

# Intereach Out of School Hours Complaints Procedure



<b>Applies to</b>	Intereach Out of School Hours (OOSH)				
<b>Policy</b>	NQF Two: Children's Health and Safety Policy				
<b>Version</b>	1.0	<b>Date approved</b>	15/8/2025	<b>Next review date</b>	15/8/2028

## 1. Objective

Intereach recognises that children, families, educators, other staff and the community need to feel confident that any concerns, and grievances they may raise will be handled promptly and professionally. Intereach welcome complaints as an opportunity for critical reflection and to drive quality improvements to enhance the quality of our education and care practices and assure complainants that their input is valued.

The purpose of this procedure is to support the *Intereach Feedback and Complaint Policy* by:

- providing an effective and robust complaint handling process to receive, record, manage, resolve and report on complaints.
- ensuring compliance with contractual, legislative and regulatory obligations;
- providing a clear, safe and respectful process for handling all complaints and feedback, including those involving allegations of harmful sexual behaviour, in a way that prioritises the rights, dignity and safety of all children; and,
- ensuring that any child or young person using services or affected by its operations has the right to complain and have their complaint handled in a manner which prioritises providing guidance to support workers to handle complaints in a fair, efficient and effective manner.

## 2. Definition

**Complaint:** An expression of dissatisfaction about the service, staff, or environment.

**Notifiable complaint:** A complaint alleging a serious incident or a breach of the National Law.

**Anonymous complaint:** A complaint where the identity of the complainant is unknown.

**Complainant:** The person making the complaint, including a child or their advocate.

**Grievance:** A formal expression of dissatisfaction or concern raised by individuals

## 3. Responsibilities

It is the responsibility of the Approved Provider to:

- ensure complaints alleging that a serious incident has occurred and/or the National Law has been breached, are reported to the regulatory authority within the required timeframes.

It is the responsibility of the Nominated Supervisor to:

- ensure that regulatory obligations are met in relation to dealing with complaints or grievances;
- implement procedures for dealing with complaints follow the *Intereach Feedback and Complaints policy*, *Complaint handling guide* and *Child Protection procedure*;
- communicate the dealing with complaints policy and procedures to families and the wider service community;
- provide effective complaints management which meets the needs of the families/guardians and or children;
- ensure the approved provider is aware of the complaint, if it is a notifiable complaint, or if a complaint cannot be resolved;

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- ensure staff, educators, volunteers and students are well informed about their child protection responsibilities and reporting and privacy obligations;
- ensure the name and telephone number of the person to whom complaints or grievances can be made is clearly visible at the service;
- ensure complaints and grievances reported remain confidential;
- ensure grievances and complaints reflect procedural fairness and natural justice;
- discuss the concerns with the complainant within the timeframes stipulated in the Complaints Handling Guide;
- investigate and document the complaint or grievance fairly and impartially;
- ensure the complaints or grievances are documented;
- work co-operatively with the approved provider, educators, staff and/or the complainant during the investigation or resolution of a complaint;
- ensure educators, staff, volunteers and students are well informed and trained about the different ways children express concerns or distress and disclose harm, as well as processes for responding to disclosures from children;
- notify the regulatory authorities of any incidents or allegations of physical or sexual abuse to a child while being educated or cared for by an education and care service in writing within 24 hours.
- regularly review the policy and procedures to ensure serious incidents and complaints are investigated promptly, fairly and thoroughly;
- ensure that complaints result in reviews of relevant policies, procedures and practices or any improvements;
- ensure complaints or grievances involving an actual or potential privacy breach are handed in accordance with the *Intereach Data Breach Response Procedure*.
- identify and report actual and potential conflicts of interest in line with the Conflict-of-Interest Policy.

It is the responsibility of the Quality Team to:

- monitor handling of the complaints to ensure they are handled in accordance with the *Intereach Feedback and Complaint Policy*;
- provide internal support to employees and guidance in complaint handling and investigation; and,
- analyse the outcome of complaints or grievances and provide relevant reports to the Approved Provider.

It is the responsibility of the staff and educators to:

- understand and implement the dealing with OOSH complaints procedure, Intereach complaints and feedback policy and procedures;
- report all complaints or grievances received to the nominated supervisor and/or approved provider promptly so timeframes can be adhered to;
- support the nominated supervisor and approved provider in the investigation and/or resolution of complaints or grievances;
- understand and be aware of child protection law and their individual responsibilities
- be aware of the different ways children express concerns or distress and disclose harm, as well as the processes for responding to disclosures from children;
- support children to know who to talk to if they are feeling unsafe and understand the complaint handling processes including supporting families and children to make a complaint;
- promptly record feedback using the complaint handling form in line with this process.
- maintain privacy and confidentiality; and,

- comply with record keeping and reporting practices.

It is the responsibility of parents/guardians to:

- be familiar with and follow the complaints policy and procedures;
- endeavour to discuss their complaints with the relevant educator associated with a particular child and/or family as the first step to resolving the issue
- raise any complaints or grievances in line with the policy and procedures;
- raise any unresolved concerns with the Nominated Supervisor;
- cooperate with the Nominated Supervisor or staff dealing with complaints or grievances; and,
- maintain confidentiality at all times.

## **4. Procedure**

All complaints or grievances will be handled in a way that is inclusive, culturally safe, and respectful of diverse family and community values. This includes actively listening to Aboriginal and Torres Strait Islander perspectives and incorporating trauma-informed practice

### **4.1. Child Safe Practice**

This procedure aims to be child focused, culturally safe and encourage all children to speak up about their worries, whether it is happening to them or someone else. When a complaint is received from a parent/guardian or carer acting on behalf of a child, confirm where possible that the child or young person is happy for this to happen, and that the complaint submitted reflects the child's views.

- Children are made aware that they can make a complaint about any kind of harm:
  - at the services our outside the service;
  - by an adult or by other children; and
  - including bullying or cyber bullying and all forms of abuse.
- Encourage children to raise concerns with a trusted adult if anything makes them feel uncomfortable or unsafe.
- Ensure children:
  - are protected from any risk while the investigation process is carried out by completing a risk assessment; and,
  - are heard, and that staff and educators take care to validate their experience – what may seem small to an adult might not be to a child.
- Be transparent and open about the processes for responding to a complaint or a grievance.
- Being proactive and checking in with children helps them to speak up about concerns.

Refer to [Appendix 1 Child centred and Improvement focused child friendly complaints handling principles Poster.](#)

### **4.2. Handling a Complaint**

Complaints can be made verbally, in writing, or anonymously. Children are encouraged and supported to voice their concerns. While handling the complaints all children will be treated with respect, without judgement or bias and investigation will be conducted with integrity and in accordance with the *Intereach Feedback and Complaints Policy*.

Support is provided to children and their families throughout the complaints handling process and ensure that all children and young people are aware of and understand how to escalate their complaint.

#### **4.2.1. Escalation**

If unresolved, complaints may be escalated to the State/Territory Regulatory Authority on;

##### **NSW**

Phone: 1800 619 113

Email: [ececd@det.nsw.edu.au](mailto:ececd@det.nsw.edu.au)

#### **4.3. Receiving/identifying a complaint**

The service will provide multiple avenues for children and young people to make a complaint. Complaints can be received via, email, social media, conversation with a child, surveys, Intereach Website, phone, email or in person.

All complaints will be recorded in the Online Complaint System regardless of how the complaint was received.

#### **4.4. Time frames and process**

All complaints received must be acknowledged within three business days.

Complaints are assessed and prioritised according to complexity and/or seriousness of the issues raised, which determines the urgency in which it is dealt with. Complaints are assessed under three levels as outlined in the table below:

<b>Level</b>	<b>Description</b>	<b>Handled by</b>	<b>Resolution time frame</b>
1	Minor complaints that can be easily remedied and where a formal response is not requested; they do not require detailed investigation and are most often resolved quickly by providing an explanation or an apology.	Person receiving the complaint or Nominated Supervisor	24 hours
2	More complex, may involve multiple issues and require further investigation, or where a level 1 complaint is unresolved.	Nominated Supervisor	14 days
3	Complex, serious and sensitive issues including a complaint that: <ul style="list-style-type: none"> <li>• is received from an Ombudsman, or a state or Federal Minister or Member of Parliament;</li> <li>• is received by a CEO or a Director;</li> <li>• involves multiple issues that require intensive investigation or involve other agencies;</li> <li>• is urgent or a potential high risk or a high-profile issue that may adversely affect the reputation of the organisation (for example involving media);</li> <li>• alleges a breach of the Intereach Code of Conduct, which includes; <ul style="list-style-type: none"> <li>▪ unauthorised access or disclosure of private and/confidential information,</li> <li>▪ conflicts of interest,</li> <li>▪ serious misconduct, and/or</li> <li>▪ fraud.</li> </ul> </li> <li>• is persistent and/or requires intensive management to progress or resolve it; or</li> <li>• is required by contract, regulation and/or legislation to be reported or referred to an authorised third party.</li> </ul>	A Senior Manager or where there is no Senior Manager the relevant General Manager.	21 days

#### **4.5. Recording the complaint**

Record the details of the complaint using the Intereach *Complaint Handling Form* available on Intereach Intranet. Once relevant information is gathered input the information into the Complaint System – Refer to the *Intereach Complaint Handling Guide* for the steps to be completed on the Complaint System to add a new complaint.

1. Section one of the system will be completed by the person receiving the complaint.
2. Section two to be completed by the person handling the complaint.

A Quality officer will be allocated to assist in completing the investigation section of the Complaint System.

##### **4.5.1. Record Keeping**

All complaints are documented, including:

- date, summary, action taken, and outcome;
- complaints relating to harmful sexual behaviour are stored securely in accordance with child protection protocols; and,
- notifications are logged with the regulatory authority where required.

#### **4.6. Complaints alleging that a child is exhibiting harmful sexual behaviours**

All complaints alleging that a child is exhibiting harmful sexual behaviours will be taken seriously, actioned immediately and ensure confidentiality is maintained.

- Acknowledge and receive the complaint about a child exhibiting sexual behaviours;
- Ensure informed professional judgements are made regarding sexualised behaviour involving children taking into consideration that not all sexual behaviour involving children poses a risk to their safety. It may be age-appropriate and expected sexualised behaviour.
- Listen without preconceived judgement to the complainant's concerns (staff, parent, or child)
- Reassure the complainant that their concern will be taken seriously.
- Do not make any assumptions or promises about outcomes.
- Document the complaint using the Complaint handling system.
- Ensure date and time of the complaint, name and the role of the complainant are recorded including details of the behaviour alleged (who, what, when where).
- Use objective language, avoiding interpretation or diagnosis.

##### **4.6.1. Notify the Nominated Supervisor**

- Report the complaint immediately to the Nominated Supervisor, they are responsible for initiating the response and reporting process.

##### **4.6.2. Notify the Regulatory authority**

- Any incidents or allegations of physical or sexual abuse to a child while being educated or cared for by an education and care service will be notified to the Regulatory Authority within 24 hours of receiving the complaint.

##### **4.6.3. Report to External Authorities**

- If behaviour is coercive, aggressive, persistent, or potentially abusive:
  - Mandatory report to child protection services, follow the *Intereach Child Protection procedure*
  - Document that the report was made, including time and outcome.
- If required, report to police.

#### **4.6.4. Ensure Immediate Safety and Supervision**

- If necessary, adjust supervision to ensure safety of all children.
- Separate children calmly, if the behaviour could recur.
- Maintain normalcy and avoid labelling the child with alleged Problematic Sexual Behaviour (PSB)

#### **4.6.5. Assess the Behaviour**

- Use the 'Traffic Light Tool' [Child-Protection-Guide-Traffic-Lights-Sexual-Behaviours.pdf](#)
- Assess if the behaviour is:
  - **Green** (developmentally typical),
  - **Amber** (concerning, needs monitoring),
  - **Red** (serious, needs immediate intervention).

#### **4.6.6. Notify Parents/Guardians Appropriately**

- Communicate with both sets of parents (those of the child with PSB and the affected child), unless it poses a risk.
- Use language that is sensitive and non-accusatory.
- Refrain from sharing personal information about other children.

#### **4.6.7. Support and Referral**

- Provide emotional support to families and staff.
- Arrange referrals for (if required)
  - Child psychology or specialist services.
  - Family support services.

### **4.7. Investigation**

The purpose of an investigation is to:

- resolve the complaint by reaching a fair and independent view on the issues raised by a complainant; and,
- provide an appropriate remedy

Refer to the *Intereach Complaint Handling Guide* for resources which can be used throughout the investigation process including, "the 5 Whys", "A systematic approach to complaint investigation.

When investigating:

- consider any statutory requirements and relevant external bodies when deciding on the investigative approach.
- develop an investigation plan which consults necessary bodies, considers the child's needs, safety and wellbeing and does not compromise a police or child protection investigation.
- staff members who are the subject of a complaint will be treated with fairness and provided with access to support, including debriefing or HR referral as required. Investigations will be undertaken objectively and sensitively.
- consult relevant external organisations/authorities if it is ill-equipped to deal with the complaint internally.
- obtain and protect important evidence if relevant to the investigation.
- plan involvement of the complainant and their parents/guardians or carers. This will include keeping them informed of a timeline of the key stages and communicating the progress of the complaint process.



- update the complainant or their parents/guardians regularly, and at least weekly, of complaint progress; and if expected timeframes are unable to be met provide the reasons for delay.
- analyse and assess the evidence gathered and make an assessment.
- ensure the complaint system is updated with detailed information and all relevant documents attached.
- endeavour to resolve the complaint promptly and to the satisfaction of the complainant.
- keep the complainant and their parents/guardians or carers informed if there is a delay in the investigation process. and,
- If adverse findings are discovered about a particular individual during the investigation, consider applicable privacy obligations or exemptions under the Privacy Act 1988 before sharing the information.

#### **4.8. Outcome**

- Consider privacy, confidentiality and procedural fairness when providing the outcome of the complaint to the complainant and other stakeholders.
- Explain the outcome of the complaint to the complainant / child in their preferred method of communication and provide them with any necessary supports.
- Ensure the complainant is aware of the avenues for reviewing and/or appealing if they aren't satisfied with the outcome.
- Provide the complainant the opportunity to comment on any adverse information.

#### **4.9. Closure of the complaint**

Inform the complainant of the outcome of the investigation in a manner that they understand. Ensure that when delivering the outcome, the child has support available to them and their wellbeing is prioritised.

- Record details and update the complaint system including.
  - outcome
  - How the complaint was managed
  - Recommendations or outstanding actions
- Ask the complainant to give feedback on how they felt their complaint was handled.
- Provide ongoing support to the complainant if they require or want it.
- Provide a written response to the complaint. A copy of the letter/email must be uploaded as an attachment to the related complaint record. The *Complaint Template Response Letter* can be used as a guide to develop the response specific to the complaint and can be emailed or posted to the complainant.
- In instances where a written response to a complaint has not been completed, it's imperative to provide an explanation within the complaint record explaining the reason for the delay or absence of response
- Update QIP or Intereach Continuous Improvement if any improvements or review of documentation are identified.

#### **4.10. Reportable complaints**

Under the Education and Care Services National Law, Intereach will notify the regulatory authority within 24 hours, in the following circumstances:

- Complaints alleging that a serious incident has occurred while the child is in care (Section 174(2)(b)). (Refer to *Notification of Serious Incidents Procedure* for a list of the circumstances prescribed as serious incidents).

- Any incidents or allegations of physical or sexual abuse to a child while being educated or cared for by an education and care service.
- Complaint made by any person (including an educator) that the National Law has been breached (under Section 174(2)(b)(ii))

A complaint alleging that the National Law has been breached may include:

- the physical environment;
  - the adequacy of education and care and programming;
  - interactions between staff and children, including inappropriate behaviour or inappropriate discipline;
  - educator qualifications;
  - staffing arrangements and educator-to-child ratios;
  - children's supervision;
  - matters that impact the health, safety and wellbeing of children at the service;
  - how interactions between children are managed and supported; or
  - how behavioural challenges or medical needs of a child are managed and supported.
- An actual breach of the law does not have to be proven before a notification is made. Once an allegation is made of a breach of the National Law, you must notify the Regulatory Authority.
  - A breach of a law other than the National Law does not need to be notified to the Regulatory Authority but may need to be notified to other bodies.
- Upload all relevant documents relating to the complaint to the Complaint System in accordance with the Complaint Handling Guide. (Refer to 3.8.2). For example, a copy of the original complaint (if received in writing), evidence of actions being taken in response to the complaint, and any outstanding risks to the safety, health and wellbeing of children.

#### **4.11. Information Sharing**

Understand that parents/guardians or carers of a child who is an alleged victim of abuse or mistreatment have a legitimate interest in being informed about the process of their child's investigation.

The person handling the complaint will disclose information to the parents or carers of the child, of the progress, findings and actions taken during the investigation process, except in cases where disclosure could:

- jeopardise the child's safety;
- prejudice a criminal, child protection, reportable conduct or formal investigative process;
- prejudice a coronial inquest or inquiry;
- prejudice proceedings in the Children's Court;
- breach any legal professional privilege; or
- expose the identity of a confidential source.

The nominated supervisor or the approved provider will consult with police and child protection authorities before disclosing information on child abuse or mistreatment to the wider communities.

Consult with the parent or carer before delivering information to a child.

#### **4.12. Confidentiality and Privacy**

Only permit the disclosure of information about a child or young person in accordance with the [Intereach Privacy Policy](#). Intereach Children's Services will respect the right of children to lodge a complaints or grievances anonymously, and their personal information will not be revealed



unless it is required to resolve or investigate the complaints or grievances or where statutory obligations apply.

The services will take reasonable measures to protect personal information from loss, unauthorised access, use, disclosure or any other misuse during the complaint-handling process.

The person handling the complaint will seek to balance fairness and confidentiality requirements and where possible, safeguard the interests of all parties and will not give information about a reportable allegation to the parent or carer of a child except with the consent of the child protection authority.

#### **4.13. Systemic Improvement**

Trends and recurring themes from complaints will be reviewed quarterly to identify systemic issues and inform policy, practice, and quality improvement planning

### **5. Monitoring, evaluation, and review**

This procedure will be reviewed every three years and incorporate feedback and suggestions from children, families, educators, coordinators, volunteers, and students.

### **6. National Quality Framework**

<b>Element</b>	<b>Concept</b>	<b>Description</b>
<b>2.1</b>	Health	Each child's health and physical activity is supported and promoted.
<b>2.2</b>	Safety	Each Child is protected
<b>2.2.1</b>	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard
<b>2.2.2</b>	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented
<b>2.2.3</b>	Child Safety and protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect
<b>4.1</b>	Staffing arrangements	Staffing arrangements enhance children's learning and development.
<b>4.2</b>	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
<b>4.2.1</b>	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
<b>4.2.2</b>	Professional standards	Professional standards guide practice, interactions and relationships.
<b>5.1</b>	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
<b>5.1.1</b>	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
<b>5.1.2</b>	Dignity and rights of the child	The dignity and rights of every child are maintained.

Element	Concept	Description
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other.
5.2.2	Self-regulation	Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.

7. Context	
<b>7.1. Standards or other external requirements</b>	<ul style="list-style-type: none"> <li>• Australian Children's Education and Care Quality Authority <i>National Quality Standards</i></li> <li>• Australian Children's Education and Care Quality Authority <i>Guide to the National Quality Framework</i></li> <li>• Department of Education, Child Care Provider Handbook 2024</li> <li>• Early Childhood Australia (2016). <i>Code of Ethics</i></li> </ul>
<b>7.2. Legislation or other requirements</b>	<ul style="list-style-type: none"> <li>• Education and Care Services National Regulations - Regulations 174A,143B,168,169,170,171,172,173,173A,176</li> <li>• Education and Care Services National Law Act 2010 –</li> <li>• Children, Youth and Families Act 2005 (Vic)</li> <li>• Children and Young Persons (Care and Protection) Act 1998</li> <li>• <i>Privacy Act 1988</i></li> </ul>
<b>7.3. Internal Documentation</b>	<p>Intereach Feedback and Complaint Policy  Intereach Complaint Handling Guide  Intereach Conflict of Interest Procedure  Intereach Privacy policy  Intereach Child Protection Procedure  Intereach Abuse and Neglect Policy  Intereach Data Breach Procedure  Notification of Serious Incidents Procedure  Complaint template – response letter  Complaint no response letter template  Complaint investigation form and  Complaint handling form</p>

## **8. Document control**

<b>Version</b>	<b>Date approved</b>	<b>Approved by</b>	<b>Next review date</b>
1.0	15/8/2025	N Brown – Manager, Compliance, Safety and Risk	15/8/2028

## Appendix 1 - Child centred and Improvement focused child friendly complaints handling principles



For everyone under 18	All complaints affecting any child will be handled in a way that meets their rights under the UNCRC This includes complaints raised directly by a child, as well as complaints raised by an adult, either on a child's behalf, or about matters that affect a child
Focused on Children's Best Interest	The best interests of any children affected will be at the heart of the complaints process. This means all decisions made or actions taken will treat the best interests of any children affected as a top priority
Trusting and inclusive	Trust will be placed in children to make decisions they can manage, recognising their increasing ability to make their own choices. Complaints will be handled in a way that empowers children to realise their rights. They will also be handled in a way that respects the rights of their parent/s or other responsible adult/s to guide, support and direct them. A child may not wish their parent/s or other responsible adult/s to be made aware of their complaints. If this is the case, adult involvement will be decided by carefully weighing the child's views, best interests, age, and capacity, with the rights of others involved
Centred on Children's Voices	Children will be given the chance to express their views, feelings and wishes in all matters that affect them, to the extent they wish to. Children's voices and views will always be listened to and taken seriously. The impact of their views will be shared with them and explained.

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	<p>Children will be asked how they want to communicate and things will be done their way whenever possible.</p> <p>Children's communication needs will be met in a way that makes them feel safe and involved.</p> <p>Informed consent will be sought from the child affected where a complaint has been raised by parent/s or other responsible adult/s on behalf of the child</p>
Kind and Supportive	<p>Children will be treated with kindness and always understanding, and they will never be treated differently for raising a complaint. This is essential to foster trust and help children to feel able to openly express themselves</p> <p>Every effort will be made to ensure children feel comfortable to express their thoughts and opinions freely and openly.</p> <p>Wherever possible, children will be supported to complain or voice concerns by people they know and trust.</p> <p>Where a child does not feel they have anyone to support them, they will be offered a referral to independent advocacy</p>
Private and confidential	<p>Nothing a child shares will be passed on without their permission, unless doing so is required to raise a child protection concern or meet another legal duty.</p> <p>Before speaking with any child about a complaint, explanations will be given about when things may need to be passed on without their permission. This will include explaining what happens if they say something that suggests they are at risk.</p> <p>If a child's complaints must be shared, or their parent/s or other responsible adult/s involved, they will be told this, and why it needs to happen.</p> <p>If a child's complaints are shared this will be done as far as possible without identifying them.</p> <p>Where an investigation might mean other people could identify the child, this will be discussed with them for their views on whether they wish to continue</p>
Knowing about Rights	<p>Information will be provided to children and any parent/s or other responsible adult/s about their rights, and they will be helped to understand what this means for them</p>