COMMUNITY GATEWAY

External Complaints Policy

Policy Statement:

Northern Rivers Community Gateway (Community Gateway) affirms that all stakeholders, including clients, families, children and the broader community have a right to question, provide feedback on and influence decisions and services. This ensures our practices remain aligned with our charter and regulatory requirements. We value all feedback and treat complaints with respect and seriousness, striving to achieve a satisfactory resolution wherever possible by promoting an open and supportive organisational culture.

We recognise that children, families, educators, staff, and the wider community must feel confident that any concerns or issues raised will be handled confidentially, and in a timely, transparent, and meaningful manner. We are committed to providing an effective complaints management process that meets the needs of families, carers, clients and stakeholders. Our children's programs and services maintain a child-focused complaint-handling system, ensuring that the safety, wellbeing, and rights of children are prioritised in all complaint processes and outcomes.

Purpose

If a concern or complaint is dealt with seriously and sensitively at an early stage it is likely to have a satisfactory outcome. Having a sound complaints procedure will also reflect positively on the ethos and values of the Community Gateway.

Complaints treated as constructive suggestions can be used to improve standards and may prevent cause for further complaint. Even an unjustified complaint may indicate an area for improvement.

The Education and Care Services National Regulations require approved providers to have policies and procedures about dealing with complaints which reflects a complaint handling system at the service that is child focused. This also includes the management of a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child.

Scope/Application

This policy and procedure are for use by all staff to deal with external complaints. An external complaint may be made about the organisation, an individual staff member, a child at one of our services, management or Board. Complaints from an internal party are dealt with in the separate Staff Grievances Policy.

Version 11/Policy: Board approved 18.06.26, next review 2030/
Procedure: CEO approved 07.09.26; next full review 2028, Lead CEO

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Key principles

- Receive complaints and concerns in a positive, open manner.
- Clients, including children, can expect to be taken seriously and approach any staff member about concerns and will not receive adverse treatment as a consequence of making a complaint.
- Educators will discuss complaints procedures with children and encourage them to raise any issues they have.
- Keep clear confidential reports outlining the complaint which are readily available for management.
- Concerns are acknowledged, dealt with promptly, resolution is sought, and complainants are kept informed about the progress and outcome.
- Discussions with the complainant are not to be conducted in presence of children, other staff or parents. Avoid heated discussion as far as possible.
- Child safety, health and wellbeing is a key priority, and we notify regulatory authorities in line with requirements.
- Handling any complaint should be on a 'need to know' basis and staff should use discretion and adhere to confidentiality and privacy policy. Only gain enough detail to direct the complainant to the correct person in the organisation.
- Staff training includes handling complaints, including from children, using trauma-informed practices and care principles, an awareness of the role of cultural safety in complaints handling, and staff member responsibilities.
- All parties to a complaint should be aware that certain information gathered via the complaints process may need to be shared, and why.

Procedure/s

1. Handle all complaints seriously, confidentially and with respect.
2. Families are encouraged to raise any concerns regarding the service and/or their children directly to the child's educator or Coordinator.
3. The staff member or Coordinator will attempt to resolve concerns.
4. Where a staff member has not been able to resolve a concern, they should inform their manager and the Chief Executive Officer (CEO) of the client's concerns.
5. Alternatively, the complainant may request to have their complaint dealt with directly by the Chief Executive Officer (CEO). Additionally, complaints that cannot be satisfactorily resolved with the relevant staff member should be directed to the CEO.
6. Complaints to the CEO should be made in writing and addressed to "The CEO, Northern Rivers Community Gateway, PO Box 525 Lismore NSW 2480" or sent via email to ceo@nrcg.org.au . The complainant will receive written acknowledgment of receipt of their letter/email within 7 days, and upon investigation of the matter a full response within 20 days.

7. The complainant may enlist an advocate for help with lodging their complaint.
8. The Community Gateway will inform its clients, stakeholders, and the public on how to make a complaint via its website (https://nrcg.org.au/feedback/) and other relevant channels such as posters and flyers.
9. At Community Gateway OOSH services the name and telephone number of the person to whom complaints can be made is clearly displayed at the service (Regulation 168(2)(o) and Regulation 173(2)(b)). Families can also make a complaint directly to the NSW Early Learning Commission and these contact details are also displayed at each service.

Recording

1. All complaints should be recorded in the relevant client record.
2. Written complaints are recorded by the Branch Manager in the Complaints Register.
3. Records should include simple, clear notes of all conversations with clients about any source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings easily arise. There should be a clear statement of what concerns the complainant/s. The notes can be agreed with the complainant.
4. Written records of complaints should be maintained and filed together, cross-referenced with other documents, as necessary.

Resolution

1. Satisfaction for a complainant may come from:
   - simple acknowledgment of an issue
   - knowing changes have been made, and matters will be different in future
   - knowing the Community Gateway is now alert to a possible problem
   - feeling a concern has been considered seriously.

Unresolved complaints

1. If a complaint is not resolved to a client's satisfaction it can be dealt with by others outside of the Community Gateway through:
   - alternative dispute resolution, including mediation and conciliation
   - and, if this is unsuccessful, referral to an external government agency such as the NSW Ombudsman. See Client Rights and Responsibilities Policy.

Anonymous complaints

1. A request for confidentiality and anonymity will always be respected and does not affect rights to a thorough investigation of a complaint.
2. However, it may not be possible to deal with a problem without naming individuals. If names are not given, the source of the complaint may be unclear. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child. It may also be in the interest of a child to do so.

Children's complaints and complaints regarding children

1. Written guidelines detailing complaint procedures are available on our website. The services also display posters encouraging feedback from the children and how they can raise an issue or a concern.
2. While parents will often wish to raise issues on behalf of their children, there are other issues which children may choose to raise on their own behalf, and which are best raised by them.
3. The principles that apply to parental complaints should also be applied to complaints and concerns from children.

4. Complaints that appear trivial still need to be addressed as a genuine concern.
5. Complaints, and ways of dealing with them, also need to be explained to children.
6. Complaints made by an individual or family should not rebound adversely on them or their family and similarly that complaints raised by children should not rebound on them or other children.
7. All employees and volunteers are mandatory reporters and will ensure a Risk of Significant Harm (ROSH) assessment is undertaken on all complaints and will follow Mandatory Reporting Guidelines requirements.
8. For children's services- coordinators and educators play an important role in making informed professional judgements regarding sexualised behaviour involving children and managing a complaint that alleges a child is exhibiting harmful sexual behaviours. Not all sexual behaviour involving children poses a risk to their safety. It may be age-appropriate and expected sexualised behaviour. Informed judgements regarding sexualised behaviour help to ensure the health, safety and wellbeing of children by:
    - supporting healthy sexual development (age-appropriate sexualised behaviour)
    - protecting them from harm or abuse (inappropriate or harmful sexualised behaviour)

    Note that in some cases, sexualised behaviour involving children may fall within reporting requirements under other laws. Problematic and harmful sexual behaviours include behaviours that are outside of the expected range of sexual behaviour for a child or young person's level of development, and may harm the child themselves, other children subjected to this behaviour, or place either child/children at risk of harm. The Community Gateway staff use the NSW Mandatory Reporter Guide as a resource on identifying and responding to sexualised behaviour in children.
9. All children's services staff undertake child protection training. Note that in some cases, sexualised behaviour involving children may fall within reporting requirements under other laws. All Community Gateway staff will refer to the Children and Young People Protection and Support Policy and will follow Mandatory Reporting Guidelines requirements.
10. If the complaint is reportable, or potentially reportable, the Coordinator will immediately notify the Senior Manager Business Support and Children' Services and the CEO and then provide a written report to the CEO. The report to CEO should include date when the issue was raised, name of complainant and child, brief statement of issue, action taken by staff in relation to the complaint and brief statement of outcome.
11. The Coordinator must notify the NSW Early Learning Commission within **24 hours** of any complaint alleging that a serious incident has occurred while the child is educated and cared for or complaints alleging that the Law has been contravened (Section 174(2)(b)). This notification is made through the National Quality Agenda IT System (NQA IT System).
12. The Coordinator must email evidence of notification to the CEO and Manager, including information notified and date.
13. The CEO will acknowledge receipt of lodgement and direct manager in subsequent reporting.
14. The Coordinator must continue to gather and provide within timeframes; any evidence requested by the NSW Early Learning Commission and must provide ongoing and timely reports in Donesafe/OWNA and to the CEO as required.
15. The Coordinator should refer to the Reporting Requirements About Children Procedure for further information.

Centrepay Complaints

1. Community Gateway is committed to providing Centrepay customers with a clear, accessible and fair process for providing feedback or making a complaint. This includes complaints relating to the delivery of services where Centrepay is used.
2. Community Gateway's External Complaints Policy is readily available to Centrepay customers. A copy may be requested by phone, email or in person at a Community Gateway office or service location. Information about how to make a complaint is also available through Community Gateway's website. Community Gateway will provide a copy of the complaints policy within 5 business days of a request.
3. A Centrepay customer may make a complaint by phone, email, in person at a Community Gateway office or service location, online, or in writing.
4. When making a complaint, Centrepay customers are encouraged to provide as much relevant information as possible to assist Community Gateway to investigate and resolve the matter. This may include the date or dates when the issue occurred, their name and contact details, any supporting documents or information, an account or reference number where applicable, details of the issue or concern, any relevant amounts, the location where the issue occurred, details of any staff members they spoke with, and details of when they contacted Community Gateway for assistance.
5. A Centrepay customer may choose to have an authorised third party make or assist with a complaint on their behalf. This may include a financial counsellor, community lawyer, trusted friend or family member. Community Gateway will accept established third-party authority forms. Where an authority form is not available, Community Gateway may seek confirmation from the customer that the person is authorised to act on their behalf.
6. When managing a Centrepay complaint, Community Gateway will respond in writing or verbally where a written response is not possible, aim to resolve the complaint within 20 business days, review the complaint fairly and impartially without discrimination or detriment to the customer, handle the complaint confidentially and in accordance with applicable privacy obligations, escalate serious or complex complaints to senior management, keep the customer informed of progress while the complaint is being investigated and resolved, and document all correspondence relating to the complaint.
7. Where a Centrepay complaint is serious, repeated or remains unresolved, Community Gateway will refer the complaint in writing to Services Australia within 5 business days. Where required, Community Gateway may also refer the matter to an appropriate Ombudsman, consumer protection agency or other relevant external body. Customers may contact Services Australia or another appropriate external complaint-handling service at any time regarding their complaint or the outcome of the complaint.
8. Services Australia can be contacted by calling the Feedback and Complaints service on 1800 132 468, online through the Services Australia website or through the customer's Centrelink online account, in person at a Centrelink service centre, or in writing to: Centrelink and Medicare, Services Australia Complaints and Feedback, Reply Paid 7800, Canberra BC ACT 2610.
9. Where a complaint relates to another service or cannot be resolved through Community Gateway's internal complaint process, customers may also contact an appropriate local regulatory or consumer body, NSW regulatory or consumer protection body, Ombudsman, or other relevant external complaint, advocacy or dispute resolution service. Relevant contact information will be provided to the customer where appropriate.
10. Community Gateway will maintain records of Centrepay complaints securely and in accordance with its privacy and record-keeping obligations. Complaint records relating to Centrepay will be retained securely for a minimum of 7 years and may include details

of the complainant, details of the complaint, actions taken in response to the complaint, the outcome of the complaint, and details of any referral or report made to a relevant regulatory authority, including information relating to dispute resolution schemes.

Monitoring, evaluation and review

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 will be used by the organisation as a valuable opportunity to inform continuous quality improvement and review of its policies, procedures and service delivery.

Related policies and procedures

Quality and Continuous Improvement Policy, Governance of Children's Services Policy, Privacy and Confidentiality Policy, Client Rights and Responsibilities, Child and Young People Protection Policy, Reportable Conduct Procedure, Mandatory Reporting Flowchart, Reporting Requirements About Children Procedure, Child Safety Policy, Interacting with Children and Young People Policy, Risk Management Policy, Conflict of Interest Policy, Client Records Policy, Recordkeeping Archive and Storage Policy, Diversity and Inclusion Statement, Code of Conduct, Risk Management Policy, Service User Participation and Feedback Procedure.

Related legislation and resources

Northern Rivers Community Gateway will manage complaints in accordance with applicable Commonwealth and New South Wales legislation, contractual and funding obligations, program requirements, and recognised complaint management standards.

The following legislation and policies may apply to the management of external complaints:

- *Social Security (Administration) Act 1999* (Cth)
- *Privacy Act 1988* (Cth)
- *Health Records and Information Privacy Act 2002* (NSW)
- *Anti-Discrimination Act 1977* (NSW)
- *Age Discrimination Act 2004* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Children's Guardian Act 2019* (NSW)
- *Children (Education and Care Services National Law Application) Act 2010* (NSW)
- *Children (Education and Care Services) National Law* (NSW) – sections 172 and 174
- *Education and Care Services National Regulations* (NSW) – regulations 168, 170–173 and 176
- National Quality Standard (NQS)
- *Community Services (Complaints, Reviews and Monitoring) Act 1993* (NSW)

- *Work Health and Safety Act 2011* (NSW)
- *Ombudsman Act 1974* (NSW)
- NSW Mandatory Reporter Guide (MRG)
- Services Australia Centrepay Terms of Use
- Services Australia Centrepay Policy for Businesses
- Services Australia Centrepay Complaints Policy for Your Business
- AS 10002:2022 – Guidelines for Complaint Management in Organizations
- NSW Ombudsman – Effective Complaint Management Guidelines
- No Interest Loans Scheme (NILS) Program Guidelines and Provider Requirements