



QUALITY AREA 7

USING COMPLAINTS TO SUPPORT CONTINUOUS IMPROVEMENT

When we work hard to ensure quality outcomes for children and families, it is tempting to view complaints and grievances in a negative way. It is important to recognise that complaints are an opportunity for critical reflection and can drive quality improvements.

Addressing these can improve practice and assure complainants that their input is valued.



LINKS TO THE NATIONAL QUALITY STANDARD

Effective management of complaints and grievances confirms to educators, management, coordinators, staff, families and the community that complaints are taken seriously.

Complaints can be used to support continuous improvement and are reflected under Quality Area 7 of the National Quality Standard (NQS).

Element 7.2.1: There is an effective self-assessment and quality improvement process in place.

Element 7.1.2: Systems are in place to manage risk and enable the effective management and operation of a quality service.

LEGISLATIVE REQUIREMENTS

Education and Care Services National Law Section 174(2)(b): An approved provider must notify the regulatory authority of a complaint that alleges a serious incident has occurred or is occurring while a child is being educated and cared for by a service, or that the *National Law and/or National Regulations* have been contravened.

Education and Care Services National Regulations regulation 168(2)(o):

requires policies and procedures for dealing with complaints including prescribed matters*.

Regulation 173(2)(b): requires an approved provider of a centre-based service to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service.

Regulation 173A(2)(b): requires the approved provider of a family day care service to display the name and telephone number of the person to whom complaints may be addressed so that the information is clearly visible from the main entrance of each residence, venue and office of the FDC service.

Regulation 176(2)(b): requires an approved provider to notify the relevant regulatory authority in writing, within 24 hours of the complaint alleging that a serious incident has occurred or is occurring while a child is being educated and cared for by a service, or that the *National Law and/or National Regulations* have been contravened.

*From October 2023

DEVELOPING A COMPLAINTS PROCEDURE AND POLICY

From 1 October 2023, approved providers must have policies and procedures about dealing with complaints which include matters relating to the provision of a complaint handling system at the service that is child focused and the management of a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child. Please check the legislation for commencement date in Western Australia.

To be effective, a complaints procedure and policy should reflect the specific needs of the service, educators, staff, children, families and community.

An effective policy may include:

- strategies to communicate with children and families about the complaints procedures
- steps to support people to feel safe or comfortable when making a complaint (e.g. anonymously), including children
- strategies to deal with issues promptly
- a clear outline of steps to follow at each stage of the process
- procedure for documenting discussions with the complainant
- options for raising concerns with the relevant party. For example, many informal concerns can be raised directly with and managed by the staff member involved
- clear information about how a complainant can contact and raise their concerns with service management
- procedure for keeping the complainant informed of the progress of the complaint
- procedure for maintaining confidentiality
- procedures for recording and evaluating the progress of the complaint
- procedure for following up with the complainant
- procedures for evaluating the outcomes of the complaint and for providing recommendations for future policy development or review
- details of external agencies for a complainant to contact if they feel the service has not resolved their concerns, for example, the relevant regulatory authority.

Review the policy regularly in consultation with stakeholders to ensure it is relevant to the needs of those participating in the service.

THE IMPORTANCE FOR FAMILIES

Families and children need to feel confident that any concerns or issues they may raise will be handled promptly and professionally.

Complaints and grievance management may become difficult if families feel anxious or unsure about raising their concerns.

This could lead to a higher level of dissatisfaction, the issue escalating, or the child being removed from the service altogether.

Ensure that information about the service's complaints policy is easily accessible for families. This information could be included in the enrolment and orientation procedure for example.

STEPS FOR ADDRESSING THE COMPLAINT

Often raising a complaint requires courage, and sometimes those making or receiving complaints can experience strong emotions. A person receiving a complaint about themselves or the service may feel resentful, unappreciated or misunderstood. A complainant may feel nervous, apprehensive or angry.

Effective complaints and grievance management procedures encourage those involved to empathise with the other's perspective, it also allows for the opportunity to improve practices and relationships. It is important to have a commitment from all staff to listen to and aim to resolve complaints and grievances in a positive way. Consider also the specific needs of the complainant, especially if English is not their first language.

When a verbal complaint or grievance is received, a staff member should:

- attempt to diffuse emotions by acknowledging what they are feeling, and state positively that you wish to seek a solution to the issue that is causing concern
- ask questions to help identify or clarify their concerns. For example, the statement, "I never know what is happening with my child" may be further clarified by asking questions such as, "What things would you like our service to share with you about your child's day?"
- ask the complainant if they have any strategies or solutions that they feel could be put in place to resolve their issues.

The following tips may also support the recipient of the complaint to respond positively to the issues raised:

- actively listen to the complainant, and ask questions to clarify or improve your understanding of the issues
- avoid responding immediately and defensively to the issues raised. If the issues are complex, or if there are a number of concerns being raised at once, it may be beneficial to take notes or to ask the complainant to put their concerns in writing
- discuss the issues with a colleague or with service management, ensuring that professionalism and confidentiality are maintained

- if the complainant has approached a team member at an inappropriate time or in an inappropriate place, advise that a suitable time and place will need to be organised to discuss the issue
- if the issues raised cannot be addressed due to child well-being, ethical, legal or business reasons, explain this to the complainant and provide clear reasons.

USING COMPLAINTS TO SUPPORT CONTINUOUS IMPROVEMENT

Continuous improvement is an essential practice for education and care services and an underpinning requirement of the National Quality Framework. Complaints and grievances can be used to identify a focus for critical reflection of practices, programs and team performance.

Complaints can be used as a positive resource for self-assessment and can inform the service's philosophy, quality improvement plan, policies and procedures. Services require the constant review of a changing environment to enable continuous improvement and using the complaint or grievance as the basis could assist in achieving continuous improvement.

REFERENCES AND RESOURCES

- [ACECOA's Policy and Procedure Guideline - Dealing with complaints](#)
- [Guide to the National Quality Framework](#)
- [Commonwealth Ombudsman \(2009\), Better Practice Guide to Complaint Handling](#)
- [Gowrie South Australia \(2012\), Supporting Continuous Performance Improvement Through the Use of Peer Appraisals. Reflections \(48\)](#)
- [NSW Ombudsman, Complaints handling policy template](#)
- [Ombudsman Western Australia, Effective handling of complaints](#)

Acknowledgment

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