

1. Policy Statement

St Nicholas is dedicated to fostering mutual respect, responsiveness, accountability, and transparency in managing complaints and grievances. We view complaints as valuable feedback that can drive critical reflection, quality improvement, and self-assessment, thereby supporting our continuous improvement process. We welcome feedback from employees, parents/guardians, children and other stakeholders through various channels.

Concerns might range from minor issues that can be resolved quickly at the service level to more complex matters requiring formal investigation. All complainants will be treated respectfully and kept informed throughout the process.

Feedback from children, families, educators, and the community is valued and used to improve practices.

2. Purpose

The purpose of this Policy and Procedure is to ensure:

- St Nicholas services and employees are aware of and implement the complaints resolution process.
- families are informed of, and have access to St Nicholas procedures relating to complaint resolution.
- compliance with the Education and Care Services National Law and National Regulations, which require services to have policies and procedures in place regarding complaints resolution.

3. Procedure Direction

Step	Detail
Complaints Management Process	Step 1 – Acknowledge and Inform The Nominated Supervisor/Responsible Person will: • respond to and, where possible, resolve issues as they arise. Where appropriate, simple concerns may be resolved immediately, with actions communicated to the complainant. • acknowledge receipt of a complaint within 24 hours • explain the complaints process, expected timeframes, and next steps • reassure the complainant that confidentiality will be maintained

- notify their direct line manager (Director, Coordinator, Operations Manager) of the complaint

Step 2 – Assess and Prioritise

The Nominated Supervisor/Responsible Person will:

- assess for any immediate health, safety, or security risks and take action as required
- notify the regulatory authority within 24 hours of any complaints alleging that a serious incident has occurred at the service or that the Education and Care Services National Law has been breached, including complaints about the physical or sexual abuse of a child. Note: any 'Formal Complaint', must be lodged in the NQAITS portal
- determine if reporting is required under the Mandatory Reporting Guidelines
- determine if the matter falls within the Reportable Conduct Scheme, if yes, lodge in MnResponse
- collect and document relevant information, including details of the concern, dates, individuals involved, and witnesses

Step 3 – Investigate and Engage

The Nominated Supervisor/Responsible Person will:

- explore the issues raised with relevant parties
- actively listen to concerns, including those raised by children, and respond appropriately
- ensure team members understand how children express concerns, distress, or disclose harm, and respond in line with procedures
- maintain impartiality and objectivity throughout the investigation
- maintain confidentiality and share information on a 'need to know' basis
- provide all parties with an opportunity to respond
- maintain regular communication with the complainant
- document all discussions, meetings, and findings

Operations Managers will:

- conduct the investigation for any notifiable incidents ie. those which have been notified to the regulatory authority via the NQAITS portal, as well as those lodged in MnResponse as a serious incident, breach of National Law or reportable conduct

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Step 4 – Resolve and Respond

The Nominated Supervisor/Responsible Person will:

- discuss resolution options with the complainant and aim to reach agreement on appropriate outcomes
- clearly communicate the outcome and any actions taken
- record the complaint, actions, and outcome in mnResponse and formally close the complaint if it has been lodged in MnResponse. This may also be undertaken by an Operations Manager.
- notify the Regulatory Authority where required by adding documentation to the original NQAITS notification

Step 5 – Record, Reflect and Inform

The Nominated Supervisor/Responsible Person will:

- record complaints involving allegations of sexual abuse, breaches of the National Law or reportable conduct in mnResponse
- ensure all complaints are documented and retained in accordance with record-keeping requirements (minimum three years)
- review feedback and complaint trends to identify areas for improvement
- implement and communicate changes to policies, procedures, or practices
- plan and deliver targeted training or professional development for team members where required

The Nominated Supervisor/Responsible Person will also:

- encourage and support children to share feedback in developmentally appropriate ways
- implement strategies to capture children's voices and involve them in reviewing service practices

Notifiable complaints obligations

Complaint alleging a serious incident has occurred (or is occurring) or the National Law has been contravened

All complaints classified as involving an alleged serious incident has occurred or is occurring or that the National Law has been contravened must be notified to the Regulatory Authority within 24 hours by either the Early Education Centre Director or relevant Operations Manager for all OOSH services.

	• The Head of Early Education, Head of OOSH and Head of Quality Assurance, Operations Managers, Centre Directors and OOSH Coordinators will receive notification for all complaints classified as involving an alleged serious incident, breach of the National Law or reportable conduct. • Operations Managers will be responsible for initial investigations into the complaint and referring to any relevant parties where required (for example, HR Business Partner, Office of Safeguarding Case Worker). • Any complaint that is notifiable to external authorities must be reported to the Office of Safeguarding in accordance with the Safeguarding Framework Policy. • Complainants will be advised that the Regulatory Authority or other agencies may contact them if the matter has been formally reported.
Complaint alleging a child is exhibiting harmful sexual behaviours	• Any complaint alleging a child is exhibiting harmful sexual behaviours must be notified to the Regulatory Authority within 24 hours and to the CDMN Office of Safeguarding by either the Early Education Centre Director or relevant Operations Manager for all OOSH services. • Sexualised behaviour involving children, that is not developmentally appropriate must also be reported via a mandatory report. St Nicholas has an important role in making informed professional judgements regarding sexualised behaviours. Not all sexual behaviour involving children poses a risk to their safety or the safety of others and may be age appropriate. Harmful sexual behaviours include behaviours that are outside of the expected range of sexual behaviour for a child'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. A collaborative approach, involving key stakeholders including parent/guardians, Nominated Supervisors, Operations Managers, the CDMN Office of Safeguarding and external services is required to support all children and families.
Where complaints cannot be resolved by St Nicholas	If a resolution cannot be achieved at the service level: • the matter will be escalated to the relevant Operations Manager or appropriate senior leader • the complainant may be referred to external supports

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	In the case that the complaint is unable to be resolved by St Nicholas, or where resolution options have been exhausted, then the complaint may be referred to the diocesan Complaints Management Services A complaint may also be referred directly to the diocesan Complaints Management Services where: • there is a sufficiently serious actual or perceived conflict of interest involving local leaderships • the complainant has a concern of possible reprisal or belief that the complaint will not be properly addressed at the local level • the complaint is about the conduct of a senior leader in the Diocese • the involvement of the agency may present a risk to the integrity of an investigation
Valuing children's voices	Children's voices are captured in many ways and can be expressed through both verbal and nonverbal means of communication, commonly demonstrated through play and behavioural changes. Educators' respectful practices and responsiveness to the individual needs of children demonstrates a child focused approach and their dedication to valuing children's voices. The United Nations Convention on the Rights of the Child sets out the rights of children and explicitly states that "the child who is capable of forming his or her own views has the right to express those views freely in all matters affecting the child" (UNCRC, 1989). St Nicholas will support children in understanding they can openly discuss their concerns in a safe environment where their views are listened to and respected. Any concerns raised by a child, or on their behalf by their family or another adult, will be taken seriously and managed according to this procedure.
Unreasonable conduct by a complainant	In the event unreasonable conduct by a complainant is identified, an attempt to manage future engagement with them will be made. This may involve written correspondence to the complainant aimed at setting limits and conditions on St Nicholas or Diocese continued engagement with them. This limit setting or condition setting may include: • written identification of the behaviour that is considered unreasonable • a request that this behaviour cease or change • a statement about the consequences should the behaviour continue

	• where possible, offering the person a choice in the request for conduct change • providing for the enforcement of the limits set should the conditions of continued engagement not be met
General information	The complainant may make a complaint directly to the Nominated Supervisor, Operations Manager, or via email to contactus@stnicholasmn.org.au The complainant may make a complaint about a service not complying with the National Law and Regulations directly to the NSW Early Learning Commission on (1800) 619 113 or via email information@earlylearningcommission.nsw.gov.au

4. Roles and Responsibilities

Role	Responsibility
Approved Provider	• Ensure that the obligations under the <i>Education and Care Services National Law</i> and <i>National Regulations</i> are met. • Ensure the name and contact number of the person to whom complaints can be made is clearly displayed at the service • Ensure that the regulatory authority is notified in writing within 24 hours of any complaints alleging that a serious incident has occurred at the service or that the Education and Care Services National Law has been breached. This includes any complaints about the physical or sexual abuse of a child while being educated or cared for by a service • Ensure the inclusion of policies and procedures for managing complaints alleging that a child is exhibiting harmful sexual behaviours • Ensure policies and procedures dealing with complaints include matters relating to the provision of a complaint handling system that is child focussed • Ensure that complaints result in review of relevant policies and procedures • Take reasonable steps to ensure that St Nicholas staff members, educators and visitors follow the policy and procedures
Nominated Supervisor / Responsible Person	• Ensure that regulatory obligations are met in relation to dealing with complaints • Ensure the approved provider is aware of the complaint, via reporting to line managers • Implement procedures for dealing with complaints

	• Take reasonable steps to ensure that the policy and procedures are current, reviewed regularly, and communicated to educators, staff and stakeholders • Take reasonable steps to inform and support educators and staff of their responsibilities in implementing the policy and procedures at all times • Guide and mentor educators and staff to be able to follow the policy and procedures • Maintain confidentiality, including after a satisfactory resolution is reached. • Respond to and resolve issues as they arise, where practicable. • Ensure the complaint is documented • Display the name and contact details of the person to whom complaints can be made at the entrance to the service or in the parent area. • Ensure educators and staff are well informed about their child protection responsibilities and reporting and privacy obligations • Actively listen to concerns raised by children and respond appropriately. • Ensure St Nicholas team members are well informed about the different ways children express concerns, or distress and disclose harm, as well as processes for responding to disclosures from children. • Consider ways to capture children's feedback to encourage children to share information and involve children in the review of processes.
Educators St Nicholas Staff	• Adhere to St Nicholas policies and procedures • Respond to and resolve issues as they arise, where practicable. • Actively listen to concerns raised by children and respond appropriately. • Consider ways to capture children's feedback to encourage children to share information and involve children in the review of processes. • Raise any grievance to the Nominated Supervisor in the first instance, however if it is inappropriate to do so, contact the Operations Manager. • Cooperate with investigations and requests to provide relevant information in relation to complaints and grievances. • Understand child protection law and responsibility as a mandatory reporter.

	• Provide open, regular communication to parent/carers regarding information about their child's day including the educational program, routines and incidents or illnesses.
Parents/guardians	• Be aware of, support and follow the service's policies and procedures. • Raise any complaints in line with this Policy and Procedure • Cooperate with service representatives dealing with complaints

5. Related Documents

Policies and Procedures

- CDMN Staff Code of Conduct
- CDMN Confidentiality Policy
- CDMN Complaints Resolution Procedure
- Record Management Policy and Procedure
- Provide a Child Safe Environment Policy and Procedure
- Child Safe and reporting Policy and Procedure
- Incident, Injury, Trauma and Illness Policy and Procedure
- Enrolment and Orientation Policy and Procedure
- Governance and Management Policy and Procedure

Legislation

- [Education and Care Services National Regulations \(2011 SI 653\) - NSW Legislation](#)
Regulations: 143B, 168, 169, 170, 171, 173, 175, 176, 176A
- [Children \(Education and Care Services\) National Law \(NSW\) No 104a of 2010 - NSW Legislation](#)
Sections: 2A, 172, 174

Other References

Dealing with Complaints. Policy and Procedure Guidelines. ACECQA March 2026

National Quality Standard

- QA 2.2.2 Incident and emergency management
- QA 2.2.3 Child Protection
- QA 6.1 Supportive relationships with families
- QA 7.1.2 Management systems

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6. Definitions

Term	Definition
Staff	A St Nicholas team member whose primary role is not working directly with children, including cooks, support office team members, administration team members, support workers, volunteers
Early Education	St Nicholas service providing education and care to children aged 0 – 5 years
OOSH	St Nicholas service providing education and care to school aged children
Approved Provider	The legal entity with ultimate responsibility for the service under the National Law
Nominated Supervisor	A person with management or control of an education and care service, responsible for its day-to-day management.
Responsible Person	A Responsible Person is present at an education and care service to ensure compliance, safety, and wellbeing when the Approved Provider or Nominated Supervisor is not.
ACECQA	Australian Children’s Education & Care Quality Authority) is the independent national authority guiding the implementation of the National Quality Framework (NQF) for early childhood education and care across Australia. It works with state governments to ensure national consistency in quality standards, compliance, and qualification assessments
Complaint	A complaint is an expression of dissatisfaction made to or about an organisation, relating to its products, services, or staff, where a response or resolution is explicitly or implicitly expected. It can be verbal or written, ranging from informal, immediate feedback to formal legal charges.
Complainant	A complainant is a person or group who makes a formal accusation, files a complaint, or brings a lawsuit against another party, often as an alleged victim in legal or official proceedings.
Notifiable Complaint	A complaint that alleges a breach of the National Law or Regulations, or indicates a potential compromise to a child's health, safety, or wellbeing, which therefore needs to be reported to the relevant regulatory authority within 24 hours.
Complaint Management Service	The diocesan service provided by Governance that is dedicated to the resolution of complaints and includes: Resolution Officers who have an impartial, facilitative, and supportive role in the resolution of complaints at the Agency, and

	Administrative Review Officers who may be allocated to finalise a complaint by the completion of an Administrative Inquiry.
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7. Document Review

- 7.1. This Policy will be reviewed when there is a legislative change, organisational change, delegations change, technology change or at least every 3 years to ensure it continues to be current and effective.