

Policy #: CS-021

Issued: November 13, 2018

Reviewed/Revised:

Prepared By: Jennifer Galea

Reviewed By: Council

Approved By: Council

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## **1.0 PURPOSE**

The intent of this policy is to establish a procedure for the consistent and efficient response to program and service delivery complaints raised by members of the public.

The Town strives to provide excellent services to its residents and visitors. This policy will enable the Town to respond to concerns in a timely manner and use the information provided to improve program and service delivery.

## **2.0 SCOPE**

This Policy applies to complaints received from members of the public regarding the dissatisfaction related to a municipal program, service, facility, staff members or volunteers.

This policy does not apply to:

- General inquires about municipal services;
- Requests for service;
- Feedback or opinions;
- Request for accommodations;
- Issues addressed by legislation, or an existing municipal by-law, policy or procedure;
- A decision of Council or of a Committee of Council;
- Internal employee complaints; or
- Complaints about Members of Council

## **3.0 DEFINITIONS**

**CAO** means the Chief Administrative Officer for the Town.

**Complainant** means the person who is filing the Complaint.

**Complaint** means an expression of dissatisfaction related to municipal program, service, facility, staff members or volunteers, where it is believed that the Town has not provided a service experience to the customer's satisfaction at the point of service delivery.

**Department Head** means the Director or Manager that is responsible for the overall operation of a specific department.

**Investigator** means the employee(s) assigned to investigating a specific Complaint.

**Policy** means the Compliant Processing Policy.

**Town** means The Corporation of the Town of Kingsville.

**Tracking Number** means the unique number assigned to the Complaint as a means to identify the Complaint.

#### **4.0 REFERENCE DOCUMENTS**

Employee Code of Conduct  
Municipal Complaint Form (Public Use)  
Municipal Complaint Tracking Form (Internal Use)  
Municipal Complaint Policy Flow Chart

#### **5.0 RESPONSIBILITIES**

Employees are responsible to ensure that they understand how the Town processes and responds to Complaints. Department Heads are responsible to ensure that all employees within their department are aware of and understand this Policy.

Department Heads, the Human Resources Manager, CAO and Mayor are responsible for investigating Complaints in accordance with this Policy.

#### **6.0 PROCEDURE**

##### **6.1 General**

A Complaint may be lodged in person, via telephone or in writing (mail, email etc.).

A formal complaint shall include the following components:

- a) Name and contact information of the Complainant;
- b) Type of complaint;
- c) Summary of complaint (Details, location, Town employee involved, resolution requested, enclosures, date complaint submitted);
- d) Signature and date.

All Complaints should be filed as soon as possible following the occurrence of the incident, or upon identification of the issue. An initial service request should be placed prior to filing a service complaint.

Within thirty (30) calendar days of the receipt of a Complaint, the Investigator shall provide a response in writing to the Complainant.

## **6.2 Informal Complaint**

It is the responsibility of Town employees to attempt to resolve issues or concerns before they become formal complaints, and identify opportunities to improve municipal services.

In cases where informal resolution is successful, complaint logging is not required.

## **6.3 Formal Complaint**

Formal Complaints shall be submitted to the Corporate Services Department on the Municipal Complaint Form, attached as Appendix "A". All complaints must be dated and signed by the Complainant. Complaints will be treated with the utmost confidentiality. However, anonymous complaints will not be accepted or processed.

### **6.3.1 Acknowledgement**

Each Complaint is assigned a tracking number when received by the Corporate Services Department (e.g. COMP-2018-01) and forwarded to the Department Head, or designate, of the responsible department, and the CAO.

In cases of complaints against employees and volunteers, the Complaint shall be forwarded to the Department Head, the CAO and the Human Resources Manager.

The Corporate Services Department shall contact the Complainant, in writing, within seven (7) business days of filing the Complaint, to acknowledge receipt of the Complaint. The Complainant shall be provided with the tracking number.

### **6.3.2 Transfer and Assessment**

A Complaint against a Town employee shall be investigated by the Department Head and Human Resources Manager.

A Complaint against a Department Head shall be investigated by the CAO and Human Resources Manager.

A Complaint against the CAO shall be forwarded to the Mayor, who shall consult with Personnel Committee and may designate a qualified, independent external party to investigate.

A Complaint regarding a municipal program, service, or facility shall be forwarded to the Department Head, or designate for investigation.

If necessary, contact the Complainant in writing to clarify the Complaint. The Complaint may be closed during this stage if:

- a resolution is possible,
- it is a duplicate Complaint, or
- it is not a proper Complaint under this Policy.

### **6.3.3 Investigation**

The investigator shall review the issues identified by the Complainant and in doing so may:

- Review relevant municipal and provincial legislation;
- Review the municipality's relevant policies and procedures;
- Interview employees or persons external to the municipality;
- Review file documents;
- Identify actions that may be taken to address the complaint or improve municipal operations.

The Investigator shall use the Municipal Complaint Tracking Form (the "Form") to record the action taken at the various stages of the investigation. Additional pages can be attached to the Form.

At the discretion of the CAO, Council may be notified of an open complaint for information purposes.

### **6.3.4 Decision**

Within thirty (30) calendar days of receipt of the Complaint, the Investigator shall provide a response to the Complainant. If a decision cannot be provided within 30 days, the Investigator shall contact the Complainant about the delay and provide an estimation of time for the decision to be released.

The decision will consist of the following information:

- Overview of complaint;
- Summary of how the investigation was conducted;
- Summary of the facts;
- Whether the Complaint was substantiated, and if not substantiated, the reasons for that finding; and

What corrective action(s) or next steps will be taken as a result of the Complaint and if necessary, the rationale to support the proposed resolution.

## **7.0 APPEAL**

There is no appeal process.

## **8.0 MONITORING AND ADMINISTRATION**

Complaints must be tracked from initial receipt to resolution. The assigned Investigator manages this process. The Investigator must complete the Municipal Complaint Tracking Form as the investigation proceeds through each step of the process.

All corrective action and decisions that are made in relation to the complaint must be documented as part of the complaint file. All communication between the Investigating Town Employee and the Complainant must be documented.

## **9.0 PRIVACY**

Town of Kingsville employees will adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. Personal information forming part of the Complaint record is treated as confidential. Complainants should be aware that certain circumstances may indirectly identify them during an investigation.

## **10.0 RECORDS MANAGEMENT**

All records relating to the Complaint shall be maintained by the Corporate Services Department in accordance with the Town's record retention schedule. Once a decision has been rendered, the Complaint is deemed resolved/closed and the Investigator will transfer all physical and electronic documents pertaining to the Complaint to the Corporate Services Department.

The Investigator shall not keep any records or documents, or copies of records or document, pertaining to the Complaint once the Complaint is resolved/closed.

### **APPENDICES**

**Appendix A – Municipal Complaint Form (Public Use)**

**Appendix B – Municipal Complaint Tracking Form (Internal Use)**

**Appendix C – Municipal Complaint Policy Flow**

**11.0 REVIEW/REVISIONS**

| <b>No.</b> | <b>Revision Details (incl. provision #)</b> | <b>Revision By</b> | <b>Date</b> |
|------------|---|--------------------|-------------|
| 1.         |   |                    |             |
| 2.         |   |                    |             |
| 3.         |   |                    |             |
| 4.         |   |                    |             |
| 5.         |   |                    |             |
| 6.         |   |                    |             |
| 7.         |   |                    |             |
| 8.         |   |                    |             |

Questions about this policy can be referred to the Human Resources Manager.

## **APPENDIX “C”**

### **MUNICIPAL COMPLAINT POLICY FLOW CHART**

#### **STEP ONE:**

##### **CORPORATE SERVICES DEPARTMENT RECEIVES FORMAL COMPLAINT**

RE: Programs, Facilities, Town Services, Town Employees or Operational Procedures

- Acknowledge receipt of complaint in writing
- Provides a tracking number
- Forwards to appropriate investigating Town Employee

#### **STEP TWO:**

##### **INVESTIGATING TOWN EMPLOYEE**

- Investigate the complaint
- Notify the Complainant of the decision within 30 days upon receipt of the complaint
- Forward all records to the Corporate Services Dept. related to the investigation and decision

#### **STEP THREE:**

##### **CORPORATE SERVICES DEPARTMENT**

Shall maintain all physical and electronic records upon decision