



## POLICY

<b>TITLE:</b>	<b>Public Complaints Handling Policy</b>
<b>NUMBER:</b>	ADM-001
<b>CATEGORY:</b>	Administration
<b>DATE:</b>	July 25th, 2018
<b>REFERENCES:</b>	Bill 8, the Public Sector and MPP Accountability and Transparency Act 2014 By-Law 2018-70

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### 1.0 Purpose:

- To ensure that enquiries and complaints are managed in a manner that endeavours to provide satisfaction to complainants within a reasonable time in a courteous and efficient manner, in an environment of respect and professional behaviour.
- To provide a procedure for the Municipality of Centre Hastings to follow in the event that a member of the public wishes to file a complaint with respect to a municipal program, service, facility or staff member.
- To recognize that complaints are a positive means to learn how to improve services and identify training needs.

### 2.0 Definitions:

#### Complaint

A complaint is an expression of dissatisfaction related to a municipal program, service, facility, and staff or council member, where a citizen believes the municipality has not provided a service experience to the customer's satisfaction at the point of service delivery and a response or resolution is explicitly or implicitly expected.

#### A complaint is distinct from:

- A Request for Service – (see ADM-001 Schedule A) made on behalf of a citizen or public at large for a specific service, or to notify the municipality that a scheduled service was not provided on time.
- A general enquiry or specific request for information regarding municipal service.
- A suggestion or idea submitted by a citizen or public at large with the aim of improving services, programs, products or processes.

#### This policy is not for complaints pertaining to:

- Staff members that are employed by a service provider contracted by the municipality who shall be subject to the policies of that service provider.
- Issues addressed by legislation, or an existing municipal by-law, policy or procedure.
- A decision of Council or a Committee of Council.
- Matters that are handled by tribunals, courts of law, quasi-judicial boards.
- Internal employee complaints.

### **3.0 Roles:**

#### **3.1 Council:**

The role of Council is to develop general policies and directives on how to enforce the issues. The Policy shall be set by By-law.

Council shall not get involved in individual enforcement issues but can receive confidential status reports on an issue, for their information only, through a direction to staff.

**It shall be understood that a complainant cannot seek a remedy by calling a Council member(s).**

The Council member shall direct the complainant to provide a written, signed complaint letter addressed to the CAO marked "Confidential" to the Municipal Office. By doing so, the CAO will ensure compliance with Legislation and Policies. The CAO will also advise the complainant, that complaints are an enforcement issue which Councillors as individuals cannot be involved with.

The complaint shall be logged at the Municipal Office and the Complaint Procedure followed.

#### **3.2 Frontline Staff:**

It is the responsibility of the complainant to attempt to resolve concerns by dealing with Municipal employee(s) directly involved with the issue where appropriate through a **Request for Service – ADM-001 Schedule A.**

**A Request for Service is distinct from a complaint as the request is made on behalf of a citizen or public at large for a specific service, or to notify the municipality that a scheduled service was not provided.**

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

#### **3.3 CAO and Department Managers:**

Complaints and enforcement shall be exercised at the CAO's discretion and in the best interest of the Municipality, while following Legislation and Policy. This shall include the granting of extensions, if deemed necessary.

All complaints received will be followed through by the CAO to ensure compliance with the Public Complaint Handling Policy.

If a complaint letter/email is addressed to Council, the CAO will circulate a copy to the appropriate Manager for first resolution. In addition to the receipt of a complaint letter/email, the complainant will be asked to submit the Request for Service Form ADM-001 Schedule A or a Complaint Form ADM-002 Schedule B that includes their name and applicable details.

Staff cannot act on 'hearsay'; however the complainant's name will be kept confidential.

The Municipal Staff will treat the complainant's personal information as confidential, including the complainant's name. All complainants and property owners shall be treated with respect and courtesy.

### **4.0 Procedure:**

#### **4.1 Submit the Complaint**

**Complaints may be submitted by:**

Mail – Municipality of Centre Hastings  
Att: CAO  
7 Furnace Street, PO Box 900  
Madoc, ON  
K0K 2K0

Email – clerksoffice@centrehastings.com

In Person – See CAO; please call prior to arrival to arrange an appointment.

- 4.1.1 Where a resolution cannot be achieved with frontline staff, complaints shall be submitted to the CAO by completing a Complaint Form ADM-001 Schedule B; all information must be completed in writing.

#### 4.2 Response and Acknowledgement

- 4.2.1 The CAO shall log the complaint, date-stamp and forward a copy to the Department Manager or designate. Within five (5) business days of receipt of the complaint, the Manager shall provide acknowledgement to the complainant in writing that the complaint has been received and provide a copy of the acknowledgement to the CAO.

- 4.2.2 Anonymous complaints will not be accepted or processed.

### **5.0 Investigation:**

#### 5.1 Staff Members

- 5.1.1 Complaints about staff performance will be handled by the CAO in conjunction with the appropriate Department Head.
- 5.1.2 A copy of the details of the complaint and resulting investigation will be placed in the staff members personnel file if deemed a legitimate complaint by the CAO.

#### 5.2 Department Manager

- 5.2.1 The CAO or Department Manager may not delegate the authority to investigate a complaint to an employee who is or may be named in the complaint.
- 5.2.2 If a complaint is made against the Department Manager, the CAO or designate shall conduct the investigation.

#### 5.3 Chief Administrative Officer

- 5.3.1 If a complaint is made against the Chief Administrative Officer, the Mayor shall consult with Council and may designate to municipal solicitor or other qualified individual at arm's length from the municipality to investigate.
- 5.3.2 The designated investigator shall review the issues and in doing so may:
- Review relevant municipal and provincial legislation;
  - Review the municipality's relevant policies and procedures;
  - Review any existing file documents;
  - Interview employees or members of the public involved in the issue;
  - Identify actions that may be taken to address the complaint or improve municipal operations;

#### 5.4 Council Member

- 5.4.1 If a complaint is made against a Council Member, the CAO shall consult with the municipal solicitor, or other qualified individual at arm's length from the municipality to investigate.
- 5.4.2 The designated investigator shall review the issues identified by the complainant and in doing so may review the issues listed above in section 5.2.2.

## 6.0 Complaint Resolution

It is recognized that investigation of a complaint should lead to one or more remedies including:

- An explanation
- An apology
- A change in decision
- A change in policy
- A change in practice
- Disciplinary action

## 7.0 Decision

Within thirty (30) days of receipt of a complaint, the Department Manager shall provide a response in writing to the complainant along with a copy to the CAO.

The response shall include:

- Whether the complaint was substantiated;
- If the complaint is not substantiated, provide reason(s) for their decision; and,
- Any actions the municipality has or will take as a result of the complaint.
- If the Department Manager is unable to provide a response within thirty (30) calendar days, they shall notify the complainant of the delay and provide an estimate of when a response will be provided.

## 8.0 Record

The Department Manager shall file a copy of the complaint and supporting documentation with the CAO. The CAO shall maintain a file of the complaint in accordance with the municipality's records retention By-Law. If a municipal employee was the subject of the complaint, a copy of the record shall be retained in their personnel file.

## 9.0 Process

### CAO:

- *Receives the complaint*
- *Date stamps the complaint*
- *Logs the complaint*
- *Forwards the complaint to the appropriate Department Manager*

### Department Manager:

- *Acknowledges receipt to complainant within 5 days*
- *Investigates the complaint*
- *Makes a decision*
- *Reviews decision with CAO.*
- *Notifies the complainant of the outcome within 30 days of the filing of the complaint*

### CAO:

- *Files a copy of the decision with supporting documentation*
- *Reports to Council on a semi-annual basis*

## 10.0 Consequences of Non-Compliance

Non-compliance with the Municipal Public Complaints Handling Policy may result in the complaint being filed with the Ontario Ombudsman for investigation.



**REQUEST FOR SERVICES  
ADM-001 SCHEDULE A**

**Municipality of Centre Hastings  
7 Furnace Street, P.O Box 900,  
Madoc, Ontario K0K2K0  
Tel: 613-473-4030  
Fax: 613-473-5444  
www.centrehastings.com**

**RFS#** \_\_\_\_\_

**Once submitted, your request will be forwarded to the appropriate Dept. Manager for review.**

Lines with (\*) must be filled in

Date\* \_\_\_\_\_

Your Name\* \_\_\_\_\_

Email Address \_\_\_\_\_

Contact Telephone\* \_\_\_\_\_

Department\*    Operations:    Roads    Waste    Facilities    Park Maintenance  
  Fire Department    Finance    Council Services

Other: \_\_\_\_\_

Location of Issue \_\_\_\_\_

Description of Service Required \* \_\_\_\_\_

**Tracking Information - for office use only**

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Date:

Received by:

Assigned to:

Brief description of Action Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Closed by: \_\_\_\_\_

Date: \_\_\_\_\_



Municipality of Centre Hastings  
7 Furnace Street, PO Box 900  
Madoc, ON K0K 2K0  
Phone: 613-473-4030  
Fax: 613-473-5444  
[www.centrehastings.com](http://www.centrehastings.com)

## Complaint Form

### ADM-001 Schedule B

<b>Name:</b>	
<b>Date of Complaint:</b>	
<b>Address:</b>	
<b>Phone #:</b>	
<b>E-mail:</b>	
Please outline details of your complaint below, including relevant dates, times, location and background information (which may include municipal employees you have contacted to resolve the complaint, witnesses to the incident, photographs, etc.).	

How do you suggest the situation be improved or complaint resolved?	
<b>Office Use Only</b>	
Complaint #	
Received By:	Date:
Forwarded to:	Date:
Acknowledgment Letter	Additional Correspondence
Date Sent: _____	Date Sent: _____
Staff Name: _____	Staff Name: _____
Action taken:	
Final Decision Letter	Copies of all documents filed with CAO:
Date sent:	Date filed:

***Thank you for taking the time to express your concern(s). We will provide a response within (30) calendar days of receiving your complaint. If you have any questions about this process, please contact the CAO at 613-473-4030 or clerksoffice@centrehastings.com***