



DEALING WITH COMPLAINTS

POLICY

PURPOSE

Kilkenny OSHC is committed to providing a safe, respectful, inclusive and responsive education and care environment for children, families, staff and visitors in accordance with the **Education and Care Services National Law and National Regulations, South Australian Child Safe Environments legislation**, and the **National Quality Framework (NQF)**.

Kilkenny OSHC recognises that feedback, grievances and complaints are an essential part of continuous improvement and quality service delivery. Kilkenny OSHC encourages open communication and ensures that all complaints are managed fairly, promptly, confidentially and in accordance with principles of procedural fairness and natural justice.

The safety, rights and best interests of children are the paramount consideration in all complaint management processes.

SCOPE

This policy applies to:

- Children attending Kilkenny OSHC
- Families and guardians
- Educators, staff, volunteers and students
- Management, approved provider and nominated supervisor
- Visitors and community members

LEGISLATIVE FRAMEWORK – SOUTH AUSTRALIA

Kilkenny OSHC operates in accordance with:

National Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations
- Child Care Subsidy legislation
- Family Law Act 1975
- Privacy Act 1988





South Australian Specific Requirements

- **Children and Young People (Safety) Act 2017 (SA)**
- **South Australian Child Safe Environments Standards**
- Mandatory Notification obligations to **SA Child Abuse Report Line (CARL)**
- Reportable Conduct obligations under SA legislation

Kilkenny OSHC ensures compliance with Section 166A and related offences regarding inappropriate conduct and child safety protection.

ALIGNMENT WITH NATIONAL QUALITY STANDARD

This policy supports:

Quality Area 6 – Collaborative Partnerships

- Respectful relationships with families
- Family participation in decision making
- Inclusive communication

Quality Area 7 – Governance and Leadership

- Effective risk management
- Continuous quality improvement
- Child safe organisational culture

CHILD SAFE ORGANISATION COMMITMENT

Kilkenny OSHC is committed to the **National Principles for Child Safe Organisations**.

Children are supported to:

- Understand who they can speak to if they feel unsafe
- Access child-friendly complaints processes
- Participate in decision-making where appropriate

Educators actively teach children about safety, rights and how to seek help.





PRINCIPLES OF COMPLAINT MANAGEMENT

Kilkenny OSHC applies:

- Procedural fairness and natural justice
- Transparency and accountability
- Cultural safety and inclusion
- Trauma-informed practice
- Confidentiality and privacy protection
- Child-centred decision making

Complainants have the right to:

- Be heard
- Receive impartial assessment
- Access support persons or advocates

DEFINITIONS

Complaint

An expression of dissatisfaction about services, staff conduct, policy application or decision-making where a response is expected.

Grievance

A formal complaint relating to employment, workplace practice or service delivery matters.

Notifiable Complaint

A complaint involving:

- *Child safety or wellbeing risks*
- *Allegations of regulatory breaches*
- *Possible abuse or neglect*

These must be reported to the regulatory authority within 24 hours.





ROLES AND RESPONSIBILITIES

Approved Provider / Management (Kilkenny OSHC) Will:

- Ensure compliance with national and South Australian legislation
- Maintain visible complaint contact details at the service entrance
- Provide induction training on complaint processes
- Maintain complaint registers securely
- Ensure culturally safe complaint pathways
- Notify SA Regulatory Authority or CARL where required
- Provide written acknowledgment of complaints within 2 working days

Investigations will include:

- Evidence review
- Interviews with relevant parties
- Opportunity for response from accused persons
- Documentation of findings

Outcomes will be communicated within 7 working days where possible.

Nominated Supervisor Will:

- Monitor complaint resolution processes
- Notify management of all complaints
- Support educators in complaint management
- Ensure records are securely stored





Educators Will:

- Listen respectfully to concerns
- Document complaints accurately
- Support children to express concerns safely
- Maintain confidentiality
- Understand mandatory reporting responsibilities

Educators must report any suspicion of harm immediately.

Complainants Will:

- Attempt informal resolution where appropriate
- Submit written complaints when possible
- Maintain respectful communication
- Cooperate with investigation processes

Children may use child-friendly complaint forms supported by families or educators.

CHILD PROTECTION AND MANDATORY REPORTING

Kilkenny OSHC staff are mandatory reporters under SA law.

Staff must report to:

- **South Australian Child Abuse Report Line (CARL)**
- Police where immediate danger exists

Complaints involving abuse or harm will be treated as serious incidents.





SERIOUS INCIDENTS

Serious incidents include:

- Missing children
- Injuries requiring medical treatment
- Allegations of abuse
- Emotional or psychological harm

Serious incidents must be:

- Documented immediately
- Reported to the regulatory authority within 24 hours

Records will be retained according to regulatory requirements.

COMPLAINTS INVOLVING CHILD SEXUAL BEHAVIOUR

Kilkenny OSHC recognises that not all sexual behaviour between children is harmful.

Staff will:

- Use professional judgement
- Apply trauma-informed practice
- Follow developmental assessment frameworks
- Apply risk assessment procedures

Kilkenny OSHC may reference behaviour guidance frameworks such as traffic light models:

- Green = developmentally appropriate
- Orange = monitor and gather information
- Red = immediate intervention required

Police or child protection services will be contacted where risk is identified.





PRIVACY AND CONFIDENTIALITY

Kilkenny OSHC will:

- Comply with Privacy Act requirements
- Store complaint records securely
- Limit access to authorised personnel

Information may only be shared where legally required.

CONFLICT OF INTEREST

Where complaints involve management staff:

- Independent mediators may be engaged
- Alternative decision-makers will be appointed

All processes will remain impartial.

COMPLAINT RESOLUTION PROCESS

Step 1 – Informal Resolution

Complainants should attempt to resolve concerns with:

- Educators
- Nominated supervisor

Unless the matter involves safety or legal risk.

Step 2 – Formal Complaint Lodgement

Complaints may be lodged:

- In writing
- Via email
- Through complaint forms

Acknowledgment will occur within 2 working days.





Step 3 – Investigation

Investigations will:

- Collect evidence
- Interview relevant parties
- Maintain procedural fairness

Support persons may attend meetings.

Step 4 – Outcome Communication

Outcomes will be:

- Provided in writing
- Explained in accessible language
- Provided in culturally appropriate formats

EXTERNAL COMPLAINT PATHWAYS

Families may escalate complaints to:

- South Australian Education and Care Regulatory Authority
- Office of the eSafety Commissioner
- SA Ombudsman
- Human rights bodies

CHILD CARE SUBSIDY COMPLAINTS

Concerns relating to CCS may be raised with the Nominated Supervisor or directly to the Department of Education fraud reporting channels.





CONTINUOUS IMPROVEMENT

Kilkenny OSHC will:

- Review complaint data trends
- Update Quality Improvement Plans
- Conduct annual policy reviews
- Seek feedback from families and children

RECORD KEEPING

All records will be stored:

- Securely
- Confidentially
- In accordance with retention legislation

POLICY EVALUATION

This policy will be reviewed annually or following:

- Serious incidents
- Regulatory changes
- Feedback from stakeholders

POLICY REVIEWED BY	Graziella Panazzolo	OSHC DIRECTOR	
POLICY REVIEWED	January 2026	NEXT REVIEW DATE	January 2027
MODIFICATIONS			
PREVIOUS MODIFICATIONS			