHES OF THE CODE OF CONDUCT AND COMPLAINTS/GRIEVANCES

All breaches of our **Code of Conduct** (including corruption, maladministration and waste of resources) and complaints or grievances from educators, staff members, families, visitors, or volunteers associated with the workplace or any other person will be managed in line with our **Suggestions and Complaints Policy** guidelines.

This includes incidents of bullying, discrimination and harassment at the Service. Our Service takes any incident of (alleged) bullying, discrimination or harassment very seriously because it can cause significant health and well-being issues for those affected.

Grievances can occur in all workplaces and handling them properly is important for maintaining a safe, healthy, harmonious and productive work environment. Documented grievance procedures are important because:

- Staff, children, families and visitors need to know a process exists for receiving and managing grievances and complaints fairly, impartially, promptly and thoroughly.
- They help to ensure small issues or problems do not escalate.
- Supervisors and managers need to be aware of issues causing conflict.
- Documentation provides evidence and a record of the grievance and the outcome.
- Complaints facilitate continuous improvement of Service operations.

### COMPLAINT GUIDELINES

These procedures explain the procedure for reporting and managing grievances, the roles and responsibilities of educators, staff and managers and the potential consequences of breaching our policies and procedures and Code of Conduct.

Anyone can make a complaint. Ideally, most complaints should be resolved informally with the relevant employee. Many concerns are resolved quickly and easily by first discussing the matter with the relevant teacher, school executive team member or school principal.

### KEY CONSIDERATIONS

- What can a complaint be about?
- How can I make a complaint?
- How will my complaint be handled?
- What about confidentiality?
- What if I am not satisfied with the outcome?

### WHAT CAN A COMPLAINT BE ABOUT?

A complaint can be about:

- Any aspect of the service provided, or not provided, by Aranda Afters;
- The behaviour or decisions of staff;

- Aranda Afters practices, policies or procedures; or
- Any other matter that you consider impacts on Aranda Afters' provision of its service.

## COMPLAINT PROCESS

- 1 Raise your concern, in person, with the Director and/or Approved Provider (Aranda Afters). If you continue to be concerned you should make an appointment to speak with the Director and/or a member of the Aranda Afters Committee.
- 2 If you are not satisfied with the response, you may lodge a written complaint. The Aranda Afters Feedback Form is available to use for this purpose. A copy is located in Appendix 1 of this policy document and can also be accessed from our website [www.arandaafters.com](http://www.arandaafters.com). If you lodge a written complaint you will receive:
  - An acknowledgment of receipt of your written complaint within five (5) business days; and
  - A written response within 25 business days.
- 3 If you feel that the decision relating to your written complaint is not consistent with Aranda Afters' policies you can contact the Children's Policy Regulation Unit (CPRU). CPRU contact details are:
  - Mail: GPO Box 158  
Canberra City ACT 2601
  - Phone: (02) 6207 1114
  - Email: [cpru@act.gov.au](mailto:cpru@act.gov.au)

## CONFIDENTIALITY

All parties to a complaint are expected to treat the matter confidentially.

This requires everyone, including the complainant, to ensure that information is restricted to those who genuinely need to know. Furthermore, those people should only be told as much as they need to know and no more. For example, some people may need to know of the issue so that they can provide advice, but not of the identities of the persons involved.

## FACTORS TO CONSIDER IN MANAGING A COMPLAINT

### 4.1 Educators, staff and volunteers will:

- Raise the grievance or complaint directly with the person they have grievance with. Both parties should try to resolve the issue and develop solutions to ensure the problem does not happen again.  
Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness; will not involve other educators, staff, volunteers or visitors (eg: parents); and will take place away from children.
- Raise the grievance or complaint with the Director and/or Approved Provider (Aranda Afters Association Inc.), or another manager/supervisor if the grievance involves the Director and the Approved Provider, if they are unable to resolve the concern, or feel uncomfortable raising the matter directly with the person concerned.

The Director and/or the Approved Provider, or other manager, may ask for the issue to be put in writing. Employees should provide all relevant information, including what the problem is,

any other person involved in the problem and any suggested solution. Educators are encouraged to communicate openly about the issue.

- Raise any grievance involving suspected or actual unlawful activity (including bullying) with the Approved Provider, Director or delegate immediately and privately.
- Be confident that their concerns will be treated seriously and considered carefully, whilst being aware that the outcome may not result in the action requested.

#### 4.2 Parents, and other concerned members of the community, will:

- Voice their complaint or concern, in relation to the running of the Service either in administration or child interaction, with the Director or Approved Provider.
- Write their complaint or concern addressing it to the Director and/or Approved Provider. A personal response will be provided unless the complainant chooses to remain anonymous.
- Contact the Director, or delegate, if they wish to make a request to speak to an educator or member of staff about a specific complaint or concern. The Approved Provider, Director, or delegate, will determine whether, or not, the request is appropriate and how the meeting will take place.

Educators or staff will put in place steps to address the concern or complaint as quickly as possible. However, educators and staff do reserve the right to have the complaint put in writing.

- Be aware that if a service-wide problem has been brought to our attention all families and staff will be informed of the contents of the complaint but not the name of the complainant.
- Be aware that the service will use a Grievance Procedure/Register to ensure that the grievance is followed through and sufficiently investigated.

#### 4.3 Educators, staff, volunteers parents, visitors, or other complainant will not:

- Become involved in complaints or grievances that do not concern them. This is neither ethical nor likely to advance the grievance process or outcome.
- Raise complaints with an external complaints body, such as a court or Tribunal, without exhausting our grievance procedures.

#### 4.4 The Director and/or Approved Provider will:

- Treat the complaint seriously and deal with it as a matter of priority in a confidential and impartial manner.
- Properly, fairly and impartially consider the issue. This will include:
  - reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and relevant.
  - discussing the nature of the complaint (or breach) and giving an educator, staff member, volunteer, visitor or other appropriate person an opportunity to respond. To encourage teamwork and respect, the issue may be discussed at an educator meeting if the privacy of the people involved can be protected.
  - allow the person against whom a complaint is made to have a support person present during an interview (eg: Health and Safety Representative (HSR)). However, this does not include a lawyer acting in a professional capacity.
  - providing the person against whom a complaint is made with a clear written statement outlining the outcome of the investigation.

- Advise the complainant and all affected parties of the outcome within 25 business days of receiving the complaint if the:
  - complaint has been put in writing, or the parties involved request a written response, the Director and/or Approved Provider will provide a written response outlining the outcome. If a written agreement about the resolution of the complaint is prepared, all parties must agree it accurately reflects the resolution.
  - Director and/or Approved Provider decides not to proceed with the investigation after initial enquiries, he or she will give the complainant the reason(s) in writing.
- Keep appropriate records of the complaint process and outcome, and store those records in accordance with our **Privacy and Confidentiality Policy** and **Record Keeping and Retention Policy**.
- Monitor ongoing behaviour and provide support as required.
- Ensure the parties are protected from victimisation.
- Track complaints to identify and/or rectify recurring issues within the Service.
- Notify the regulatory authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Please refer to **our Incident, Injury, Trauma and Illness Policy**.

4.5 Workplace bullying matters may be referred to the Fair Work Commission which can direct employers to take specific actions against workplace bullies or the Work Health and Safety (WHS) Regulator which may investigate whether WHS duties have been contravened.

4.6 Outcomes may include:

- Giving and/or gaining an apology and a commitment that certain behaviour will not be repeated and monitoring this over time.
- Education and training in relevant laws, policies or procedures (eg: bullying awareness, leadership skills).
- Assistance in locating relevant counselling services.
- Disciplinary procedures including a verbal or written warning, termination of employment or transfer to a different position at the Service.
- Redressing any inequality which occurred to the complainant.
- Providing closer supervision.
- Modifying Service policies and procedures.
- Developing new policies and procedures.

4.7 Outcomes will take into consideration relevant industrial relations principles and guidelines and make provision for procedural fairness. The Director and/or Approved Provider will consider:

- The number of complaints (or breaches).
- The opportunities given to adhere to a policy or procedure and/or change behaviour.
- The opportunities given to respond to the allegations.
- The seriousness of the complaint (or breach), and whether it impacted the safety and welfare of other employees, volunteers or visitors.
- Whether a policy, procedure or complaint is reasonable.

## 5 REMEDY AND SYSTEMS IMPROVEMENT

If required, there is available an optional Checklist for Complaint Manager which will assist in managing a complaint.

### OVERVIEW OF THE PROCEDURE

If the complaint is about a policy or procedure, organisational culture, or similar issues then it could be an opportunity for systems improvement. This procedure can be initiated by the Director or Approved Provider.

### REMEDY

Remedy is the action taken to correct or rectify a situation for an individual. This means addressing any claim that the complainant has been treated poorly or unfairly by the system.

### SYSTEMS IMPROVEMENT

Systems improvement is the process of improving a system to prevent future problems.

At times, remedy and systems improvement may arise out of complaints dealt with under either Negotiation or Investigation procedures.

### STEPS IN THE REMEDY AND SYSTEMS IMPROVEMENT PROCEDURE

This procedure applies whether or not the complaint is anonymous. The extent of record keeping can vary according to circumstance.

- Step 1 – Assess if remedy and/or systems improvement is warranted
- Step 2 – Immediate remedy

#### STEP 1 – ASSESS IF REMEDY AND/OR SYSTEMS IMPROVEMENT IS WARRANTED

In some cases neither remedy, nor systems improvement, will be possible as the matter is covered by legislation or other government policy or procedures or due to resource limitations.

In other cases, short term change is not possible but the suggestion or complaint could inform long term development. If so, explain this to the complainant.

#### STEP 2 – IMMEDIATE REMEDY

If remedy and/or systems improvement is warranted, and the person receiving the complaint has authority to do so, then remedy the problem if possible within **ten** (10) working days of receipt and notify the complainant. The Director or Approved Provider implements systems improvement if needed.

## POSSIBLE OUTCOMES

Remedy may involve one or more of the following:

- Providing explanation and reasons if not previously provided.
- Dismissing the complaint (eg: if the decision accords with legislation or government policy or related workplace policy or procedure).
- Concluding that the complaint has been substantially resolved.
- Reaching a compromise solution.
- Upholding the complaint and implementing specific action such as overturning a decision, giving an apology or providing a service not previously provided.
- Addressing or referring the issue for system improvement.

Systems improvement may involve one or more of:

- Policy development or revision.
- Process improvement (ie: changes to procedures and workplace practices).
- Expert assistance, staff development or performance improvement.
- Improved implementation (eg: issuing updated documentation or reminders).
- Monitoring compliance.
- Other action to ensure that the matter is handled appropriately in future.

## 6 INFORMAL RESOLUTION OF ISSUES AND CONCERNS

It is preferable to try to settle a problem early rather than allow it to escalate into a larger and more difficult dispute. The cost of not doing so leads to unhappy people. The following techniques will assist with the informal resolution of issues and may avert issues from escalating.

### TIMING

- Choose a good time to approach the other person so that neither of you is rushed.
- Find a place where you can both be comfortable and speak quietly for a while without interruption.
- Explain that something has been worrying you and you would like to sort it out.

### PLANNING

Think about what you want to say beforehand. It is important to state clearly what the problem is and what you would like to see happen.

However, you can start on the wrong foot if you have a checklist of the things you want to talk about without first warning the person. No one likes those kinds of surprises.

## LANGUAGE

Try to use "I" language instead of "You" (eg: "I need to have, do or feel [xxx]. Can we work this out?" usually works better than "You didn't do [xxx] or "You made me feel [xxx])

This implies that the other person is in the wrong or is to blame – which may not be the case.

## LISTENING

Let the person know you are listening. There is nothing more frustrating than trying to talk to someone who does not appear to be listening. Use the following listening techniques:

- Give the person a chance to tell you the other side of the story.
- Be prepared to relax, listen and take everything in.
- Do not be tempted to interpret the other person's behaviour. You may get it very wrong.
- Ask clarifying questions to make sure you have understood what they are saying.
- Say that you are glad you are talking about the problem - and mean it. This helps to ease the tension and is a great help in moving things towards an agreement.

## RESOLVING

Try to work together to generate solutions.

- Ask "what if ... " questions.
- "Let's try ... " approach.
- Brainstorm.
- Chunk the problems – break them up into sections.
- Encourage a tentative agreement, and
- Agree on a time-period to check with each other to see how things are going.

## 7 APPENDIX 1 – FEEDBACK FORM

Please use our Feedback Form, on the following page, when making a suggestion, complaint – or providing a compliment – to us.

The form can also be accessed via our website: [www.arandaafters.com](http://www.arandaafters.com).



# Aranda Afters Association Incorporated

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## FEEDBACK FORM

We value your feedback, comments and suggestions. If you have any feedback for us please complete the form, below, and return it to [admin@arandaafters.com](mailto:admin@arandaafters.com) or to [director@arandaafters.com](mailto:director@arandaafters.com)

Name:

Contact phone:

Contact email:

Type of feedback:

Feedback (attach a separate file if required):

Suggested solution/resolution (if lodging a complaint):

Signature:

Date:

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