

### 3. COMPLAINTS POLICY

We welcome any recommendations, suggestions, comments or complaints made by children or parents concerning our service.

#### *Complaints procedure:*

We will deal with any complaints in an impartial and open manner. The following procedure will apply to any complaint:

#### Stage 1

- A complaint can be made by phone, in person, with a staff member or by letter, email and/or text.
- The complaint may be made by the person directly affected or by a person acting on their behalf.
- Those who wish to make a complaint are encouraged to speak directly to the relevant member of staff in the first instance. However, should they wish not to do that then they can speak with the owner/manager who will try to resolve the problem. This person is **Bernice Gardiner or Michelle Smith**.
- The complaint will then be recorded by this person and be shared only on a need-to-know basis.
- Every attempt will be made to resolve the matter as amicably as possible and to the parent's satisfaction at this level.

#### Stage 2

- Should agreement not be reached at stage 1 then the person making the complaint is encouraged to make a formal complaint in writing to the owner/manager as named above.
- The owner/manager will acknowledge receipt of the complaint in writing as soon as possible which would normally be within 3 working days. We would expect the matter to be fully investigated within 5 working days.
- A full investigation into the complaint will be carried out which may involve:
  - o Interviews with all relevant individuals;
  - o Minute taking of all meetings;
  - o Individuals being informed that they may have an appropriate individual present with them during the investigation.
- If the owner/manager believes the situation has Child Protection Implications then the Child Protection Officer and the local TUSLA Duty Social Worker will be contacted in line with our Child Protection Policy.
- Should the complaint be deemed to relate to a criminal offence then An Garda Síochána will be informed.
- A formal response to the complaint will be sent from the service to the person who made the complaint and copied to all members of relevant staff if appropriate. 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.

#### Stage 3

- If at this stage the parent is not satisfied with the outcome, then he/she may make a written request to go to the third stage which involves an independent mediator (any person not directly involved in the complaint).
- The independent mediator will consider all relevant material and reach a decision. Recommendations will be made where necessary. All persons involved will then be informed of the outcome in writing, normally with 5 working days of receipt of the appeals notification.

#### *Record keeping:*

- An accurate and detailed record of each complaint is kept on site for 2 years from the date the complaint has been dealt with.
- All information relating to any complaint will be treated as confidential and shared only on a need to know basis.
- All records of complaints will be kept in full compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016, Data Protection Act 2018 and Freedom of Information Act 2014. The Complaints Records File will be available to those authorised to inspect it, including the TUSLA Early Years Inspector.

#### *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/registered provider, 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.

To contact TUSLA regarding a concern about this or any early years service you can contact in the following ways:

- Email: [early.yearsui@TUSLA.ie](mailto:early.yearsui@TUSLA.ie)
- Call: 061 461700
- Or download a complaints form at: [www.TUSLA.ie/services/preschool-services/concerned-about-the-operation-of-a-eys/](http://www.TUSLA.ie/services/preschool-services/concerned-about-the-operation-of-a-eys/)

*Send it to:* TUSLA Early Years Inspectorate, Unsolicited Information Office, 2nd Floor, Estuary House, Henry Street, Limerick.

The TUSLA form can also be posted on request.