

Playcentre Aotearoa's Complaint Resolution Policy



Purpose

From time to time issues will arise within Playcentre Aotearoa that we need to acknowledge, address and learn from in order to resolve the issue and evolve how we work together. These issues may give rise to complaints, concerns, or grievances. Our people are encouraged to speak up and help Playcentre Aotearoa grow as a community of people wanting the best for our tamariki. Our philosophy will guide us in working through issues respectfully.

The purpose of this policy is to:

- Recognise the range of concerns and complaints possible, and to ensure all issues are resolved in a fair, timely, respectful manner
- Comply with required education and early childhood service regulations, legislation relating to protected disclosure and privacy, and other applicable legislation.

Complaints can be formal or informal and are considered an opportunity for improvement.

A complaint may relate to Centre-based concerns, employee issues, licensing, regulatory, policy, governance or any other general concerns or complaints.

A person may raise a complaint for addressing *internally* within Playcentre Aotearoa or they may raise their complaint *externally* to an outside organisation, such as Ministry of Education. Playcentre Aotearoa may also seek outside organisation involvement in addressing a complaint.

When any person, child or adult, is in immediate danger from violence or abuse, Playcentre leadership at any level will immediately take the appropriate steps to notify the Police and statutory agencies.

Where a child's wellbeing is at risk our Child Protection Policy and procedures will apply.

Encouraging Informal Resolution whenever possible.

Where possible, complaints will be resolved between the people it concerns or at the level closest to where the problem arises.

This may be with:

- the person concerned

- the local Centre President or equivalent, or Centre Advisor, whomever is most appropriate given the nature of the complaint
- an employee's manager (in the case of an employee or employee involvement)

Raising a Formal Complaint

There are situations where a raised complaint or concern may be treated as a formal complaint immediately. These include:

- Where the raised complaint involves a Playcentre employee. In this case, their manager will need to be informed.
- Where an outside organisation such as the Ministry of Education, NZQA or the Privacy Commissioner is directly informed of the complaint. The Chief Executive or a National Team delegate is responsible for our general communication and relationships with these organisations on behalf of Playcentre Aotearoa and must be informed of the complaint made.
- Where the person raising the complaint requests or treats it as a formal complaint

A formal complaint is to be made in writing or verbally made to be recorded in writing within 90 days of the event or situation occurring. Playcentre Aotearoa's complaints resolution procedure will be activated.



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Protected Disclosure

New Zealand law protects people raising concerns in good faith of suspected serious wrongdoing that could be found to be illegal such as child abuse, fraudulent activity, or activity posing serious risk of harm to the public or our environment.

People making declarations of protected disclosures are protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings relating to the disclosure.

In making a protected disclosure: it is about a serious wrongdoing in Playcentre Aotearoa or by a representative of Playcentre Aotearoa, and the person believes on reasonable grounds the information is true or is likely to be true and wishes the wrongdoing to be investigated and their disclosure to be protected.

Any Playcentre person wishing to make a protected disclosure should do so using the Complaints procedure. Employees can refer to the Whistle Blower section of the Employee Handbook.

Receipt of a formal complaint will be acknowledged as soon as possible and within five working days.

A formal complaint must detail the concern and the parties involved. A complainant should expect those details to be shared with the parties involved. Fair action cannot be taken without disclosure and details. Anonymity of the complainant will be determined depending on circumstances and involve the view of the complainant. Protected disclosure is also available and is covered further in this policy.

It is expected that a complaint remains confidential amongst the parties involved unless otherwise agreed mutually by the parties involved.

Misconduct and disputes

If a complaint about an employee becomes an employment issue, then the disciplinary procedure outlined in the individual's employment agreement and employment policy will be followed. It will be overseen by a member of the National or Regional

management team and will not require resolution involvement by Centre members for confidentiality reasons. A warning or dismissal may result.

If a complaint about a Playcentre member or volunteer or education programme participant is of a serious nature then a similar disciplinary procedure will be followed. Depending upon circumstances, the disciplinary procedure may be overseen at Centre, Regional or National level.

- It may require a suspension of duties and/or attendance of the person/s involved for the period of the investigation until a decision is made.
- In the case of serious misconduct being upheld, dismissal/membership being revoked may be a possible outcome.
- In the case of misconduct being upheld, the following are possible outcomes and are at Playcentre Aotearoa's discretion.
 1. First written warning
 2. Second written warning
 3. Dismissal or membership being revoked

Serious misconduct is any action or behaviour by an employee or member which leads to the breakdown of trust and confidence in either the employment relationship or the relationship between a Playcentre member or volunteer or education programme participant and any part of Playcentre. It may result in employment being terminated or membership revoked. Examples of serious misconduct include (and are not limited to) falsifying data, theft, inappropriate behaviour towards a child, and abusive behaviour.

Where suspension of employment or membership is being considered because of the serious nature of the complaint, due procedure and consultation will be followed by the parties involved.

Suspension or revocation of membership does not need to impact a child's enrolment, however alternative caregiver arrangements may need to be made.



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Our Complaint Resolution undertakings:

- All our Playcentre people will be made aware of this policy as part of their Playcentre induction and it will be available in all our Centres and workplaces.
- We will encourage informal and direct resolution whenever possible.
- We will keep any complaint confidential, share between the parties involved as appropriate, and expect the parties and those not involved to respect this.
- Depending on the complaint raised, our procedures will guide our response.
- In the event of a formal complaint
 - We will acknowledge and follow up a complaint in a timely manner.
- We will inform the parties involved of any allegation and keep them informed during the process with the level of detail shared being appropriate to the situation.
 - The person making the complaint may not be privy to all resolution details.
 - Our process will facilitate fair justice by way of a fair hearing

- We will encourage the involvement of a support person
- We will seek a positive outcome acceptable to all parties where possible. Outcomes may be mutual agreement, not substantiated, or disciplinary action.
- We will document the process and provide outcomes and recommendations in writing
- Information relating to the complaint and its resolution will be stored securely in a Playcentre environment.

Right of Appeal or Lack of Resolution.

If the outcome of the resolution is not acceptable to one or any of the parties directly involved, the complaint can be escalated according to the steps in Playcentre Aotearoa's complaints resolution procedure within one month of the unacceptable notified resolution. If we are not able to resolve within Playcentre Aotearoa, parties may then choose to be referred externally to a dispute resolution mediator or arbitrator

Policy controls	Regulatory references:	Other references:
<ul style="list-style-type: none"> • Name: Playcentre Aotearoa's Complaint Resolution Policy • Version: P14/R1/7.19 • Issued: July 2019 • Owner: National Support Manager • Approver: Chief Executive • Last Reviewed: Apr 22 • Last updated: Apr 22 • Scheduled Review Date: 2024, thereafter every two years 	<ul style="list-style-type: none"> • Education (Early Childhood Services) Regulations 2008 No.47 • Licensing Criterion GMA1 and GMA7 • Protected Disclosures Act 2000 • Employment Relations Act 2000, Part 9 • Human Rights Act 1993 	<ul style="list-style-type: none"> • This policy* • Communications Policy • Employment Policy • Child Protection Policy* • Human Rights Commission page • Ministry of Education complaints procedure • PTE Playcentre Education student handbook

* To be displayed and/or available at each Centre

