



Regional Municipality of Durham

Corporate Services

Policy and Procedures Manual

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| Title: CORPORATE COMPLAINT HANDLING POLICY & GUIDELINES | | Policy No: 2.14 |
| Approved By: Chief Administrative Officer and Department Heads | | Page No: 2.14.1 (of 7) |
| Issued: May 2016 | Revised: | Responsibility: Corporate Services - Legislative Services |

1.0 Policy

1.01 In accordance with the Region's mission to meet the needs of the Durham community through leadership, co-operation and service excellence, the Region strives to deliver services with a strong focus on customer satisfaction and fiscal accountability for our residents and members of the public. This policy provides a mechanism to receive feedback and resolve issues relating to complaints about the Region's service and actions via:

- Receiving, recording and making every effort to resolve complaints about services provided by the Region, using established complaint procedures.
- Ensuring the Corporate Complaint Handling Policy & Guidelines document is accessible to the public by posting it on the Region's website.
- Ensuring all Regional staff are aware of the Corporate Complaint Handling Policy & Guidelines and providing any instruction necessary, as well as incorporating it as part of the new staff orientation process.
- Regular monitoring and review of complaints to identify issues, trends, areas of concern and opportunities for continuous improvement.

1.02 The policy **does not** apply to:

- a) Outside boards and agencies, including: the Durham Regional Police Service and Durham Region Transit, which have their own complaints handling processes.
- b) The Region's Elected Officials and their offices.

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

- Issues already addressed by legislation, or an existing Municipal by-law, policy or procedure.

2.0 Purpose:

2.01 To provide guidelines to follow in the event that an individual wishes to file a complaint with the Region with respect to the services provided.

3.0 What is a Complaint?

- 3.01 A complaint is an expression of dissatisfaction related to the service, actions or lack of actions by a staff member in connection with the delivery of services to the public. Complaints may relate to the actions of an individual or a policy, program, process or procedure where a customer believes that the Region or its staff have 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.
- 3.02 A complaint is distinct from:
- a) Enquiry – A general or specific request for service or request for information regarding a Region of Durham product or service made by a customer that is resolved at the point of service delivery;
 - b) Feedback – An opinion, comment and expression of interest in a Region of Durham program of service by a customer;
 - c) Compliment – An expression of approval for a Region of Durham service, staff member, program, product or process;
 - d) Suggestion – An idea submitted to the Region of Durham by a customer with the aim of improving services, programs, products or processes.
- 3.03 Some complaints are exempt from these Guidelines, including:
- a) Anonymous complaints – Anonymous complaints are difficult, if not impossible, to assess or investigate and will not be dealt with through the complaint handling process;
 - b) Complaints by employees – Alternative internal processes are available to employees to initiate complaints within the organization;
 - c) Initial requests for services, assistance, information, or a response to an inquiry regarding a regional program; and,
 - d) Appeals.
- ### **4.0 Who Can Submit a Complaint?**
- 4.01 Any individual affected can submit a complaint and it will be reviewed in accordance with this procedure.
- 4.02 Some individuals may need help to submit a complaint, and complaints can be made on their behalf, provided that the person affected has given their consent. A consent form is available for this purpose from each department.

5.0 Guiding Principles:

5.01 It is in the interest of all parties that complaints are dealt with promptly and resolved in an expeditious manner. Complaints submitted to the Region will be immediately referred to the appropriate party for review and the Complainant will be contacted within five (5) business days of receipt by the appropriate party to acknowledge receipt of the complaint (notwithstanding Section 1.03).

***Note: from time to time, there may arise extraordinary circumstances where the Region may not be in a position to guarantee these standards can be satisfied (e.g. on or around the date of the municipal election, during labour disruptions, etc.)**

5.02 All complaints will be treated in a confidential manner in order to protect the Complainant's privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, subject to the need to disclose such information as may reasonably be necessary in order to properly investigate the matter. Staff will also protect the privacy of any employee who is the subject of a complaint; save as may be required in order to address the immediate complaint or address any labour relations issue(s) that may arise out of the aforementioned complaint.

5.03 Complaints received by one department are to be limited to that specific department unless the complaint involves more than one department. Generally, Department A will not be able to view complaints received by Department B unless operationally required to address the complaint.

5.04 Review of complaints shall be impartial and respectful to the parties involved.

5.05 Complainants are advised of their options in the event that they are dissatisfied with the process or outcome.

5.06 Complainants are provided with clear and understandable reasons for how decisions on the complaint were determined.

6.0 Compliance

6.01 Senior management is responsible for implementation and ongoing compliance with the Corporate Complaint Handling Policy & Guidelines.

7.0 How to File a Complaint:

7.01 Complaints may be submitted on-line via the Region's website at www.durham.ca, or a complaint may be given verbally (in person or telephone) or in writing (received by hand delivery, mail, fax or email).

7.02 It is recommended that Complainants first speak directly with the service area where they have the issue, in person or by telephone. Most complaints may be resolved promptly and informally in this manner. If the Complainant is not satisfied with how their verbal complaint is resolved, then they may submit a written complaint. Written complaints may be submitted using our on-line complaint form, or in another written format i.e. email, handwritten. Complaints should include:

- The specific details of what occurred
- Date of occurrence including time, day, month and year
- Identify who was involved
- Outcome sought
- Contact details for the Complainant

7.03 Complaints must be made in a timely fashion – generally within two weeks of the alleged event, but not later than thirty (30) days after the alleged event. These time limitations may be extended, when in the opinion of the Department Head, circumstances reasonably exist to justify the extension.

8.0 Initial Receipt of Complaint

8.01 Staff liaisons are established in each Regional Department to process in-coming complaints.

8.02 Verbal complaints may be dealt with directly by frontline staff, unless the complaint is regarding a staff member, then it must be directed to the staff member's Supervisor. If the complaint is about a Supervisor/Manager, then it must be addressed to their Director.

8.03 Complaints submitted on-line will be automatically forwarded to the assigned departmental staff liaison. If the Complainant is unsure which Department to direct the complaint to, the default recipient will be the Legislative Officer in Legislative Services. The Legislative Officer will then forward the complaint to the appropriate staff liaison. Written complaints submitted in any other format will be provided to the appropriate staff liaison immediately.

8.04 The staff liaison will contact the Complainant, in writing, within five (5) business days (notwithstanding Section 1.03). to acknowledge receipt of the complaint. The acknowledgement must let the complainant know that their complaint is being reviewed and when they can expect a response as per the departmental policy. The acknowledgement must also provide the name and contact information for the staff liaison who is handling the complaint.

8.05 Each department will establish a complaint tracking mechanism to ensure that all complaints are recorded and tracked from initial receipt through the entire process until the complaint is resolved. Complaints that are resolved informally (without requiring any formal action to be taken) do not need to be tracked.

Complaints received using the on-line form will be automatically assigned a tracking number starting with an alpha character to identify the department of origin (e.g. W000101 for the Works Department). Adding letters to the tracking number ensures that there will not be a duplication of tracking numbers in different departments. Written complaints received in any other format should be manually assigned a tracking number by the staff liaison and all of the details of the complaint recorded.

9.0 Assessment

9.01 Once it has been determined that the complaint is with the correct division, staff liaisons are responsible for receiving, recording and ensuring the resolution of complaints as quickly as possible. The staff liaison should gather the relevant information and identify appropriate action. The staff liaison should:

- Confirm the complaint is not an enquiry, feedback, a suggestion, or a comment.
- Check to see if there are any previous complaints from the complainant or about the issue(s) concerned.
- If necessary, contact the complainant to clarify the complaint and capture any missing details to ensure complaint information is complete for the investigation.

9.02 Complaints will be investigated following the established departmental policy.

10.0 Complaint Handling

10.01 Each department shall establish its own methods/policies for investigating complaints. However, all investigations should be conducted in an objective and fair manner.

10.02 Departmental policies shall include response timelines, complaint tracking methods, and guidelines for management of records related to complaints.

10.03 Each department shall maintain all complaint records and the yearly complaint tracker according to the retention period outlined under Record Series M03 Complaints and Enquiries shown on Schedule 'A' of the Region's Records Retention By-law.

10.04 Departmental policies shall also include notification requirements. At a minimum, notifications must be sent to Complainants at the following occasions:

- At the time the complaint is made (confirmation of receipt);

Confirmation of Receipt to include the following:

- Confirmation that the complaint was received
- The complaint tracking number
- Contact information for the departmental staff liaison
- A link to the departmental complaint policy (if available)
- A copy of the complaint (if Complainant indicated "yes" on the complaint form)
- A form to complete if submitting the complaint on behalf of someone else (if Complainant indicated "yes" on the complaint form)

Note: If complaints are submitted using the on-line form an automatic response will be generated which includes all of the above

- If it is determined that the complaint is in fact a suggestion, feedback, a service request, or a compliment, the Complainant should be notified;
- If the complaint is a duplicate, the Complainant should be notified;
- If more details are required for the complaint handling procedure to continue, the Complainant should be notified and asked for the details.
- After assessment, the staff liaison should provide the Complainant with:
 - Contact information for who will be handling the complaint
 - Estimated investigation duration
- After investigation the Complainant should be notified of the outcome.

11.0 Notice of Decision and Resolution

11.01 Written complaints receive a written notice of decision.

Verbal complaints receive verbal notice, or written notice at the Manager's discretion or as requested by the Complainant.

11.02 If the proposed resolution is accepted by the Complainant, the complaint is closed and the complaint tracking updated.

11.03 If the matter is not resolved to the Complainant's satisfaction, they are advised of the opportunity for an external review by the Region's Ombudsman.

12.0 Monitoring and Reporting on Complaints

12.01 Regular monitoring and review of complaints will be conducted by the staff liaison in each department to identify issues, trends, areas of concern and opportunities for improvement.

12.02 Complaint issues are a standing agenda item for information and discussion at Department Head meetings.

13.0 General Contact Information

The Region can be reached via telephone by calling 905-668-7711 or toll free at 1-800-372-1102.

Complaints may be submitted online at www.durham.ca

The mailing address for complaints to the Region is as follows:

The Regional Municipality of Durham
605 Rossland Road East
P.O. Box 623
Whitby ON L1N 6A3

Envelopes should be marked as “**Confidential Complaint**” and addressed to the appropriate Regional Department.