

# Complaints Policy

Askea Community Childcare Centre is committed to providing a quality service to children and their parents/guardians and we regularly evaluate our services in order to ensure this and to monitor the standard of our performance. We welcome all comments on our Service, whether positive or negative and we are committed to giving careful attention and a courteous, timely response to all suggestions, comments or complaints so that we can learn from them and continuously improve our Service.

## Principle of Complaints Policy

This policy is underpinned by the Child Care Act 1991 (Early Years Services) Regulations 2016 Part VIII, Regulation 32, School Age Regulations 2018, The Data Protection Act 2018 and the Freedom of Information Act 2014.

## Procedure for making and dealing with Complaints

Our aim at Askea Community Childcare Centre is that:

- All complaints will be accepted and investigated irrespective of the nature of the complaint or who the person making the complaint is.
- The complaints procedure is kept as simple as possible and anyone making a complaint will be supported through the process as needed.
- All complaints will be dealt with seriously, sensitively and appropriately to ensure that the standard of service provided is maintained at a high level.
- We will endeavour to learn from complaints, use them to improve our service and to annually review our complaints policy and procedures.
- The quality of the service provided to any child and family will never be adversely affected because a complaint has been made.
- Parents/Guardians will be made aware of this policy on enrolment of their child. Staff members will check that they have read and understood the policy and provide any assistance needed.
- Children will be made aware of the policy in an age appropriate way (Appendix 2) and will be facilitated and supported to make a complaint themselves – (Appendix 3).

### HOW TO MAKE A COMPLAINT

1. In the first instance, if a Parent/Guardian or Child has a complaint about some aspect of the service's activity, or about the conduct of an individual member of staff, it will often be possible to resolve the problem informally by simply speaking to the individual concerned, the Room Leader and/or to the Childcare Manager, Veronica Doran.

Some complaints may fall more into the category of disagreements or differences of opinion, and may be resolved through discussion and compromise on the part of both the person making the complaint and the staff member concerned.

2. If informal discussions of a complaint or problem have not produced a satisfactory resolution or, in instances when a complaint cannot be handled informally, those making the complaint will be encouraged to put their complaint in writing to the Childcare Manager by letter or email using the Complaints form attached to this Policy (*Appendix 1*).

## **HOW A COMPLAINT WILL BE MANAGED**

### **Stage One: Informal Process**

The details of the complaint and the response will be recorded by the Childcare Manager.

If a satisfactory resolution cannot be found, then Stage Two of the procedure will formally come into operation.

### **Stage Two: Formal Process**

The Childcare Manager will acknowledge receipt of the complaint in writing as soon as possible – usually within 5 working days – and fully investigate the matter within 30 working days. If there is any delay to the timeline of issuing a response, those who made the complaint will be advised of this and offered an explanation.

The Childcare Manager, with the assistance of appropriate staff members, will carry out a full investigation. This may involve:

- Interviews with all relevant individuals
- Minute taking of all meetings
- Individuals being informed that they may have an appropriate individual present with them during the investigation.

The Childcare Manager will also inform the Committee of Management that the investigation is taking place.

Where no grounds for the complaint are found, the person making the complaint will be notified and information detailing the next stage will be provided.

Where the *Manager* (or other appropriate person) investigating, finds grounds for the complaint, they will ensure that all of the required details are available from the person making the complaint.

Where a complaint concerns a member of staff, we will address the situation with due regard to our obligations as an employer and the rights of the employees, the terms governing their conditions of employment and the procedures outlined in the Staff Handbook. Staff members must participate and support the investigation of any complaint, where requested. They will be given the right of reply and will be supported throughout the process.

If a complaint is made against a Manager the Committee of Management will ensure appropriate management and recording of the complaint in accordance with this Policy.

The Secretary of the Committee of Management will be responsible for communication of the response/outcome.

### **COMPLAINTS NOT WITHIN THE SCOPE OF THE SERVICE**

Any complaints not within the scope of the service to investigate will be referred appropriately.

For example:

- If there are good reasons to believe that the situation has Child Safeguarding implications, the Designated Liaison Person must be informed and they must ensure that the local Tusla Duty Social Worker is contacted according to the procedure set out in the Child Protection Policy.
- If any person involved in the complaint has good reason to believe that a criminal offence has been committed they should contact An Garda Síochána.

Where a complaint relates to Health and Safety it may be appropriate to notify the Health and Safety Authority.

### **COMMUNICATION OF THE RESPONSE/OUTCOME**

The formal response to the complaint will be sent from the Service to the person who made the complaint and copied to all relevant parties. The response will include recommendations for dealing with the complaint and any necessary amendments to the service's policies and/or procedures and/or risk management procedures, arising from the investigation.

The Childcare Manager may arrange a time to meet the person who made the complaint and any other relevant individuals, such as members of staff, to discuss the complaint and the service's response to it. The Manager will judge if it is best for all parties to meet together or if separate meetings are more appropriate.

The person making the complaint will be notified of the progress of an investigation on an ongoing and regular basis by the Manager in writing, by email or letter.

The person making the complaint will be immediately informed of the outcome of the complaint once it has been completed.

### **REVIEW**

If, at the conclusion of the above process, those who made a complaint are dissatisfied with the response they have received, the original complaint along with the service's response will be passed to the Committee of Management who will ensure that there is a complete review of the complaint. This review will be undertaken by a panel selected by the Committee of Management.

This panel will not include any person directly involved in the complaint or related to the parties involved.

The Secretary of the Committee of Management will communicate a detailed response, including any actions to be taken, to both the Childcare Manager and the person who made the complaint, within 30 working days.

*This timeframe may be different depending on the severity of the complaint, the urgency of the complaint, its complexity and the availability of all those people who need to be involved.*

### **RECORDING OF COMPLAINTS AND CONFIDENTIALITY**

Records of complaints will be kept in the Complaints Records File, separate from children's files. All information relating to complaints will to be shared only on a need-to-know basis.

Where a complaint involves a Child Protection concern the Child Protection Policy will apply.

Where a complaint involves an allegation of a breach of a person's rights (child or adult) and/or a criminal action or behaviour the appropriate authorities will be informed.

The record of the complaint will be kept for two years from the date on which the complaint has been dealt with (*This period may vary depending on other legal requirements*).

It will be open to inspection on the premises by those authorised to inspect it including the Tusla Early Years Inspector.

The record will include:

- The name of the complainant
- The nature and details of the complaint
- The date and time the complaint was received
- The manner in which the complaint was received
- The name of the person who received the complaint
- The level of risk to the child or children arising from the subject of the complaint
- The manner in which the complaint was dealt with, including:
  - Any local resolution implemented
  - Any specific meetings held with the person making the complaint and minutes of any such meetings
  - Timelines for investigation of the complaint and notification of the outcome to the person making the complaint
- Details of the investigation carried out
- The outcome of the investigation
- Details of any corrective or preventive actions to resolve the complaint
- Information given to the person making the complaint about the progress and the outcome of the complaint
- Whether the action taken to resolve the complaint was accepted

- Details of any plan implemented for the child's care as a result of the complaint as agreed with the child's parents/guardians
- Details of any review to the risk management process in light of the complaint.
- Details of any changes to practice or policy.

Only members of staff authorised by the Committee of Management/Childcare Manager may access the Complaints Records File.

### **ROLE OF TUSLA**

If a person making a complaint is dissatisfied with the Service's response or feels for any reason that they cannot bring the concern directly to the manager/Committee of Management, they can contact Tusla's Early Years Inspectorate.

Tusla's Early Years Inspectorate does not investigate individual concerns or complaints. All information received is assessed to determine if any concerns relating to the health and welfare of children exists within the remit of the 2016 Regulations. The information determines the focus and timing of Tusla's inspections.

Where Tusla Early Years Inspectorate considers that there is a potential risk to the health, safety and welfare of children in an Early Years Service, Tusla Early Years Inspectorate will take appropriate actions with the Service Provider to ensure that the risk is addressed.

### **STAFF COMPLAINTS**

It is understandable and acceptable that when people work together misunderstandings, concerns or problems may arise. The hope in this Service is that issues/misunderstandings can be resolved informally in an efficient and an effective manner.

Where such issues remain unresolved employees are encouraged to seek resolution by:

1. Discussion with their Supervisor during Supervision Sessions.
2. Utilising the stages of the Grievance Procedure as detailed in the Staff Handbook.  
If the grievance relates to an employee's Manager it may be necessary to proceed to Stage 3 by contacting the Committee of Management.

### **COMMUNICATION PLAN (For staff & families)**

- Parents/Guardian will be made aware of this policy on enrolment of their child. Staff members will check that they have read and understood the policy and provide any assistance needed. 'A child friendly' version of the policy is also available.
- A summary of this policy will be included in the Parent/Guardian Handbook. This policy will also be reviewed with staff at induction and annual staff training. When a complaint is received, the person making the complaint will be given a copy of this Policy.
- A copy of all policies is available during all hours of operation to staff members, to parents/guardians and to school aged children in the Policy Folder located in Reception.

- Parents/guardians and school aged children may receive a copy of the full policy at any time upon request.
- Parents/guardians and the staff team will receive written notification of any updates.

This Policy links with our –

- Child Protection and Welfare Policy
- Partnership with Parents Policy
- Confidentiality Policy
- Support and Supervision Policy
- Staff Handbook
- Staff Contracts of Employment

<b>Date this policy was created</b>	January 2016
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<b>Date this policy was updated</b>	March 2020
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<b>Date this policy will be reviewed</b>	March 2022
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*Appendix 1*

**ASKEA COMMUNITY CHILDCARE CENTRE**

**CONCERN AND COMPLAINT FORM**

Name of person making complaint: .....

Address of person making complaint:

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Describe in detail and accurately the nature of your complaint/concern (attach extra sheet/s if needed). Please include date and time of incident (if applicable) names of persons involved (including any staff), witnesses (if any) copies of any relevant documentation etc.

Signature of Complainant: ..... Date: .....

Phone number: ..... Email: .....

Signature of Manager receiving complaint: ..... Date: .....

*Appendix 2*

**If you feel:**

**Unhappy or sad about something happening  
at our Afterschool**

**Unhappy or sad about someone that you see  
there**



**Tell your Room Leader**

**Write it down and put it in the worry box**

**NEVER KEEP IT TO YOURSELF**

**We will:**

**Always listen to you**

**Find out what has been happening**

**Do everything we can to sort it out**



**Keep you safe**

*Appendix 3*

**ASKEA COMMUNITY CHILDCARE CENTRE**

**CONCERN AND COMPLAINT FORM - CHILD**

Name of Child: .....

Name of Parent/Guardian:

.....

Parent /Guardian Phone number: .....

Please tell us why you are unhappy with us:

Signature of Staff Member receiving complaint: .....

Date: .....