

Dealing with Complaints Policy & Procedures

Policy Statement

We believe that parents have an important role in the service and we value their comments. We aim to ensure that parents feel free to communicate any concerns they have in relation to the service, staff, management, programs or policies without fearing negative consequences, and that they are made fully aware of the procedures to do this. Our priority is to do everything possible to improve the quality of our service.

It is inevitable that feedback will include differing opinions, occasionally resulting in complaints. This Policy details the service's procedures for receiving and managing informal and formal complaints. Our processes supports and encourages children, families, parents, visitors, students and members of the community to lodge a legitimate grievance in the knowledge that it will be managed diligently and confidentially.

Links to the Education and Care Centres National Regulations 2018, National Quality Standards 2018

Regs	S. 2A	Paramount consideration—safety, rights and best interests of children (commencing 2026)
	S. 3	Paramount consideration [NSW]
	S. 5AA	Meaning of inappropriate conduct [NSW]
	S. 166A	Offence to subject child to inappropriate conduct [NSW] Offences relating to inappropriate conduct [commencing 2026 Nationally]
	S. 172	Offence to fail to display prescribed information
	S. 174	Offence to fail to notify certain information to Regulatory Authority
	(2)(b)	
	12	Meaning of a serious incident
	84	Awareness of child protection law
	149	Volunteers and students
	168	Education and care service must have policies and procedures- for dealing with complaints
	(2)(o)	
	170	Policies and procedures to be followed
	171	Policies and procedures to be kept available
	172	Notification of change to policies and procedures
	173	Requires an approved provider to make the name and telephone number of the person to whom
	(2)(b)	complaints may be addressed clearly visible at the service
	176	Time to notify certain information to Regulatory Authority
	183	Storage of records
NQS	6.1	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
	6.1.2	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
	6.2	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
	7	Governance and management (7.1.2, & 7.2.1)

Principles Informing Policy and Procedures

Complaints and grievances may occur in any education and care environment. They provide valuable opportunities for our Service to identify issues, address them effectively, and improve the quality of care we



deliver. We believe that children's safety, rights, and best interests are the paramount consideration for all Service operations, decisions and functions.

Our *Dealing with Complaints Policy* ensures the following values:

- all individuals are given the opportunity to be heard
- conflicts are resolved fairly and respectfully
- positive, collaborative partnerships are fostered
- complaints are managed transparently, equitably, and consistently
- child safe complaint culture
- children's rights, safety, and wellbeing remain the priority
- children exhibiting harmful sexual behaviours are responded to appropriately
- responses take into account a child's age, cultural background, developmental stage, and additional needs.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).

Child-Focused Complaints Process – National Principles for Child Safe Organisations

Our OSHC Service is committed to the *National Principles for Child Safe Organisations* (or relevant state/territory Child Safe Standards). In line with Principle 6, we adopt a child-safe approach to all complaints involving children and young people.

We ensure that:

- concerns, disclosures, suspicions, or allegations are taken seriously and responded to promptly
- complaint processes are accessible, culturally safe, and easily understood by children, young people, and families
- educators actively teach children how to raise concerns and who to speak to if they feel unsafe
- all complaints are managed in compliance with legal obligations, with children's safety and wellbeing at the centre of decision-making.

Definitions

Complaint – An expression of dissatisfaction relating to the Service, its practices, staff, or the handling of an earlier complaint, where a response or resolution is expected (AS/NZS 10002:2014). Complaints can be made to the approved provider, staff/educators in the service, external bodies including the regulatory authority, police, child protection agency or e-Safety commissioner.

Complaints can be verbal or in writing (letter, email or digital form).



Grievance – A more serious complaint, usually formalised, that cannot be resolved immediately. In the workplace, this refers to a breach of legal obligations, contracts, or standards.

Complaint & Grievance Management Register – A secure record of complaints received, outcomes, and supporting documentation. Accessible only to authorised staff and regulatory authorities.

Complaint Handling – The process of receiving, investigating, and resolving complaints.

Inappropriate conduct to a child - any behaviour that a reasonable person would consider to be inappropriate in an education and care service, taking into account the child's age, development, safety, wellbeing and the context of the interaction.

Investigation – A formal and systematic inquiry to establish facts about the complaint by collecting, documenting, examining and evaluating evidence.

Mediator – A neutral party assisting in resolving conflict through constructive dialogue.

Mediation - An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

Notifiable Complaint – A complaint that alleges a breach of the *Education and Care Services National Law and Regulations*, National Quality Standard or alleges that the health, safety or wellbeing of a child at the Service may have been compromised. Any complaint of this nature must be reported by the approved provider or nominated supervisor to the Department of Early Childhood Education and Care within 24 hours of the complaint being made – (S. 174[2] [b], Reg. 176[2][b]).

If the approved provider/nominated supervisor are unsure whether the matter is a notifiable complaint, it is good practice to contact the [Regulatory Authority](#) for confirmation. Written reports must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the *Grievances Subcommittee* (or nominated supervisor)
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).



Serious Incident – As per Reg. 12, incidents including death, serious injury/illness, missing/unaccounted children, unauthorised removal, or children mistakenly locked in/out. Must be documented within 24 hours and notified to the regulatory authority.

Privacy and Confidentiality

All complaints will be managed in line with our *Privacy and Confidentiality Policy*. Where complaints involve staff or child protection matters, relevant government agencies must be notified (see *Child Protection Policy*).

Conflict of Interest

To ensure fairness and impartiality:

- complainants must feel confident that their concerns will be heard without bias
- if the approved provider/nominated supervisor is involved in the complaint, another member of management or an independent mediator will handle the matter
- independent conflict resolution services may be engaged if required
- the Service Code of Conduct will guide all interactions.

Implementation of Procedures

Roles and Responsibilities of:

The Approved Provider/Nominated Supervisor/Management Will:

- comply with National Law, Regulations, and Family Assistance Law requirements
- ensure all staff, students, and volunteers know where to locate this policy and are aware of and adhere to this policy and procedure
- include complaints management in induction for new staff and educators
- ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the entry of the OSHC Service
- clearly display the contact details of the Service's complaint contact person and the regulatory authority at the Service entry
- make all complaint procedures and forms easily accessible to families, children, staff, and visitors
- ensure complaint processes are child-focused and provide children with empowerment and age-appropriate guidance on making a complaint
- ensure child-focused complaint procedures are in place so any inappropriate conduct concerns are promptly identified, addressed, and reported to the regulatory authority
- notify the regulatory authority within 24 hours of any notifiable complaint or allegation of abuse
- ensure complaints are taken seriously, handled confidentially, and resolved fairly
- investigate and document grievances impartially, offering all parties the opportunity to respond and, where appropriate, bring a support person
- provide written acknowledgement within 2 working days and an outcome within 7 working days to all affected parties. The response will be age and developmentally appropriate.
- maintain accurate complaint records in line with record-keeping requirements
- protect complainants from victimisation or bullying



- use complaints to inform continuous improvement and update the Quality Improvement Plan (QIP).
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Educators will:

- report all complaints to the nominated supervisor or approved provider promptly
- ensure complaint processes are accessible, inclusive, culturally safe and child-focused
- listen respectfully to complainants and record facts accurately
- support children and families to understand the process and possible outcomes
- maintain confidentiality at all times
- refer to relevant policies when helping families resolve issues
- be aware of mandatory reporting obligations and respond to disclosures immediately
- ensure children know who they can talk to if they feel unsafe.

Responsibilities of Complainants

Complainants are expected to:

- raise concerns initially with the relevant educator, unless the matter requires regulatory notification
- complete a *Complaints/Grievance Form* or provide the complaint in writing to the nominated supervisor/approved provider, including access to a child-friendly version
- maintain confidentiality throughout the process
- allow reasonable time for resolution and participate in discussions where appropriate
- escalate concerns to external agencies if unsatisfied with the outcome. (Eh. Regulatory authority, e-safety)

Complaints Relating to the Administration of Child Care Subsidy (CCS)

Families who wish to raise concerns regarding the management of Child Care Subsidy should speak with the nominated supervisor in the first instance. The nominated supervisor will follow the steps as outlined in this policy, including advising the approved provider of all grievances.

Families can raise concerns regarding management of the Child Care Subsidy to the Department of Education via their [Online contact form](#). Additionally, information about any potential breach of Child Care Subsidy can be reported anonymously by submitting an online report directly to the Department of Education. For more information visit the Department of Education website: [Reporting fraud via a tip-off](#).

Complaints Involving Allegations of a Child Exhibiting Sexual Behaviours

'Providers and educators play an important role in making informed professional judgements regarding sexualised behaviours involving children. Not all sexual behaviour involving children poses a risk to their safety.' (ACEQA, 2024).

The approved provider will ensure:

- educators and staff respond to any complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child



- educators and staff assess the need for urgent police and emergency services assistance and inform the approved provider/nominated supervisor
- the regulatory authority is notified within 24 hours of any complaint alleging that a serious incident has occurred whilst a child is educated and cared for or complaints alleging that the Law has been contravened (S.174 (2)(b)).
- educators and staff are aware of the process for responding to disclosures from children as per our *Child Protection Policy* (Reg.84)
- educators and staff are aware of their duty of care and mandatory reporting obligations to make a report to Department of Communities and Justice (DCJ) Child Protection Hotline NSW
- educators and staff have a sound understanding of developmentally appropriate sexual development in children and sexual behaviour that may be concerning and requires a response
- educators and staff engage in professional learning to promote a consistent and appropriate approach to identifying and responding to sexual behaviours in children that may include:
 - age and developmental capacity of the child/children
 - reasons why a child may be behaving in sexually harmful ways
 - behavioural history of the child
 - how the behaviour impacts the behaviour of other children
 - risk the behaviour imposes on others
 - vulnerability of the child to be engaging in harmful sexual behaviour
- procedures for supporting all stakeholders during the complaint procedure are implemented including documenting discussions, ensuring confidentiality and providing information of the progress of the complaint and access to support agencies as required (See *Complaints / Grievance Procedure and Complaints / Grievance Investigation Guide and Form*)
- educators and staff follow guidance from the [Traffic Lights Framework](#) to manage the concern or complaint
 - RED- signals sexual behaviours which indicate immediate intervention and action
 - ORANGE- signals sexual behaviour which may be concerning and educators to take notice and gather information to assess appropriate action
 - GREEN- signals sexual behaviours that are 'normal' and age appropriate

[Traffic Lights Framework-Age-appropriate Sexual Play and Behaviour in Children]

Continuous Improvement & Evaluation

Complaints are viewed as opportunities for improvement. The Service will:

- log all complaints in the *Complaints and Grievance Register* and evaluate outcomes
- monitor patterns of recurring issues and address them through the QIP
- review the effectiveness of this policy annually, in consultation with families, staff, children, and management
- ensure feedback from stakeholders is used to strengthen complaint-handling practices.



Our *Dealing with Complaints Policy* will be updated and reviewed annually in consultation with families, children, staff, educators and management.

Sources

Australian Children's Education & Care Quality Authority. (2026). [Guide to the National Quality Framework](#)

Australian Children's Education & Care Quality Authority. (2025). [NQF Child Safe Culture Guide](#).

Australian Children's Education & Care Quality Authority. (2023). [Using Complaints to support continuous improvement](#).

Australian Children's Education & Care Quality Authority. (2023). [Sexualised behaviour involving children](#).

Australian Government Department of Education. *Child Care Provider Handbook* (Amended 2025)

<https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>

Australian Human Rights Commission: <https://www.humanrights.gov.au>

[Children \(Education and Care Services\) National Law \(NSW\)](#)

Commissioner for Children and Young People- Western Australia. [Monitoring of Child-Focused Complaints Systems Report](#).

[Education and Care Services National Law Act 2010](#).

[Education and Care Services National Regulations](#). (Amended 2025).

Fair Work Australia: <https://www.fairwork.gov.au/>

Comments:

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