

Complaints Procedure

Purpose – this procedure provides clear guidance for receiving, assessing, investigating, resolving, and documenting complaints in accordance with the Central Kids Complaints Policy. It supports consistent handling of complaints across services while ensuring compliance with safeguarding, health and safety, privacy, and regulatory obligations.

Complaint Management Principles

Complaints must be managed in a way that is:

- fair and impartial
- respectful and culturally appropriate
- consistent with principles of natural justice
- responsive to the safety and wellbeing of tamariki
- appropriately documented.

Where safeguarding or regulatory obligations are triggered, those processes **take precedence over the complaints process**.

Steps		Informing and documenting
Step 1	Informal resolution Where appropriate, concerns should first be raised with the person directly involved, or with the service manager, as soon as possible after the issue arises. Concerns should be addressed through respectful discussion and clarification wherever possible. Informal resolution should only proceed where: • there is no risk to tamariki safety • the matter does not involve serious misconduct • the matter does not meet regulatory notification thresholds. If any of these risks are identified, the complaint must move immediately to the Serious Complaint Assessment stage.	The Manager must monitor and note trends in complaints raised. Emerging trends and themes should be notified to the next tier up manager. The triage decision and any escalation must be recorded in in the Health & Safety digital platform.

Step 2

Serious Complaint Assessment

Before initiating a formal complaint investigation, the Manager must assess whether the complaint meets the definition of a Serious Complaint.

This includes assessing whether the complaint involves:

- alleged abuse or neglect
- risk of harm to a tamaiti or tamariki
- serious injury or notifiable health & safety event
- regulation 55 notifiable event criteria
- potential notifiable privacy breach
- serious misconduct

Where a complaint involves **alleged abuse, neglect, or risk of harm to a tamaiti or tamariki**:

- the **Protection of Tamariki Policy and Report of Concern Procedure must be followed immediately**.
- the **complaints process must pause** until safeguarding obligations are addressed.

Where the complaint relates to injury, illness, or accident, the **Health & Safety Policy** and **Regulation 46-47 obligations** must be followed immediately.

Where the complaint concerns employee conduct, this assessment fulfils the **preliminary inquiry requirement under the Fairness and Disciplinary Policy**.

The **Kaihautū/CEO** holds delegated authority for regulatory notifications.

- **Manager to notify General Manager**
- **General Manager to notify Kaihautū | CEO**

If a specified agency notification is required (Worksafe, Police, Privacy Commissioner, Teaching Council). The Ministry of Education must be notified within 24-hours.

The assessment of regulatory notification decisions must be documented in the Health & Safety digital platform:

- agency notified
- date
- notifier

Where safeguarding concerns are identified, the manager must record:

- the safeguarding concern identified
- escalation pathway
- any **Report of Concern** completed.

Where appropriate, the complainant should be informed that the matter has been escalated to the relevant authority, **unless doing so would compromise safety, privacy or legal obligations**.

Step 3	Initiate formal process If the complaint is not resolved informally, or if the complainant is not comfortable with raising it directly, the complainant should submit a written complaint to the relevant service leader. Complaint escalation must follow the Delegations of Authority framework. Where the complaint involves the delegated decision-maker, the complaint must be escalated one governance tier higher, e.g, if the complaint is about the centre manager, it can be raised with the Regional Manager by email: info@centralkids.org.nz Where a complaint involves digital communications, CCTV footage, or ICT systems, investigation must comply with the ICT Policy.	Inform one-up manager and People, Culture, Health & Safety General Manager via email that a formal process is being initiated. Log the complaint in Health & Safety digital platform, via the Complaints Investigation Procedure checklist.
Step 4	Acknowledge receipt The manager receiving the complaint must acknowledge receipt within two working days, and will inform the complainant of the steps and timeframe for investigating and resolving the complaint.	Document any kōrero summary or correspondence in Health & Safety digital platform. If investigation timeframes change, the reason and date communicated must be recorded in Health & Safety digital platform.
Step 5	Inform respondent The manager must inform the respondent of the complaint and give them an opportunity to respond and provide any relevant information or evidence. Where the complaint involves potential misconduct, the respondent must be informed of their rights under the Fairness and Disciplinary Policy and refer to further People, Culture, Health & Safety procedures. The respondent must be advised of their right to a support person as per People, Culture, Health & Safety procedures.	Record all communication and kōrero summaries in Health & Safety digital platform.

Step 6	Investigation The investigating manager must: – gather relevant information inclusive of relevant policies, procedures and regulatory criteria. – consult witnesses where necessary – assess evidence impartially. Where risk to tamariki, kaimahi, or organisational integrity is identified, precautionary measures (including alternative duties or suspension) may be considered under the Fairness and Disciplinary Policy. Any actual, potential, or perceived conflict of interest must be declared. If conflict exists, the complaint must be escalated to the next governance tier.	Update the Complaints Investigation Procedure checklist with all investigation information, including emails, summaries of hui, statements, pictures, or any other contributing evidence. The investigating manager must document any actual, potential, or perceived conflict of interest and how it has been managed.
Step 7	Decision The manager will decide on the complaint based on the available facts and evidence and will communicate the decision and the resolution to the complainant and the respondent within 20 working days of receiving the written complaint, unless there are exceptional circumstances that require more time. If more time is required, this must be clearly communicated to the complainant as soon as possible. Where findings meet the definition of misconduct or serious misconduct, responsibility transfers to the delegated authority holder under the Fairness and Disciplinary Policy. Serious complaints and notifiable events must be flagged for governance visibility and risk register assessment.	Capture the decision outcome in the Health & Safety digital platform, and the rationale. This must be peer reviewed by the relevant General Manager prior to informing the decision being communicated. If governance notification occurs, the date and authority notified must be recorded in Health & Safety digital platform. Decision outcomes from regulatory agencies must be uploaded to the Health & Safety digital platform.

Step 8	Appeal If the complainant or the respondent is not satisfied with the decision or the resolution, they may appeal within 10 working days of receiving the decision. Appeals must be directed to the next governance tier. They will review the complaint and the decision, and will either uphold, modify, or overturn the decision, or refer the complaint to an independent mediator or arbitrator, within 20 working days of receiving the appeal, unless there are exceptional circumstances that require more time. The manager will notify the complainant and the respondent of the outcome of the appeal and will explain the reasons for their decision. This can occur in writing, kanohi ki te kanohi or via the phone. Appeals do not delay mandatory regulatory notification where required or statutory reporting obligations.	All appeal outcomes must be recorded in Health & Safety digital platform along with any new information or decisions.
Step 9	Complaints to the funder or regulator If the complaint is still not resolved, or if the complaint involves a breach of the regulations or the licensing criteria for early childhood services, the complainant or the respondent can escalate the complaint to the Ministry of Education, which is the regulatory authority for early childhood education services in New Zealand. Central Kids must also notify authorities where required under legislation, including the Ministry of Education, WorkSafe, Police, or the Privacy Commissioner. Contact details for the Ministry of Education Regional offices are: Rotorua: (07) 349 7399 or enquiries.bop-waiariki@education.govt.nz Waikato: (07) 850 8880 or enquiries.hamilton@education.govt.nz If the complaint relates to the conduct of Mātauranga Ake (Social Service Support), complaints can be made to info@centralkids.org.nz Central Kids will cooperate fully with any regulator or enforcement authority and comply with lawful directions.	
	Protection from Retaliation All parties must be protected from retaliation for raising or responding to complaints in good faith. Any concerns regarding retaliation must be documented and escalated to the next governance tier.	