

Section: Standards of Conduct	Policy No: 2.6
	Effective Date: July 1, 2016
Subject: Customer Complaints	Revision Date:

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Customer Complaints Policy

Policy Statement

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

Strategic Plan

The Customer Complaints Policy aligns with the Corporate Strategic Plan 2012 goal to achieve excellence in governance and service delivery.

Purpose

The overall 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 Ombudsmen the power to investigate and resolve Complaints about municipalities.

Resolving Complaints is intended to assist in improving services, policies and procedures.

Scope

This policy applies to Complaints that are received by phone, at service counters, by email, by mail, by social media or by fax.

*This policy does not apply to:

- a) Outside boards and agencies
- b) Service Requests
- c) Feedback and inquiries
- d) Compliments
- e) Anonymous complaints
- f) Request for accommodations
- g) Property Standards Complaints; By-law Enforcement; and Building Code Complaints
- h) Matters before the courts or administrative tribunals (e.g. OMB)
- i) Members of Council

* These communications and requests are handled through other mechanisms and processes.

Roles and Responsibilities

Employees: All employees are to have knowledge and awareness of the Township's requirement to receive Complaints, the process through which a Complaint can be made and the procedures that apply to address Complaints.

Supervisors: Supervisors are responsible for facilitating prompt response to Complaints and to assist Department Managers to investigate and respond to Complaints.

Department Managers: All Department Managers are responsible to receive and respond to Complaints as set out in this policy.

Chief Administrative Officer (CAO): The CAO will monitor corporate compliance with this policy and will follow up with appropriate departments as required.

Ontario Ombudsman: The Ombudsman is an independent officer of the Ontario legislature that may investigate complaints that have been reported to them related to municipal matters.

Definitions

Complaint – an 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 Municipality. Examples may include but are not limited to:

- a perceived failure to something agreed to;
- a failure to observe a policy or procedure;
- unfair or discourteous actions/statements by staff.

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.

Service Request – a request for a specific service provided by the Municipality, or its contractors i.e. not a Complaint.

Guiding Principles

The Township will deal with all Complaints promptly, courteously, impartially and professionally.

Staff will treat Complaints as confidential and protect Complainant's information in accordance with the *Municipal Freedom of Information and*

Protection of Privacy Act and other applicable legislation. 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 Complaint confidential except as may be required by law. If the matter goes to arbitration or through the court process, Complainant's information will be managed in accordance with the applicable legislated process.

Some individuals may require assistance to make a Complaint, and Complaints can be made on their behalf, provided that the person affected has given their consent in writing.

Anonymous Complaints will not be acted upon.

Role of the Ombudsman

The goal of this policy is to resolve Complaints by fully investigating, documenting and responding to complainants at the local level. If Complaints cannot be resolved through the local complaint process the Ontario Ombudsman has authority to respond.

The Ombudsman can:

- review individual complaints
- investigate issues, if it chooses, that cannot be resolved locally
- conduct large scale investigations related to systemic issues
- require officials to cooperate with investigations
- recommend changes

The Ombudsman cannot:

- overturn decisions of the Township
- issue penalties; recommendations are not binding.

Administration

In support of this policy, procedures and practices may be established as necessary and appropriate in order to ensure that it is current and applicable. Such amendments or additions shall be approved by Resolution of Council and be coordinated with, and form part of this policy.

This policy becomes effective on July 1, 2016.

Procedure

The Complaints Procedures, including guidelines to respond to Complaints within targeted times for completion or resolution, are outlined in Appendix A attached hereto and forming part of this Policy.

Appendix A

Procedures for the Complaints Policy

General (applies to all employees)

The Township is committed to providing excellent customer service and is committed to being responsive and accountable to its customers.

The Township receives service requests on a daily basis, which may come in a variety of forms. Service requests that may be outside of the scope of a typical request; that may require some further investigation; that may require a policy or By-law amendment, etc... should be documented by employees. Each Department may choose an appropriate documentation method (request form, note book, log etc...).

Service requests may include but are not limited to:

- request for a speed reduction
- request for road maintenance (pot hole repair)
- request to trim a tree on a Township boulevard

The documentation should note the requester name and contact information, date, nature of the request, location, resolution being sought and any other relevant information. The resolution to the request will be documented. The majority of service requests are closed to the satisfaction of customers but there may be occasion when a service request is not addressed to the satisfaction of a customer and as such a Complaint may be made.

Procedure for Managing Complaints

The following outlines the service standards for the handling of Complaints:

- i. All Complaints will note date of Complaint and be assigned a tracking number by year and forwarded to the Clerk's department to commence the Complaints process.
- ii. The Clerk's office will work in cooperation with the relevant Department to manage the Complaint process. Should the Complaint involve the Clerk's Department, the CAO will oversee the Complaint process.
- iii. Files will be maintained by the Clerk's Department related to the Complaints process.
- iv. All Complaints necessitate a review/investigation and a written response.

- v. Complainants must receive an acknowledgement of receipt of their Complaint, which includes the assigned tracking number, within five (5) business days.
 - vi. This acknowledgement must identify who will be following up on the Complaint as well as their contact information.
 - vii. The Complainant may be contacted to clarify the Complaint. The Complaint may be closed at this point if a resolution is mutually determined.
 - viii. Ideally within 20 business days, a response is to be provided to Complainants, barring exceptional circumstances.
 - ix. 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 projected time frame for a response. Complainants will be provided updates during the review process.
 - x. The response to the Complaint will include:
 - background related to the Complaint and an outline of the investigation/review process including reviewing service request documentation
 - action being taken to address the Complaint
 - a clear and understandable explanation for how a decision on the resolution to the Complaint was made
 - next steps
 - if the Complainant is satisfied, the Complaint is closed and documented as such on the Complaint form.
 - contact the CAO and/or Council depending on the nature of the complaint.
 - contact the Ontario Ombudsman.
- It 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.
- xi. The CAO will be informed of all Complaints and will be provided with a copy of the response to the Complaint.
 - xii. The CAO may assist with the investigation/review of the complaint.

Complaint Process and Complaint Form

Complaints should be in writing and include information such as:

- Details of what happened.
- Where did this happen? Is it within the municipality's areas of responsibility?
- When it happened?
- Who was involved?
- What was said or done, or not done?
- What kind of resolution is being sought?
- Contact details of the Complainant.

A municipal Complaint Form will be used to document Complaints attached hereto as Appendix "B".

Complaints to the Ontario Ombudsman

The Ombudsman's role is to enhance, not replace local accountability. The Ombudsman's office strongly encourages municipalities to resolve local issues through their own Complaints process. Complaints made to the Ombudsman's office will be assessed and if an issue has not followed the local Complaint process, the Complainant will be referred to the local municipality. If the local mechanism has been exhausted the Ombudsman's office will assess the complaint. The Ombudsman's office defines the resolution of a Complaint as being satisfied that there has been appropriate action, follow-up and investigation of a Complaint i.e. the Complainant may not get what they have requested.

The Ombudsman's Office:

- cannot overturn decisions of the Township
- cannot issue penalties (recommendations are not binding)
- cannot investigate complaints that are before the courts or a tribunal (e.g. Ontario Municipal Board) or the decision of the courts
- cannot investigate closed meeting complaints (separate process)
- cannot investigate certain local Boards (e.g Police Services Boards, Library Boards) (separate process)

In addition the Office

- can decide not to investigate issues arising pre-2016 (date legislation came into effect) where there is no opportunity to effect change
- can decide not to investigate Complaints deemed frivolous and vexatious

Ombudsman Contact: www.ombudsman.on.ca

Appendix B

Making a Complaint

How to make a complaint

The Township of Selwyn has procedures for receiving and handling complaints from people dissatisfied with service, action or lack of action by a Township of Selwyn department or staff member. Complaints may be made verbally (in person or by telephone) or in writing (by mail, fax or e-mail). For more information on the Township's procedures, refer to the *Customer Complaints Policy No. 2.6*.

We recommend you first speak directly with the department where you have an issue, in person or by telephone. Most complaints are received verbally this way and resolved promptly. If you are not satisfied with how your verbal complaint is handled you can submit a written complaint.

Attached is a form you may use to record and submit a complaint to the Township of Selwyn's municipal office. We make every effort to resolve them as quickly as possible.

Send your complaint by mail: Township of Selwyn P.O. Box 270 Bridgenorth, Ontario K0L 1H0	Send your complaint by E-mail: twpsel@nexicom.net Subject heading: Township of Selwyn Complaint
Send your complaint by fax: General fax: (705) 292-8964 Attn: Township of Selwyn Complaint <i>Please Note: Personal information is not secure if sent by fax transmission. The Township of Selwyn does not recommend sending correspondence by fax.</i>	For general assistance where to direct your complaint: If you still aren't sure how to find the relevant department, call the Township of Selwyn office for information where to direct your complaint: (705) 292-9507

All written complaints are reviewed by the Township of Selwyn management staff. The information will be treated as confidential to protect your privacy; however, you should be aware that in investigating a complaint, the circumstances may indirectly identify you.

Note: Should a complainant wish to bring forward a complaint to Council; complainants must understand that their identity and the nature of their complaint will be will become publically available for the public record.

Complaint Form

Notice of Collection

The personal information you choose to provide on this form is collected under the authority of the *Municipal Act, 2001*. The information you provide will be used to investigate the complaint and may be used for contact purposes. Questions about this collection can be directed to the Township of Selwyn Clerk's Department, PO Box 270, Bridgenorth, ON, K0L 1H0
Phone: (705) 292-9507, twpsel@nexicom.net

Complainant Information – Please fill out this form as completely as possible.

First Name		Last Name	
Address			
City	Province	Postal Code	

Please indicate how you would like us to contact you regarding your complaint.
Please record the information in the area provided.

Mailing Address (if different from the address above)	
Home Phone	Business Phone
Cell Phone	
Email	

If you are submitting a complaint on behalf of someone else

The *Municipal Freedom of Information and Protection of Privacy Act* does not allow the Township to collect information from you about a complaint that someone else has, unless we have the signed written consent of that other person. If you are representing someone (including a family member) as the agent of contact person you will need to have them complete the Complaint representative consent form (found below) and submit it with the complaint.

Name of person acting on behalf of complainant (Agent)
Person to be contacted (Complainant or Agent)

For Office Use Only

File No.:

Acknowledgement Letter Sent:

Response Sent:

Date File Closed:

Details of the complaint

(For purpose of management review and corrective action)

Service area/location of problem

Department/Staff person(s) involved (if known)

Nature of complaint (Include as much detail as possible, attach additional page, if necessary)
When, Where, Who, What was done or not done, etc.

How would you like to see your complaint resolved?

List of enclosed documents.
(Please include copies, not originals, of any documentation in support of your complaint.)

Complainant's signature

Date complaint submitted

Complaint Representative Consent Form

I, _____ consent to have all communications and information relating to my complaint with the Township of Selwyn disclosed to my representative _____.

Name of complainant:
Signature:
Date:

All personal information you choose to provide on this form is collected under the authority of Section 227(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25. The information will be used to confirm your consent under Section 32(b) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 to disclose information relating to your complaint to the third party you identified. Questions about this collection can be directed to the Clerk, PO Box 270, Bridgenorth ON, K0L 1H0; (705) 292-9507, twpsel@nexicom.net.