

TOWNSHIP OF NIPISSING POLICY			
Effective Date: January 1, 2019		Number: 2019-02	Revision: 0
Title: Complaint Policy			
Approved By: Resolution R2019-15			Page: 1 of 1

Purpose:

The Township recognizes the importance of public feedback and welcomes complaints as a valuable form of feedback regarding the Township's services, operations and facilities.

This policy provides a consistent and uniform process to respond to complaints. The information gained from complaints helps improve the quality of services provided by the Township.

Legislative Authority:

Section 11(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public. This policy is also intended to satisfy Bill 8 – *Public Sector and MPP Accountability and Transparency Act, 2014*.

Scope:

This policy applies to an expression of dissatisfaction related to municipal facilities, operational procedures, programs, services or staff.

Anyone who uses or is affected by Township services can make a complaint, including residents, people who work in or visit the Township, local businesses or community groups.

This policy does not address or apply to:

- Compliments
- Feedback
- Inquiries
- Requests for service
- Requests for accommodation
- Criticisms or anonymous complaints

This policy does not address or apply to (continued):

- Issues addressed by legislation, or an existing municipal by-law, policy or procedure
- A decision by Council
- Internal employee complaints
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.
- Outside boards and agencies

These items are handled through other mechanisms and processes.

Definitions:

CAO-Clerk – shall mean the Chief Administrative Officer (CAO) – Clerk or designate duly appointed by the Township as prescribed in Section 229 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

Complainant – the person who is dissatisfied and filing the complaint.

Department Head – shall include the CAO-Clerk, Operations Superintendent, Treasurer and Fire Chief.

Head of Council – shall mean the Mayor of the Township.

Township – shall mean the Corporation of the Township of Nipissing.

Types of Complaints

Informal Complaints:

It is encouraged that individuals and municipal staff work to resolve issues or concerns before they become formal complaints. Informal complaints may be made in person, by phone, letter, email or fax.

It is the responsibility of municipal staff to attempt to resolve issues or concerns before they become formal complaints and identify opportunities to improve municipal services.

Formal Complaints:

A formal complaint is generated when an informal resolution cannot be successfully achieved. This will result in a file generated, an investigation undertaken and a decision made.

All complaints will remain confidential.

All complaints should be filed in a timely manner.

Formal Complaint Procedure

Filing a Complaint

The Complainant must submit a complaint in print form, which shall include the following information:

- Contact details for the Complainant, including name, address and telephone number
- Type of Complaint
- Details of the complaint (location, employee involved, resolution requested, enclosures, date complaint submitted)
- Signature and date, electronic signatures are accepted

Anonymous complaints will not be accepted.

Acknowledgement

Formal complaints shall be submitted to the Township Office. Upon receipt, the complaint will be acknowledged in writing within 7 (seven) calendar days.

The Clerk's Office will assess if the complaint falls within this policy as per the scope of this policy.

Investigation

All complaints are investigated by the appropriate Department Head. Complaints made against Department Heads shall be investigated by the CAO-Clerk. If a complaint is made against the CAO-Clerk, the Head of Council will investigate and may consult with Council or designate the Municipal solicitor to investigate.

The designated investigator shall review the issues identified and any relevant legislation, policies or procedures. As part of the investigation, all involved parties (Complainant, employee, etc.) may be interviewed by the investigator.

A complaint may be considered vexatious or frivolous if it is pursued in a manner that is reasonably perceived by municipal staff to be malicious, intended to embarrass or harass the recipient, or intended to be a nuisance. Where the complaint is considered frivolous and/or vexatious, the Department Head and CAO-Clerk may deem the file closed.

Decision

A decision will be made within 30 (thirty) calendar days upon acknowledgment of the complaint. The designated investigator shall provide a written response outlining the results of the investigation into the complaint.

The response shall note whether the complaint was substantiated and include any actions the Township may take as a result of the complaint.

If the designated investigator is unable to provide a response within 30 (thirty) calendar days, they shall notify the Complainant of the delay and provide an estimate of when a response will be provided.

Appeal

Once the Township has communicated the decision, there is no appeal process at the municipal level.

In the event complaints cannot be resolved through the Municipality's complaint process, they may be submitted to the Provincial Ombudsman's office in accordance with the provisions of Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014.

Records Management and Privacy

All records relating to the complaint shall be maintained in accordance with the Township's record retention policy and schedule.

During the complaints process, all Township employees shall adhere to all applicable legislation regarding privacy in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Complainants should be aware that certain circumstances may indirectly identify them during an investigation.

Accountability Framework

The CAO-Clerk is responsible for ensuring compliance with this policy.

Policy Review

This Policy shall be reviewed at least once per term of Council.