



CUSTOMER COMPLAINT AND GRIEVANCE PROCEDURE

ELC OSHC FDC

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DOCUMENT CONTROL

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v4.0	Reviewed and updated to include complaints involving allegations of a child exhibiting sexual behaviours	23/01/2025	EM EYL

CONTENTS

1.	PURPOSE	3
2.	SCOPE	3
3.	DEFINITION OF TERMS	3
4.	PROCEDURE	4
5.	COMPLAINTS INVOLVING A CHILD EXHIBITING SEXUAL	5
6.	DEALING WITH PARENT-EDUCATOR CONFLICT	6
7.	DEALING WITH PARENT-MANAGEMENT CONFLICT	7
8.	EDUCATION AND CARE REGULATORY UNIT (ECRU)	8
9.	ROLES AND RESPONSIBILITIES	8
10.	RELATED LEGISLATION AND STANDARDS	8
11.	LEGISLATION SECTION AND DESCRIPTION	9
12.	SUPPORTING PROCEDURES, POLICIES AND DOCUMENTS	9
13.	FEEDBACK	10

1. PURPOSE

The Y WA values Parent feedback as an essential mechanism for continuously improving the services we offer. We believe that addressing grievances and concerns helps us enhance the quality of care, education and support we provide to children and families. By actively listening to and responding to feedback, we aim to foster positive relationships between Parents, management, and Educators. Every Parent has the right to a fair and empathetic response to their concerns, and we are committed to resolving disputes and issues in a timely, constructive, and transparent manner to ensure the well-being of all involved.

2. SCOPE

This procedure applies to all YMCA WA Children Services, our staff and families.

This procedure is one element of the Y WA’s Complaint Management framework.

3. DEFINITION OF TERMS

Term	Definition
Children’s harmful sexual behaviours	An umbrella term to cover all behaviours in children under 18 years across a spectrum of sexual behaviour problems. These include behaviours that harm only the child displaying them to those that are coercive, sexually aggressive and predatory towards others. A child’s sexual behaviour is considered concerning or problematic if their behaviours occur outside their expected developmental stage, or where they may be developmentally appropriate but are occurring in inappropriate environments.
Children Services Management team	Includes Area Managers, Area Coordinators, Family Day Care Resource Manager.
Complainant	Person or group making a complaint,
Complaint	A complaint is an expression of dissatisfaction or concern made by a Parent or guardian regarding a service, action, or behaviour, where the individual seeks a specific outcome or result to address the issue. This may involve seeking a resolution, clarification, or change in practices to



	ensure satisfaction and improve the service provided.
Feedback	Process of providing information, comments, or reactions about an action, service, or behaviour to help improve performance, practices, or outcomes. It can be both positive and constructive, aiming to offer insights that support growth, development, and continuous improvement. Feedback is typically given in response to a specific action or behaviour, with the intent of guiding or encouraging future actions.
Nominated Supervisor / Responsible Person	The person responsible for the day-to-day have given their written consent to the nomination which is then provided to the regulatory authority.
Parent	Carer, Guardian, Parent or a person who has parental responsibility for the child under a decision or order of a court (National Law).

4. PROCEDURE

Every family of a child in the care of the Y WA is provided with the Parent Handbook which contains clear written details of the grievance procedure.

Confidentiality is a priority when handling grievances and complaints; however, it is important to note that confidentiality is limited by legal requirements and the principles of natural justice. In certain circumstances, such as when required by law or to ensure a fair and just process, information may need to be shared with relevant parties or authorities. These limitations are in place to ensure that both the rights of individuals involved and the integrity of the process are upheld.

The complaint handling process is owned and managed by the YMCA, ensuring that all complaints and grievances are addressed in accordance with our policies and procedures.

The Y WA believes complaints are best resolved respectfully and promptly by the parties involved as informally as possible.

While we are committed to resolving complaints fairly and transparently, it is important to note that the final decisions and outcomes of the complaint process remain the responsibility of the YMCA.



We take all feedback seriously and work to resolve concerns, but ultimately, the YMCA has the authority to determine the appropriate course of action based on the information available and the principles of fairness and policy compliance.

- 4.4.1. Where complaints cannot be resolved informally by the people directly involved, the Y WA will provide a fair, equitable, just and appropriate process.
- 4.4.2. After attempting informal resolution, in the first instance, the complaint should be directed by the complainant to the Responsible Person or Nominated Supervisor.
- 4.4.3. The Responsible Person will note the complaint, resolve the complaint if possible and advise their manager of the complaint and the resolution.
- 4.4.4. If the Responsible Person is not able to resolve the complaint, or if the Complainant is not satisfied, the manager may resolve the complaint, reinvestigate the matter, or dismiss the complaint.

5. COMPLAINTS INVOLVING A CHILD EXHIBITING SEXUAL BEHAVIOUR

The Y WA is committed to child safety and ensuring that children feel safe and are safe. The Y WA ensures all Educators and staff

- 5.1.1. are trained and will respond to any complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child;
- 5.1.2. have a sound understanding of developmentally appropriate sexual development in children and sexual behaviour that may be concerning and requires a response;
- 5.1.3. are aware of their duty of care and mandatory reporting obligations to make a report to Department of Communities Educators and staff;
 - assess the need for urgent police and emergency services assistance and 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.

5.1.4. inform the approved provider/nominated supervisor;

5.1.5. will notify the regulatory authority within 24 hours of any complaint alleging that a serious incident occurred, or that the law was contravened, while a child was being educated and cared for;

5.1.6. are aware of the process for responding to disclosures from children as per our Safeguarding Children and Young People Policy;

5.1.7. engage in professional learning to promote a consistent and appropriate approach to identifying and responding to sexual behaviours in children that may include:

5.1.8. support all stakeholders during the complaint procedure, including

- documenting discussions,
- maintaining privacy of information
- providing information of the progress of the complaint and access to support agencies as required;

5.1.9. follow the Traffic Lights Framework, set out in the table below, to manage the concern or complaint.

Signal	
RED	sexual behaviours which indicate immediate intervention and action
ORANGE	sexual behaviour which may be concerning and Educators to take notice and gather information to assess appropriate action
GREEN	sexual behaviours that are 'normal' and age appropriate

6. DEALING WITH PARENT-EDUCATOR CONFLICT

- 6.1.1. The Parent should discuss the problem, or concern, with the Educator involved or the Nominated Supervisor.
- 6.1.2. After discussion with the Nominated Supervisor, if the Parent is not satisfied the parent can contact the Children Services Management team or General Manager Children Services (GM CS) to resolve the conflict.
- 6.1.3. If it is not appropriate or there are circumstances under which the Parent cannot discuss matters with the Educator or Nominated Supervisor, the parent can write directly to the GM CS to express their concerns.
- 6.1.4. If the Parent is unhappy with the outcome of the GM CS actions or decision, the GM CS can escalate the matter to the Executive Manager Education Youth and Leisure for guidance,
- 6.1.5. The GM CS can manage the feedback or complaint in accordance with any other applicable Y WA policies and procedures. The GM CS will advise the Nominated Supervisor and Parent of the outcome or decision, as appropriate.
- 6.1.6. If the Parent is unsatisfied with the outcome, the GM CS will offer to arrange for independent mediation.

7. DEALING WITH PARENT-MANAGEMENT CONFLICT

- 7.1.1. The parent should discuss their concerns with the Nominated Supervisor.
- 7.1.2. After discussion with Nominated Supervisor, if the parent still feels action is necessary, they should ask the Nominated Supervisor to raise the issue with the ELC or OSHC Manager. If the parent is not satisfied with the outcome, they can contact the GM CS.
- 7.1.3. The parent can write directly to the GM CS expressing their concern. The GM CS will manage the feedback or complaint in accordance with appropriate Y WA policies and procedures.
- 7.1.4. The GM CS will advise the Nominated Supervisor and the Parent of the outcome.



7.1.5. If the Parent is unhappy with the outcome, they can request a meeting with the GM CS and the Executive Manager to discuss the matter further. After this meeting the GM CS will notify the Parent in writing of the outcome.

7.1.6. If the parent is still unhappy, the General Manager Children Services will offer to arrange external mediation.

8. EDUCATION AND CARE REGULATORY UNIT (ECRU)

Parents can direct their concerns and grievances to

Education and Care Regulatory Unit. Department of Communities

Postal Address- Locked Bag 5000 FREMANTLE WA 6959

enquiries@communities.wa.gov.au

Telephone: 1800 176 888 web: [Department of Communities](http://www.departmentofcommunities.wa.gov.au)

9. ROLES AND RESPONSIBILITIES

Role Title	Responsibilities
General Manager Childrens Services	<p>Collect and analyse feedback and complaint information and records.</p> <p>Arrange external independent mediation if required including funding mediation if necessary.</p> <p>Escalate complaints to EM EYL.</p> <p>Apply appropriate Y WA policies, and consult within the Y WA in the conduct of any investigations</p>
Management team	<p>Assist with resolution, recording of complaints. To supply information and reports to the General Manager Children Services. and investigation of complaint</p>
Nominated Supervisor	<p>To receive feedback and complaints and attempt to resolve at the lowest possible level.</p> <p>To notify their Manager of any complaints or feedback received.</p>

10. RELATED LEGISLATION AND STANDARDS

The following related legislation and standards can be accessed from YConnect.



Legislation/Standard
Department of Education, Employment and Workplace Relations (2012) Guide to the National Quality Standards.
Australian Standard Complaint Handling ISO
Education and Care Services National Regulations 2012

11. LEGISLATION SECTION AND DESCRIPTION

Section/Regulation	Description
Section 172	Offence to fail to display prescribed information
Section 174	Offence to fail to notify certain information to Regulatory Authority
Section 174A	Family day care educator to notify certain information to approved provider
Regulation 143B	Ongoing management of family day care educators
Regulation 168	Education and care service must have policies and procedures
Regulation 169	Additional policies and procedures – family day care
Regulation 170	Policies and procedures to be followed
Regulation 171	Policies and procedures to be kept available
Regulation 172	Notification of change to policies or procedures
Regulation 173	Prescribed information to be displayed
Regulation 176	Time to notify certain information to Regulatory Authority

12. SUPPORTING PROCEDURES, POLICIES AND DOCUMENTS

Document ID	Document Title
HRF047	Safeguarding Policy



PC-002-POL	Y WA Staff Code of Conduct
PC-003a-PROD	Workplace Investigation Procedure

13. FEEDBACK

Feedback on this procedure must be directed to the EM EYL.

The EM EYL is responsible for maintaining the currency of this document.