

Complaint Handling Policy

Approved By: Council
Approval Date: November 1, 2016
Effective Date:
Revision Date:

Policy Statement

This policy shall govern the process to be followed and the service standards for the handling of complaints

Purpose: The purpose of this policy is to provide a consistent and uniform process to respond to Complaints regarding programs, facilities, services, staff or operational procedures. This policy is also intended to satisfy Bill 8- Public Sector and MPP Accountability and Transparency Act, 2014 which provides the Ontario Ombudsman the power to investigate and resolve complaints about municipalities. The information gained from complaints helps improve the quality of the services provided by the Township.

Application: This policy extends to programs, services and facilities directly delivered by the Municipality. This policy applies to complaints that are received by e-mail, by mail, by social media, phone or by fax.

Definitions:

Complaint- any expression of dissatisfaction about the action or lack of action taken regarding operations, facilities or services provided by the Municipality or by a person or body acting on behalf of the Township. The term dissatisfaction is key to the definition of a complaint. Feedback of a positive or general nature, comments on a service or facility that do not require a response, or requests for service are not complaints. Complaints imply that the complainant is unhappy with the service received and that they require a follow-up response in regards to the issue.

Complainant- the person who is dissatisfied and filing the complaint. Anyone who uses or is affected by municipal services can make a complaint including residents, people who work in or visit the municipality, local businesses or community groups.

Compliment- an expression of appreciation for satisfactory or above-satisfactory service.

Feedback- input from client that is neither positive, nor negative, but provides input or ideas.

Request for Service- a request for a specific service provided, or could be provided, by the municipality.

Exclusions:

*This policy does not apply to:

- Outside boards and agencies
- Requests for service
- Feedback and inquiries
- Compliments
- Anonymous complaints
- Requests for accommodations
- Matters before the courts or administrative tribunals

*these communications and requests are handled through other mechanisms.

References & Related Policies:

Bill 8- the Public Sector and MPP Accountability and Transparency Act.
Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Complaint records shall be retained in accordance with the Township Records Retention By-Law and records containing personal information shall be protected in accordance with MFIPPA.

Consequences of Non-Compliance:

Failure to follow this policy may result in disciplinary action against the person not following this policy. It may also result in an investigation by the Ontario Ombudsman.

Review Cycle: This policy will be reviewed on an annual basis.

Procedures

The following steps shall be adhered to in order to implement this policy:

1. The identity of the Complainant will be made known only to those who need to know in order to consider the Complaint. All participants in the complaint process shall keep the details of the Complainant confidential except as may be required by law. If the matter goes to arbitration or through the court process, the Complainant's information will be managed in accordance with the applicable legislated process.
2. Some Complainants may require assistance to make a Complaint and Complaints can be made on their behalf, provided the person affected has given their consent in writing.
3. Anonymous Complaints will not be acted upon.
4. All complaints necessitate a review/investigation and a written response.
5. The Clerk, or designate, of the Township shall have the responsibility for managing the Complaint process.
6. All complaints shall note the date of Complaint and be entered, by the designated staff member, into the appropriate complaint tracking software or other process that may be adopted to track complaints, and be assigned a tracking number.
7. Once a Complaint has been assigned a tracking number, the Complaint shall be forwarded directly to the appropriate department manager responsible and a copy to the CAO.
8. Complainants must receive an acknowledgement of receipt of their Complaint, which includes the tracking number, within five (5) business days of receiving the complaint.
9. This acknowledgement must identify who will be following up on the Complaint as well as their contact information.
10. The Complainant may be contacted to clarify the Complaint. The Complaint may be closed at this point if a resolution is mutually determined. A written response to the complainant summarizing the resolution will be provided.
11. Within 20 business days, a response is to be provided to Complainants, barring exceptional circumstances.
12. Should there be a need for additional response time the Complainant will be advised within the 20 day time frame that additional time is required including the anticipated time frame for a response.
13. The response to the Complaint will include:
 - a. Background related to the Complaint and an outline of the investigation/review process including reviewing service request documentation.

- b. Action being taken to address the Complaint
 - c. A clear and understandable explanation for how a decision on the resolution to the Complaint was made.
14. If the Complainant is satisfied, the Complaint is closed and documented in the appropriate manner with all the necessary detail required.
 15. If the Complainant is not satisfied, contact the CAO and/or Mayor depending on the nature of the complaint.
 16. If the Complainant is still not satisfied, contact the Ombudsman.
 17. The resolution of the Complaint may also include an apology, reconsideration, reimbursement, restitution and/or change in policy- as possible remedies. The Apology Act provides that apologies are not admissible as evidence of fault or liability.
 18. The CAO will be informed of all Complaints and will be provided with a copy of the response to the Complaint. The CAO may assist with the investigation/review of the Complaint.
 19. The staff member responsible for entering and tracking the Complaints, shall be provided with copies of all communications between the Complainant and the responsible Department Manager so that a complete record can be achieved of how the Complaint was handled.
 20. Once a complaint is closed a complete copy of all communications and documents shall be placed in the appropriate property file.

Complaint Process:

1. Complaints should be in writing, on the attached form, and include information such as:
 - a. Details of what happened.
 - b. Where did it happen? Is it within the municipality's area of responsibility?
 - c. When it happened?
 - d. Who was involved?
 - e. What was said or done, or not done?
 - f. What kind of resolution is being sought?
 - g. Contact details of the Complainant
 - h. Any other details that are relevant to the Complaint.