

BANANAS HANDOUT

Complaint Policies

Complaint Procedures

An effective complaint policy is a crucial part of promoting child care quality in the community served by BANANAS. Although complaints are difficult to receive and respond to, they do demonstrate that parents are monitoring their children's care. Acting on a complaint promptly can help the child care program upgrade its quality. In the case of unsafe programs, BANANAS must have a way to suspend referrals in order to protect children, families, and BANANAS' reputation. BANANAS believes a clear and equitable complaint policy is necessary for the following reasons: to make responsible use of the information received from parents, the community, and Community Care Licensing, and to establish fair and impartial standards for removing a program from BANANAS' referral database.

When parents call BANANAS with complaints on a child care program, we make a distinction between complaints about a program's business practices or style of care, and complaints about a program's compliance with the licensing requirements. When a complaint is about licensing violations, we refer parents to the Department of Social Services' (DSS) Community Care Licensing (CCL) Division, which will follow up on the complaint. BANANAS does not contact providers immediately about this type of complaint because it is against the law for us to tell providers in advance about a licensing investigation.

When the complaint does not involve a violation of the licensing regulations, BANANAS may contact the provider if given permission by the complainant. When appropriate, BANANAS will offer to mediate this type of dispute if either party so requests. We feel it is important for programs to have information on minor complaints in order to make program improvements.

We do not share complaints about a program with parents. Parents who ask about a program's complaint history are encouraged to call the California Department of Social Services at 1-844-538-8766, or visit <https://secure.dss.ca.gov/CareFacilitySearch>. Download BANANAS' publication on Child Care Complaints for tips on how to avoid complaints in child care; it is a useful handout for both parents and providers: <http://bananasbunch.org/child-care-complaints/>.

Conditions for the Removal of a Licensed Program

BANANAS' referral policy states the conditions under which a program will be removed from our database. Upon notification from DSS/CCL, BANANAS is required by law to remove a program from our referral database if their **license has been revoked, suspended or placed on probation**. When DSS/CCL notifies BANANAS that a program's license has been removed from probationary status or that a suspension has been lifted, we must return the program to our referral database. In addition, BANANAS is required to notify all Alternative Payment Programs and CalWORKS Subsidy Programs operating within our service area of the temporary suspension, revocation or probation of a program's license. No new vendor contracts will be issued to the program while referrals to the program are suspended.

BANANAS also reserves the right to remove programs temporarily from our referral database when:

- a contagious disease or sanitation problem exists in a child care program which puts children at risk;
- a complaint is received which indicates there is an imminent threat to the health and safety of children in care; **Note: In this case, BANANAS may contact DSS/CCL if a caller/parent declines to notify the Department themselves.**
- the Department of Social Services substantiates a serious complaint regarding the health or safety of the children;
- a law enforcement agency charges a provider with criminal activity related to the provision of child care services or with an activity which will result in a revocation of the child care license if founded;

- a program has a pattern of serious complaints (three or more) which raises questions about the mental or physical well-being of the children in care, i.e. mental or verbal abuse, lack of supervision, over-capacity or similar complaints which are difficult for DSS/CCL staff to verify;
- the program refuses to let BANANAS' staff make an appointment and visit the program at its convenience;
- The BANANAS Alternative Payment Department has identified the child care program as not meeting the guidelines of BANANAS policies and/or California Department of Education regulations. This will be assessed on a case-by-case basis.

Programs can be removed from our database until a problem is corrected (such as a safety hazard) or an investigation is completed. Or, programs can be removed for six months if a complaint is substantiated or if there is a repeated pattern of complaints that increases our concern. BANANAS will call programs to notify them of their temporary removal when it is not due to a communication from CCL/DSS or law enforcement agency. At that time we will share the reasons why we are taking this action and listen to the provider's side of the story.

License exempt types of care include providers who only care for the children of one family, in-home caregivers (nannies), nanny shares, playgroups, babysitting co-ops and exchanges, and some public recreational programs. Because there is no agency that regulates these types of care, exempt programs are included in our database at our discretion, and we reserve the right to remove such programs based on the receipt of one significant complaint.

Procedures for Reinstatement of a Licensed Program

In the event that a program is removed from the referral database for six months BANANAS will inform the program about the steps that can be taken to be reinstated. These steps are as follows:

- Receive no further complaints during the six-month period.
- Contact BANANAS when the six-month period has passed.
- Have DSS/CCL verify that remedial steps have been taken to correct any substantiated complaint to DSS' satisfaction.

When all these steps are completed to BANANAS' satisfaction, the program will be restored to the database for a one-year probationary period. Any similar complaint registered during the probationary period will result in the program again being removed from the referral database for one year and all of the steps outlined above must be successfully completed for reinstatement.

Any licensed child care program, which has been removed from the referral database, has the right to appeal the decision in writing within 14 days to the agency's program director.

BANANAS strives to have clear and consistent policies and procedures, which ensure our services are helpful and fair to our parent and provider clients. Your comments or questions about this complaint policy are welcome. Please call BANANAS and ask to speak to the agency program director or the referral services manager. Please note that our policies are subject to change.

For more information, or additional free copies of this form, call or write BANANAS, 5232 Claremont Ave., Oakland, CA 94618, 658-7353. This handout can also be downloaded at www.bananasbunch.org.

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