



Lara Lake Community Pre-School Inc.

COMPLIMENTS AND COMPLAINTS POLICY

(Formerly known as the Complaints and Grievances Policy)

Mandatory – Quality Area 7



PURPOSE

This policy provides Lara Lake Community Pre-School Inc. with:

- guidelines for receiving and dealing with compliments and complaints
- procedures to be followed in investigating complaints

Note: This policy does not address complaints relating to staff or employment matters. The relevant awards provide information on the management of such issues.



POLICY STATEMENT

VALUES

Lara Lake Community Pre-School Inc. (LLCP) is committed to:

- providing an environment of mutual respect and open communication
- acknowledging compliments and expressions of gratitude
- complying with all legislative and statutory requirements
- dealing with disputes, complaints and complainants with fairness and equity
- establishing mechanisms to promote prompt, efficient and satisfactory resolution of complaints
- maintaining privacy and confidentiality at all times.

SCOPE

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in Day-to-Day Charge, early childhood teachers, educators, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Lara Lake Community Pre-School Inc., including during offsite excursions and activities.



RESPONSIBILITIES

	Approved provider and Persons with Management or Control	Nominated Supervisor and Persons in Day-to-Day Charge	Early Childhood Teachers, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement					
Being familiar with the Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011 , service constitution, service policies and procedures	R	√	√	√	√
Acknowledging compliments and thanking complementor for their interest and feedback	√	√	√		
Recording compliments and share with relevant parties	√	√	√		
Ensuring that compliments and complaints are monitored and used to continually improve the quality of service	R	√			
Identifying, preventing and addressing potential concerns before they become formal complaints	R	√	√		√
Ensuring that the name and telephone number of the Responsible Person (refer to Staffing Policy) to whom complaints may be addressed are displayed prominently at the main entrance (Foyer) of the service (Regulation 173(2)(b))	R	√	√		



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Ensuring that the address and telephone number of the <i>Authorised Officer</i> at the DE regional office are displayed prominently at the main entrance (Foyer) of the service (Regulation 173(2)(e))	R	✓	✓		
Ensuring that service policies are accessible and available for inspection upon request (Regulation 171)	R	✓	✓		
Advising parents/guardians and any other new members of LLCP of the Compliments and Complaints Policy and procedures upon enrolment acceptance/confirmation/orientation	R	✓	✓		
Being aware of, and committed to, the principles of communicating and sharing information with service employees, members and volunteers	R	✓	✓		
Treating all staff, other families and children at LLCP with respect	✓	✓	✓	✓	✓
Maintaining professionalism and integrity at all times (refer to Code of Conduct Policy)	✓	✓	✓		✓
Treating all complainants fairly and equitably	R	✓	✓		
Communicating (preferably in writing) any concerns relating to the management or operation of the service as soon as is practicable		✓	✓	✓	✓
Informing complainants of the service's Compliments and Complaints Policy	R	✓	✓		
Responding to, and resolving, all complaints in the most appropriate manner and at the earliest opportunity	R	✓	✓	✓	✓
Discussing minor complaints directly with the party involved as a first step towards resolution (the parties are encouraged to discuss the matter professionally and openly work together to achieve a desired outcome)	R	✓	✓	✓	✓
Raising a complaint directly with the person involved, in an attempt to resolve the matter without recourse to complaint procedures				✓	
Ensuring the complaints process is child focused, understood broadly (including children, their families, staff and volunteers), culturally safe and compliant with privacy laws, reporting obligations and employment laws	R	✓			
Ensuring that children have access to age appropriate information, support and complaints processes in ways that are culturally safe, accessible and easy to understand	R	✓	✓		✓
Recording all complaints in the Complaints Register (refer to Definitions), along with outcomes	R	✓	✓		
Complying with the service's Privacy and Confidentiality Policy and maintaining confidentiality at all times (Regulations 181, 183)	R	✓	✓	✓	✓
Analysing complaints, concerns and safety incidents to identify causes and systematic failures to inform continuous improvement and implement corrective processes where determined	✓	✓			
Referring Notifiable Complaints or Complaints (refer to Definitions) that are unable to be resolved appropriately and in a timely manner to the Complaints Subcommittee	✓	✓	✓		
Establishing a Complaints Subcommittee or appointing an investigator to investigate and resolve issues (refer Appendix 2 - Complaints Subcommittee Terms of Reference)	✓	✓	✓		
Notifying the Approved Provider if the complaint escalates and becomes a notifiable complaint (refer to Definitions) or is unable to be resolved appropriately in a timely manner		✓	✓	✓	✓
Informing DE in writing within 24 hours of receiving a notifiable complaint (refer to Definitions) (Act 174(4) , Regulation 176(2)(b))	R	✓			



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Providing information as requested by the Approved Provider (or Service Manager) e.g. written reports relating to the complaint	√	√	√	√	√
Working co-operatively with the Approved Provider and DE in any investigations related to complaints about LLCP, its programs or staff	√	√	√	√	√
Co-operating with requests to meet with the Complaints Subcommittee and/or provide relevant information when requested in relation to complaints	√	√	√	√	√
Receiving recommendations from the Complaints Subcommittee and taking appropriate action	√	√	√	√	√
Raising any unresolved issues or serious concerns directly with the Approved Provider, via the Nominated Supervisor/educator or through the Complaints Subcommittee (or their nominated investigator)	√	√	√	√	√



PROCEDURES

PROCEDURES FOR DEALING WITH COMPLAINTS

DEALING WITH A COMPLAINT

When a complaint is received, the person to whom the complaint is addressed will:

- inform the complainant of the service's **Compliments and Complaints Policy**
- encourage the complainant to resolve the complaint with the person directly, or to submit their complaint in writing
- enter the complaint in the **Complaints Register** together with the outcome
- assess complaint for severity, safety, complexity, impact and the need for immediate action
- comply with the service's **Privacy and Confidentiality Policy** with regard to all meetings/discussions in relation to a complaint
- the Approved Provider must inform the service's Complaints Subcommittee or appoint an Investigator(s) to investigate the matter
- the Complaints Subcommittee or Investigator(s) will assess the complaint to determine if it is a notifiable complaint (refer to **Definitions**)
- inform the Approved Provider if the complaint escalates and becomes a notifiable complaint (refer to **Definitions**) or is unable to be resolved appropriately in a timely manner.

DEALING WITH A NOTIFIABLE COMPLAINT

When a formal complaint is lodged with the service:

- if the complaint is notifiable, the Approved Provider will be responsible for notifying DE. This must be in writing within 24 hours of receiving the complaint (**Regulation 176(2)(b)**)
- the written report to DE needs to be submitted using appropriate ACECQA forms and includes:
 - 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 Complaints Subcommittee/investigator
 - any other relevant information
- if the Approved Provider is unsure if the complaint is a notifiable complaint, it is good practice to contact DE for confirmation.

COMPLAINTS SUBCOMMITTEE / INVESTIGATOR RESPONSIBILITIES AND PROCEDURES

In the event of a complaint being lodged, the Complaints Subcommittee/investigator will:

- convene as soon as possible to deal with the complaint in a timely manner
- disclose any conflict of interest relating to any member of the subcommittee/investigator. Such members must stand aside from the investigation and subsequent processes
- consider the nature and the details of the complaint
- identify which service policies (if any) the complaint involves
- inform the Approved Provider if their involvement is required under any other service policies



- if the complaint is a notifiable complaint (*refer to Definitions*), inform the complainant of the requirements to notify DE of the complaint and explain the role that DE may take in investigating the complaint
- maintain appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the complaint
- respect the confidential nature of information relating to the complaint. The Approved Provider and the subcommittee/investigator must handle any complaint in a discreet and professional manner
- store all written information relating to complaints securely and in compliance with the service's *Privacy and Confidentiality Policy*.

INVESTIGATING THE COMPLAINT AND GATHERING RELEVANT INFORMATION

When investigating the complaint and gathering relevant information, the Complaints Subcommittee/investigator will:

- meet with individual witnesses, and give right of reply to the person against whom the allegations are made in relation to any accusation or information relating to an alleged incident
- offer the complainant the opportunity of meeting with the subcommittee/investigator to discuss the complaint and provide additional information where relevant
- nominate a subcommittee member to inform the complainant of the procedures for dealing with the complaint if the complainant does not take up the opportunity to attend a meeting
- document the time, date and detail of meetings/discussions, and follow this up with a letter to the complainant outlining the information discussed
- be available to meet with DE staff, if required, and provide additional information as requested
- review relevant information and documents
- obtain any other relevant information or documentation that will assist in resolving the complaint
- seek advice, where appropriate, from individuals and organisations that may be able to assist in resolving the complaint (any cost in seeking advice will require prior approval by the Approved Provider).

FOLLOWING THE INVESTIGATION

Once the investigation of the complaint is complete, the Complaints Subcommittee/investigator will:

- endeavour to resolve the complaint by mutual agreement of the parties involved
- meet to discuss the information gathered and determine further action, including generating recommendations to be presented to the Approved Provider
- ensure that any recommendations or actions are in accordance with relevant legislation and funding requirements including, but not limited to:
 - [Education and Care Services National Law Act 2010](#)
 - [Education and Care Services National Regulations 2011](#)
- [The Kindergarten Guide](#) (*refer to Sources*) report outcomes that may include relevant information gained in investigations and consultations to the Approved Provider and, where required, provide any recommendations for consideration by the Approved Provider
- inform the Approved Provider on the involvement of DE and the outcomes of any investigation by DE. The Approved Provider will review the report and any subcommittee/investigator recommendations and will be responsible for making decisions on the action to be taken (if any), including relevant review mechanisms
- advise the complainant and other relevant parties of any decisions made by the Approved Provider in relation to the complaint
- follow up to ensure the parties involved are satisfied with the outcome and monitor progress on any actions taken by the Approved Provider.



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• ATTACHMENTS, DOCUMENTS & FORMS RELEVANT TO THIS POLICY



This policy and the following attachments are located on the network drive.

The following attachments are:

- Appendix 1 – Background, legislation, standards, definitions, sources & related service policies
- Appendix 2 – Complaints Subcommittee Terms of reference

Policy related documents and forms are located on network drive, on our website and in the foyer, include:

- [Complaints Notification Form](#) (also located on website and in the Pre-School foyer)
- [Complaints Register](#)



EVALUATION AND REVIEW

In order to assess whether the purposes and values of the policy have been achieved, the Approved Provider or Persons with Management or Control will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor complaints as recorded in the [Complaints Register](#) to assess whether satisfactory resolutions have been achieved
- review the effectiveness of the policy and procedures to ensure that all complaints have been dealt with in a fair and timely manner
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify all stakeholders, including parents/guardians, affected by this policy at least 14 days before making any significant changes to this policy or its procedures (outside the review cycle timeframe) unless a lesser period is necessary due to risk ([Regulation 172](#)) or changes to legislation or regulations.



AUTHORISATION

This policy was endorsed by the Approved Provider, Lara Lake Community Pre-School Inc., at the Committee of Management meeting held on 14th June 2023.

REVIEW DATE: JULY 2025



APPENDIX 1 - BACKGROUND, LEGISLATION, STANDARDS, DEFINITIONS, SOURCES & RELATED SERVICE POLICIES



BACKGROUND

Compliments are expressions of praise, encouragement or gratitude about service, staff, management and program. Compliments provide valuable feedback about the level of satisfaction with service delivery and are a valuable indicator of the effectiveness of a service. Compliments impart useful insights about the aspects of service that are most meaningful to children, families and stakeholders, and provide an opportunity to recognise the efforts of staff, foster a culture of excellence and boost morale.

Complaints may be received from anyone who comes in contact with Lara Lake Community Pre-School Inc. including parents/guardians, volunteers, students, members of the local community and other agencies.

In most cases, dealing with complaints will be the responsibility of the Approved Provider. All complaints need to be initially assessed to determine whether they are a general or a notifiable complaint (refer to *Definitions*).

When a complaint has been assessed as 'notifiable', the Approved Provider must notify Department of Education (DE) of the complaint. The Approved Provider will investigate the complaint and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by DE.

There may be occasions when the complainant reports the complaint directly to DE. If DE then notifies the Approved Provider about a complaint they have received, the Approved Provider will still have responsibility for investigating and dealing with the complaint as outlined in this policy, in addition to co-operating with any investigation by DE.

DE will investigate all complaints it receives about a service, where it is alleged that the health, safety or wellbeing of any child within the service may have been compromised, or that there may have been a contravention of the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*.



LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Education and Care Services National Law Act 2010: Section 174(2)(b)
- Education and Care Services National Regulations 2011: Regulations 168(2)(o) and 176(2)(b)
- Information Privacy Act 2000 (Vic)
- National Quality Standard, Quality Area 7: Governance and Leadership
- Privacy and Data Protection Act 2014 (Vic)
- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)
- Privacy Regulations 2013(Cth)



DEFINITIONS

Terms defined here relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority, etc. refer to *PolicyWorks Catalogue Definitions*.

Complaint: (In relation to this policy) a complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours, and does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written complaint directly related to the service (including general and notifiable complaints).

Complaints do not include staff, industrial or employment matters, occupational health and safety matters (unless related to the safety of the children) and issues related to the legal business entity, such as the incorporated association or co-operative.

Complaints Register: (In relation to this policy) records information about complaints received at the service, together with a record of the outcomes. This register must be kept in a secure file with limited access to appropriate staff.



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Compliment: a compliment is an expression of praise, encouragement or gratitude. It may relate to an individual staff member, a team, the program or the service.

Dispute resolution procedure: The method used to resolve complaints, disputes or matters of concern through an agreed resolution process.

General complaint: A general complaint may address any aspect of the service e.g. a lost clothing item. Services do not have to inform DE, but the complaint must be dealt with as soon as is practicable to avoid escalation of the issue.

Mediator: A person (neutral party) who attempts to reconcile differences between disputants.

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 Act or Regulations, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. The Regulatory Authority is required to be notified of a complaint that alleges:

- a serious incident (refer definition below) has occurred or is occurring while a child is being educated and cared for by a service
- the National Law and/or National Regulations have been contravened.

Complaints of this nature must be reported by the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made ([Section 174\(2\)\(b\)](#), [Regulation 176\(2\)\(b\)](#)). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DE for confirmation.

Notification of complaints must be submitted within 24 hours through either the NQA IT System portal: www.acecqa.gov.au or where this is not possible, the Regulatory Authority must be contacted directly.

SOURCES

- ACECQA: www.acecqa.gov.au
- Commonwealth Ombudsman's *Better practice complaint handling guide*: www.ombudsman.gov.au/publications/better-practice-guides
- Department of Education (DE) – Regional Office details are available under 'Contact Us' on the DE website: www.education.vic.gov.au
- ELAA *Early Childhood Management Manual*: www.elaa.org.au
- *The Kindergarten Guide* (Department of Education): www.education.vic.gov.au
- Victorian Ombudsman's *Complaints: Good Practice Guide for Public Sector Agencies* September 2016: <https://assets.ombudsman.vic.gov.au/assets/Best-Practice-Guides/Complaints-Good-Practice-Guide-for-Public-Sector-Agencies.pdf?mtime=20191217165914>

RELATED SERVICE POLICIES

- *Child Safe Environment and Wellbeing Policy*
- *Code of Conduct Policy*
- *Enrolment and Orientation Policy*
- *Fee Free Kindergarten Policy*
- *Governance & Management of the Service Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Inclusion and Equity Policy*
- *Interactions with Children Policy*
- *Privacy and Confidentiality Policy*
- *Staffing Policy*
- *Supervision of Children*

RELATED SERVICE DOCUMENTS

- LLCP Constitution



APPENDIX 2 - COMPLAINTS SUBCOMMITTEE TERMS OF REFERENCE

DATE ESTABLISHED: June 2023

PURPOSE

A Complaints Subcommittee has been established by the Approved Provider of Lara Lake Community Pre-School Inc. to investigate and resolve complaints lodged with Lara Lake Community Pre-School Inc.

MEMBERSHIP

Three people are nominated by the Approved Provider, and membership must include a minimum of one Responsible Person (*refer to Definitions*).

TIME PERIOD NOMINATED

The Complaints Subcommittee/investigator shall be appointed for one year.

MEETING REQUIREMENTS

The Subcommittee convenor/investigator is responsible for organising meetings as soon as is practicable after receiving a complaint.

DECISION-MAKING AUTHORITY

The Subcommittee/investigator is required to fulfil only those tasks and functions as outlined in these terms of reference.

The Approved Provider may decide to alter the decision-making authority of the Subcommittee/investigator at any time.

BUDGET ALLOCATION

All expenditure to be incurred by the Subcommittee/investigator must be approved by the Approved Provider. A request in writing must be submitted by the Subcommittee/investigator.

REPORTING REQUIREMENTS OF THE COMMITTEE

- The Subcommittee/investigator is required to keep minutes of all meetings held. These are to be kept in a secure file.
- The convenor is required to present a written report to the Approved Provider about the complaint, ensuring that privacy and confidentiality are maintained according to the service's *Privacy and Confidentiality Policy*.

TASKS AND FUNCTIONS OF THE COMPLAINTS SUBCOMMITTEE/INVESTIGATOR

- Responding to complaints in a timely manner, within 3 business days of initial contact as per the Lara Lake Community Pre-School Inc. Constitution
- Investigating all complaints received in a discreet and responsible manner
- Implementing the procedures outlined in *Dealing with Complaints Procedures*
- Acting fairly and equitably, and maintaining confidentiality at all times
- Informing the Approved Provider if a complaint is assessed a notifiable complaint
- Keeping the Approved Provider informed about complaints that have been received and the outcomes of investigations
- Providing the Approved Provider with recommendations for action
- Ensuring decisions are based on the evidence that has been gathered
- Reviewing the terms of reference of the Complaints Subcommittee/investigator at commencement and on completion of their term. Suggestions for alterations are to be presented to and approved by the Approved Provider