

THE CORPORATION OF THE TOWNSHIP OF WOLLASTON

BY-LAW NO. 16-17

Being a By-law to establish a Complaint Policy within the municipality.

**AND WHEREAS** this policy is to be carried out to ensure the best follow-up for complaints regarding the different services and activities the municipality offers.

**AND WHEREAS** Section 8. (1) of the *Municipal Act, 2001, c. 25*, as amended allows municipal powers to be interpreted broadly so as to confer broad authority on municipalities, enable them to govern their affairs as they consider appropriate; and enhance their ability to respond to municipal issue.

**NOW THEREFORE**, the Council of The Corporation of the Township of Wollaston

**ENACTS AS FOLLOWS:**

1. The Complaint Policy and Appendices attached hereto are hereby approved for use within the municipality.
2. This By-law shall come into force and take effect upon the passing thereof and that all former by-law governing such allowances are hereby repealed.

PASSED THIS 11<sup>th</sup> day of April, 2017

  
\_\_\_\_\_  
Graham Blair, Reeve

  
\_\_\_\_\_  
Jennifer Cohen, Clerk

# Municipal Complaint Policy

**Date Approved:**

## Policy Statement

The Municipal Complaint Policy is intended to provide a consistent and uniform process to respond to program and service delivery concerns raised by members of the public. The Policy will assist the municipality in continuing to provide excellent service to the public, and will contribute to the continuous improvement of operations. The Municipality strives to maintain a high level of customer satisfaction.

## Purpose

The purpose of this policy is to outline the principles and processes for the disposition of complaints related to services delivered by the municipality. This policy will improve customer satisfaction by providing timely and accurate response to complaints and use complaints as an opportunity to improve programs and services.

## Definitions

**Complaint** is an expression of dissatisfaction related to a municipal program, service, facility or staff member. Complaints are distinct from:

**Request for service:** request for a specific service such as road repair, sign replacement, by-law enforcement, building code enforcement.

**Enquiry:** a general or specific request for information regarding a municipal program or service.

**Feedback:** an opinion, comment or expression of interest in a municipal program or service .

Requests for service, enquiry or feedback should be directed to the applicable department.

## Roles and Responsibilities

### Complainant

1. It is the responsibility of the complainant to attempt to resolve concerns by contacting the relevant department head.
2. Provide adequate details to ensure a proper investigation.
3. Complaints must be signed and dated. Anonymous complaints will not be accepted.
4. Provide a suggestion of how the situation can be improved or the complaint can be resolved.

### Council

1. The role of Council is to develop policies and procedures on how to receive, investigate, respond and resolve complaints.
2. Complainant cannot seek a remedy by calling a Council member(s)
3. Council member(s) should direct a complainant to this policy.
4. Council may request a status report on a complaint through the Clerk. If the subject matter falls under the criteria of section 239(2) of the Municipal Act, Council may put forward a motion to move into close session.

## **Clerk**

1. The Clerk will ensure compliance with this complaint policy. All complaints received will be date stamped. Complaints received addressed to Council will be processed according to this policy. A status report will be provided in the next closed session of Council if required.
2. All complaints, investigations, results and or actions will be documented.
3. The Clerk will treat complaints as confidential as possible to protect the complainant's privacy to the extent that it does not impede the investigation. Complaints maybe subject to freedom of information requests.
4. It is within the Clerk's discretion, in consultation with the relevant department and/or Council if required, to deem a complaint vexatious or frivolous.

## **Department Heads**

1. Staff will attempt to resolve concerns before they become Complaints. These concerns do not need to be in writing to be investigated at this stage.
2. Staff will document the investigation if one is required.
3. Staff may consult with other departments or the Clerk.
4. Staff may identify and bring forward opportunities to improve services.

## **Complaints against the Clerk**

If a complaint is made against the Clerk, the complaint shall be submitted to the head of council. The head of council shall follow all responsibilities and procedures assigned to the Clerk as described below.

The head of council may consult with other senior staff. The head of council may consult with the municipal council and/or legal counsel.

## **Procedures**

It is the responsibility of the complainant to attempt to resolve concerns by contacting the relevant department head.

Where a resolution cannot be achieved with the department head, complaints shall be submitted to the Clerk on the form attached as Schedule "A" to this policy and will include:

1. Name, phone number, email, and mailing address of the complainant
2. Nature of the complaint;
  - a) Background details leading to the complaint
  - b) Date, time and location
  - c) Name of any employee previously contacted regarding this complaint.
  - d) Date complaint was submitted
3. Actions the Complainant is requesting from the Municipality.

Upon receiving the complaint, the Clerk will date stamp the submission and, within 7 calendar days, acknowledge its receipt to the complainant.

The Clerk shall review the issues identified by the complainant and in doing so may:

- (a) Consult with other staff as appropriate
- (b) Review relevant provincial legislation
- (c) Review any relevant municipal policies and/or procedures
- (d) Review any existing related documents
- (e) Interview employees or member of the public involved in the complaint
- (f) Identify actions that may be taken to address the complaint or improve municipal operations
- (g) Take other actions the Clerk deems appropriate to expedite the resolution of the complaint when necessary

Upon receipt of the complaint the Clerk may delegate the authority to investigate and/or respond to the complaint to another employee

The Clerk will not delegate this authority to an employee who is named in the complaint or who may be interviewed as part of the investigation

The Clerk shall maintain a file for the complaint in compliance with our current records retention bylaw.

### **Decision**

Within 30 calendar days from the receipt of the complaint, the Clerk shall provide a written response outlining the results or the status of the investigation to the complainant. If a response is not available within the 30 calendar days the complainant shall receive in writing the reason for the delay and an estimate as to when a response will be provided.

The response will note whether or not the complaint was substantiated with reasons.

The response will provide actions the municipality has or will be taken. Detail details regarding discipline of staff members will not be disclosed.

Discipline of staff will be in accordance with the Township's current discipline policy and procedures.

### **Exclusions**

This policy is not meant to address;

1. Complaints about non-municipal services
2. Issues addressed by legislation
3. A decision of Council or a decision of a committee of Council.  
Persons may send a letter to the Clerk for the inclusion in the next public agenda package. The letter must be signed and dated and include information as to why the decision should be reconsidered. Persons may also, through the Clerk, request to appear as a delegation following the procedure to appear before council.
4. Contraventions of By law 40-12 code of conduct for members of council.  
Persons may send a letter to the Clerk with the details of the concern. The Clerk will forward the correspondence to Council for review. (This procedure will be reviewed upon the appointment of an integrity commissioner).
5. Internal employee complaints  
Staff will refer to the staffing complaint policy

**Schedule "A"  
Complaint Form**

**Name (Print)** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Telephone Number:** Home \_\_\_\_\_  
Work \_\_\_\_\_  
Cell \_\_\_\_\_

**Mailing** \_\_\_\_\_

**Address** \_\_\_\_\_

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

Details of complaint:  
Please include date(s), location, background information, including other municipal employees you have contacted regarding this matter. Additional space is available on the second page of this form.  
Please note: this complaint maybe subject to a freedom of information request.

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How could this situation be improved or resolved?

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Additional information from previous page

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**Office use Only**  
Received by: \_\_\_\_\_  
Forwarded to \_\_\_\_\_

Acknowledgement of Receipt  
Sent date: \_\_\_\_\_  
By Staff Name: \_\_\_\_\_

Final Response to Complainant  
Sent Date: \_\_\_\_\_  
By Staff Name: \_\_\_\_\_

Yes      No