



Cawley Childcare Ltd

(I/A Home from Home Creche & Preschool & Kids Campus)

Policy & Procedure

Complaints

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| Document Title: | Complaints |
| Document Author: | RC |
| Document Approved: | Rachel |
| Person(s) responsible for developing, distributing and reviewing Policy | Rachel |
| Person responsible for approving Policy | Rachel & Danielle |
| Method of communication of policies to staff (email / hard copy / induction training) | Hard copy and induction for staff. Hard copy for school age children available |
| Updates of Policy: | All updates of this policy will be distributed when amendments are made or at least on review date. |
| Method of communication of policies to parents/guardians (full policies via email, hard copy) & also School Age children | Email, website, hard copy available on premises for parents and children |
| Date the Document is Effective From: | November 2022 |
| Scheduled Review Date: | November 2023 |

This policy is available and has been communicated to parents/guardians and staff and school age children.

Relevant staff know the requirements and have a clear understanding of their roles and responsibilities in relation to this policy.

Relevant staff have received training on this policy.

Child Care Act 1991 (Early Years Services) Regulations 2016 ([Síolta Standard 3: Parents/guardians and Families](#), [Síolta Standard 4: Consultation](#), [Síolta Standard 10: Organisation](#)) ([National Standard 1: Information](#), [National Standard 3: Working in Partnership with Parents or Guardians](#), [National Standard 4: Records](#), [National Standard 7: Complaints](#), [National Standard 11: Child Protection](#))

Statement of Intent:

We are committed to giving careful attention and a courteous, timely response to suggestions, comments or complaints so that we can learn from them and continuously improve our Service. All complaints are dealt with in a confidential manner without fear, favour or prejudice.

The Service has a consistent and unbiased approach used to manage all complaints within the Service.

All complaints are investigated promptly, taken seriously and handled appropriately and sensitively. Complaints are managed and reported in line with the Service's Complaints policies and procedures.

- The written record of a complaint is available on the premises for inspection by the Early Years Inspectorate. Complaints are filed appropriately with child's personal information and only accessible by management or the person in charge. All complaints will be stored in the designated folder located in store room where only relevant staff have access to.

Where a Child In the Service Makes a Complaint or Expresses a Concern to his/her parent or guardian:

Where a parent notifies the Service that a child has made a complaint to them or expressed a concern about the Service or a staff member, contractor, unpaid worker, student or volunteer at the Service it is the policy of this Service to treat such notification by a parent/guardian as a complaint and the complaints procedure contained in this policy will immediately come into force.

Where a Child Makes a Complaint or Expresses a Concern to a Staff Member, Contractor, Unpaid Worker, Student or Volunteer at the Service

Where a child makes a complaint or expresses a concern to a staff member, contractor, unpaid worker, student or volunteer at the Service about a staff member, contractor, unpaid worker, student or volunteer at the Service, the person to whom

the complaint or concern is made must immediately report the matter to the Manager who will contact a child's parents/guardian to arrange to meet with them at the earliest possible opportunity and the Service's complaints procedure will immediately come into force.

Private Service: Where the complaint is about the Manager, the matter must be reported to the Deputy Manager.

When a Child makes a complaint

- If the complaint is deemed minor and can be dealt with, within the setting there and then, staff must do their utmost to facilitate this.
- The child must be listened to, and the complaint must be dealt with in a serious and respectful manner.
- The child must be commended on speaking forward
- Staff must note the complaint and also try and help by resolving the matter.
- If it is in connection with another child, both children must be taken aside, listened to and encouraged to talk the matter through.
- If the complaint is about materials within the setting, the required materials will be put on shopping list, Child will be assured we will do our best to facilitate their request (within reason)
- If complaint is in regards to food, an alternative choice will be offered to the child.
- At all times the child will be given the opportunity to voice their concerns/complaint
- The child will be shown respect by staff throughout
- If the complaint is of a more serious matter, they must be listened too and no leading questions must be offered by staff, the staff as a mandated person, must take notes and pass to DLP or manager depending on the reason of the complaint.

What is expected of staff to do if a child has a complaint

Listen to the child

Help resolve the matter if deemed minor.

If more serious matter, speak to DLP and manager if unsure of next step

Contact parents to arrange a meeting and discuss concerns

DLP and Manager and parents will decide on next step which may involve contacting Gardai/ TUSLA depending on nature of complaint.

Contacting the gardai or TUSLA can be done without consent of parents. As mandated persons it is our responsibility to put the needs of the child first.

Where a Child is Overheard Making a Complaint or Expressing a Concern to a Peer in the Service:

Where a child is overheard making a complaint or expressing a concern to a peer in the Service the person hearing the conversation shall immediately report the matter to the Manager OR the Deputy Manager

The Manager should immediately contact the child's parents/guardian and to arrange to speak with the child in compliance with the Service's Child Safeguarding Statement

- All complaints must be made to the Manager Rachel Cawley
- Where the complaint is made about the Manager, the complainant can complain to Danielle Cawley or the Deputy Person in Charge, Sinead Mullen
- Or where the service is operated by one person, and if the complainant feels they cannot refer to the Manager or it is inappropriate to do so, the complaint should be referred to an outside agency such as Tusla, Pobal or An Garda Síochána depending on the nature of the complaint.
- Complaints will be dealt with in an open and impartial manner.
- The complaint [made verbally] will be documented and remain confidential.
- The complaint will be investigated to assess if the Service has breached our policy and procedures.
- This investigation may be carried out by an independent third party if deemed necessary and appropriate
- Staff may be consulted during the investigation process

- If a complaint is made against a staff member the HR policies may be invoked, including the discipline policy

Informal

- Every attempt will be made to resolve the matter as quickly and amicably as possible in an informal manner and to the complainant's satisfaction.
- If agreement cannot be reached informally, the parents/guardians must make a formal complaint in writing to the Manager.
- The parent will be sent an acknowledgement that the complaint has been received and told how it will be dealt with, by whom and within a timeframe specified by the Manager and agreed by the complainant. . If the complaint is made about the Manager, the Manager can acknowledge receipt of the complaint but may defer to a third party to manage the process
- The Manager OR The agency to whom the complaint has been referred will keep dated records summarising what was said and by whom.
- In the case of a complaint made against a member of staff, the staff member involved will be informed that a formal complaint has been made and given full details.
- The Manager will arrange to meet with the staff member and discuss the lodged complaint.
- The Manager will record and keep an accurate and detailed account of what was discussed.
- The Manager will review the complaint and consider all the relevant information as discussed and a decision will be made and recommendations if necessary.
- If a complaint involves a child protection concern (child abuse, neglect) this is passed to the Designated Liaison Person in the service and a separate reporting procedure will be followed in line with our Child Protection Policy and Children First 2017
- The Manager will inform all parties involved of the outcome of the complaint made. The Manager reserves the right to extend the timeframe of the investigation and resolution in complex cases. The complainant will be kept informed regarding the progress of their complaint hearing and will never be left more than one week without communication regarding the complaint

Appeals

If the complainant is not satisfied with the outcome of the complaint or a satisfactory resolution is not found within 28 days of the Manager's investigation and report, Management will offer (a) the opportunity to appeal the complaint to an external consultant with experience in dealing with complaints or (b) offer mediation

If the complainant is not satisfied with the outcome of the above interventions they will be advised that the service is closing off the complaint and if appropriate will refer the complainant elsewhere.

- The agency to which a complaint may be referred may include such organisations as Tusla, HSE, DCYA, HSA depending on the nature of the complaint. We will cooperate fully in any investigation carried out by these agencies
- Upon closure of a complaint, the outcome is recorded with
 - details of any recommendations
 - details of any changes to practice, policy or statement
 - Information about the appeals process
- Complaints will be kept on file for 2 years
- Complaints are kept stored confidentially in a closed folder in the store room where only managers/staff have access to.
- Only management (Rache & Danielle) have access to complaints
- If a resolution is not found within 28 days of the Manager's investigation and report, the complainant will be advised on the options to complain elsewhere or will be offered mediation. The Manager reserves the right to extend the timeframe of the investigation and resolution in complex cases
- The complainant will be kept informed regarding the progress of their complaint hearing and will never be left more than one week without communication regarding the complaint
- The agency to which a complaint may be referred may include such organisations as Tusla, HSE, DCYA, HSA depending on the nature of the complaint.
- Upon closure of a complaint, the outcome is recorded with details of any recommendations, any changes to practice, policy or statement, and information is given about the appeals process.
- Complaints will be kept on file for 2 years and are open to inspection.

- All complaints will be stored in the designated folder located in store room where only relevant staff have access to.

Management of Unsolicited Information to Tusla

The Early Years Inspectorate (EYI) may receive information volunteered by parents, staff or members of the public about our Service. This is known as unsolicited information, and it can include comments, complaints or concerns.

- Unsolicited information which is deemed not to fall under the scope of the 2016 Regulations may be referred to another agency for action as appropriate by Tusla. We will cooperate fully if a complaint is referred to another agency and follow our policy in investigating the complaint ourselves
- Unsolicited information which is deemed to fall under the remit of the Regulations is then risk rated by the inspectorate to determine if there is a risk to the health, safety and welfare of child in the service. Again, we will fully cooperate with any review/risk assessment carried out by Tusla
- If the risk to children is assessed as low by Tusla it may not investigate but our Service will be required to investigate the matter in line with this complaints policy.
- When investigating the complaint we may need to refer to other policies and procedures or follow our employment/staffing policies and procedures
- If there is an unsolicited complaint we will act promptly to endeavour to resolve the issue as quickly as possible
- Like all other complaints we will log unsolicited information and retain for inspection for 2 years
- We will keep all parties informed of the progress of a complaint
- We will record each step of the process and keep detailed notes
- We will give the complainant a full explanation in writing of the outcome and the rationale for the decision.
- We will always give the option of appeal the decision as outlined in this policy
 - All complaints will be stored in the designated folder located in store room where only relevant staff have access to.

Signed: _____ Date: _____
Name: Rachel Cawley

Person responsible for approving the Policy