

The Corporation of the Municipality of West Grey

By-law Number 68 - 2016

Being, a By-law to establish a Complaint Response Policy;

Whereas, Section 11 of the Municipal Act S.O. 2001, C.25, as amended, authorizes municipalities to pass by-laws regarding accountability and transparency of the municipality and its' operations;

And whereas, the Council of the Corporation of the Municipality of West Grey deems it expedient and necessary to establish a Complaint Response Policy;

Now therefore, the Council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That the Complaint Response Policy, attached to and forming part of this by-law as Schedule "A", is hereby established and adopted.
2. That this By-law shall come into force and take effect upon being passed by Council.

Read a first and second time, this 3rd day of August, 2016.

Read a third time and finally passed, this 3rd day of August, 2016.

(Signed)
Kevin Eccles, Mayor

(Signed)
Larry C. Adams, CAO/Deputy Clerk

Schedule "A" to By-law Number 68 - 2016

Municipality of



Complaint Response Policy

MUNICIPALITY OF WEST GREY

Complaint Response Policy

Date Approved: August 3, 2016

Policy Statement

This policy is intended to enable the Municipality to promptly and effectively address program and service delivery complaints raised by members of the public. This policy provides the mechanism to respond to complaints and will assist the Municipality in providing excellent customer service to the public, and contribute to continuous improvement of operations.

Purpose

The purpose of this policy is to satisfy the provisions of *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014* as it relates to response to complaints from the public. This policy will improve customer satisfaction by providing timely and accurate response to complaints and use complaints as an opportunity to improve program and service delivery options.

Application

This policy applies to all staff when responding to complaints received from the Public.

Definitions

“CAO” means Chief Administrative Officer/Deputy Clerk of the Municipality of West Grey;

“Complainant” means the individual filing the Complaint with the Municipality;

“Complaint” means an issue or concern raised regarding a Municipal program, service, or operation that is not resolved at the time the Complainant submits their Complaint to the Municipality in accordance with this policy. A Complaint is distinct from:

- Request for Service: Examples include: requesting road repairs, missed garbage collection, no water service

- Enquiry: a general or specific request for information regarding a Municipal product or service made by a resident that is resolved at the point of service delivery
- Feedback: an opinion, comment and expression of interest in a Municipality of West Grey program or service by a resident;

“Council” means the Council of the Municipality of West Grey;

“Employee” means the employee of the Municipality;

“Mayor” means the Mayor of the Municipality;

“Ombudsman” means the Office of the Ombudsman of Ontario;

“Policy” means the Municipality of West Grey Complaint Response Policy;

“Municipal” or “Municipality” means the Municipality of West Grey.

Procedures

1 Responsibility of Complainant / Employees

- 1.1 It is the responsibility of the Complainant to attempt to resolve their concerns by dealing directly with the employee(s) within the Department providing the service, up to and including the Department Head.
- 1.2 It is the responsibility of Employee(s) to attempt to resolve issues or concerns before they become Complaints, and identify opportunities to improve Municipal services.

2 Filing a Complaint

- 2.1 Where resolution cannot be achieved, Complaints should be submitted to the Office of the Chief Administrative Officer. Complaints shall be submitted on the form attached as Schedule “A” to this Policy, and will include:
 - a) The name, phone number, email address, and mailing address of the Complainant;
 - b) The nature of the Complaint, including the:
 - i) Background leading to the Complaint;
 - ii) Date(s), time(s) and location(s) of any incident(s);
 and

- iii) Name(s) of any Employee(s) previously contacted regarding the Complaint(s); and,
- c) Actions the Complainant is requesting of the Municipality.

3 Upon Receipt of a Complaint

- 3.1 The CAO's Office shall acknowledge receipt of the Complaint, within five days of receipt of the Complaint.
- 3.2 The CAO shall review the issues identified by the Complainant and in doing so may:
 - a) Review relevant municipal and provincial legislation;
 - b) Review the Municipality's relevant policies and procedures;
 - c) Review any existing file documents;
 - d) Interview employees or member of the public involved in the Complaint;
 - e) Identify actions that may be taken to address the Complaint or improve Municipal operations; or
 - f) Take other actions the CAO deems expedient to resolving the matter.
- 3.3 Upon receipt of a Complaint, and where the CAO deems appropriate, the CAO may delegate the authority to investigate and respond to a Complaint to another Employee.
- 3.4 The CAO may not delegate the authority to investigate a Complaint to an Employee who is or may be named in the Complaint.
- 3.5 The CAO shall maintain a file of the Complaint in compliance with the Municipality's records retention by-law.
- 3.6 The CAO may, at their discretion, notify Council of an open Complaint investigation for information purposes.
- 3.7 If a Complaint is made against the CAO, the Complaint shall be submitted to the Mayor for investigation. As part of the investigation, the Mayor may consult with other Municipal senior staff and legal counsel, and Council and may refer the matter to the Ombudsman.

4 Decision

- 4.1 Within thirty (30) calendar days of receipt of a Complaint by the CAO, a response shall be provided in writing to the Complainant. The response shall include:

- a) Whether the Complaint was substantiated;
 - b) If the Complaint is not substantiated, the CAO shall provide reason(s) for their decision; and,
 - c) Any actions the Municipality has or will take as a result of the Complaint.
- 4.2 If the CAO is unable to provide a response within thirty (30) days of receipt, they shall notify the Complainant of the delay and provide an estimate of when a response will be provided.
- 4.3 Decisions made by the CAO may be appealed to the Municipal Council within thirty (30) days of the decision, or to the Ontario Ombudsman.

5 General

- 5.1 Copies of all correspondence and notices shall be retained in the Complaint file.
- 5.2 Where appropriate, copies of correspondence shall be placed in the Employee's file that is the subject of the Complaint.
- 5.3 Communications with a Complainant shall not provide details of disciplinary measures imposed on any Employee.
- 5.4 The CAO or their designate shall make dated records of any communication and attempted contacts with the Complainant(s).

Exclusions

This policy is **not** meant to address:

- a) Complaints about non-municipal services;
- b) Issues already addressed by legislation;
- c) A decision of Council or a decision of a Committee of Council; or
- d) Internal employee complaints.

References and Related Policies

- a) *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014*

Consequences of Non-Compliance

- a) Non-compliance with the Municipal Complaint Response Policy may result in the Complaint being filed with the Ontario Ombudsman for investigation;
- b) Consequence to commensurate with severity of non-compliance

Review Cycle

This policy will be reviewed by Council once per term of Council.

How could this situation be improved?

Additional information:

Office Use Only:

File No.

Received by:

Forwarded to:

Acknowledgement of Receipt of Complaint:

Sent Date:

By Staff Name:

Action taken:

Final Response to Complaint:

Sent Date:

By Staff Name: