

Section: <b>Administration &amp; Governance</b>	Policy number: <b>A-1</b>
Subject: <b>Complaint Policy</b>	Effective Date: <b>July 27, 2016</b>
	Revision Date: <b>March 2, 2022</b>
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## **Corporation of the Municipality of French River Complaint Policy**

### **1. PURPOSE**

The Municipality of French River is committed to a consistent, fair and uniform complaint process and to provide opportunities for valuable feedback about the programs, services, facilities and employees of the Municipality to help improve the quality of the services provided and contribute to continuous improvement of operations.

The Municipality recognizes that concerns from the public are at times brought forward and dealt with informally, however not all concerns can be dealt with informally. This policy ensures a consistent and uniform approach to formal complaints with a fair and accountable level of service delivery.

### **2. SCOPE**

This policy applies to an expression of dissatisfaction relating to the municipal programs, services, facilities and employees and/or by-law complaints.

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

This policy does not apply to compliments, inquiries, feedback, suggestions and requests for service that are attempted to be resolved at the point of service delivery, they may however be tracked to identify issues, trends, areas of concern, opportunities for improvement and to avoid potential complaints. Anonymous complaints will not be accepted or processed.

The Chief Administrative Officer (CAO), Clerk and/or Council shall be consulted only as deemed appropriate by the Department Head or depending on the nature of the complaint.

### **3. DEFINITIONS**

**“Anonymous complaint”** means an expression of dissatisfaction relating to the Municipality’s programs, services, facilities and employees and/or by-law complaints that does not contain the complainants name and contact information.

**“Complaint”** means an expression of dissatisfaction relating to the Municipality’s programs, services, facilities and employees and/or by-law complaints. A complaint is different from a request for service, inquiry, feedback, compliment, or suggestion.

**“Complainant”** means the person who is dissatisfied and filing a complaint.

**“Compliment”** means an expression of appreciation relating to the Municipality’s programs, services, facilities and employees. This type of communication does not require a response.

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**“Inquiry”** means a general or specific request for information relating to the Municipality’s programs, services, facilities and employees.

**“Feedback”** or **“Suggestion”** means an opinion, comment and expression of interest relating to the Municipality’s programs, services, facilities and employees or an idea submitted to the Municipality with the aim of improving programs, services or facilities. This type of communication does not require a response.

**“Investigator”** means the employee(s) assigned to investigate a specific complaint.

**“Officer”** means a Municipal By-law Enforcement Officer, a Building Inspector, a Property Standards Officer, a Chief Building Official or anyone appointed by the Municipality of French River to enforce the provisions of the applicable by-law.

**“Request for Service”** means a request made by a member of the public for a specific service provided by the Municipality. For example, a request for service may include but is not limited to a request to repair/maintain a street surface, report an issue relating to municipal services, or report damage to a facility or park. This type of communication does not require a response.

**“Frivolous or Vexatious Complaint”** means the complaint is initiated with malicious intent or is part of a pattern of conduct by the Complainant that amounts to an abuse of the complaint process. For greater clarity “frivolous” and “vexatious” means lacking basis or merit; a matter that has little prospect of success; no serious purpose of value; without reasonable or probable cause or excuse; harassing; annoying; retaliatory or repetitive; instituted maliciously or on the basis of improper motives; intended to embarrass, harass or to be a nuisance.

#### **4. RESPONSIBILITIES**

Employees are responsible to ensure that they have knowledge of and understand the Municipality’s requirement to receive and track complaints, the process through which a complaint can be made and the service standards that apply to complaints. They are also responsible for receiving, tracking and responding to complaints as deemed appropriate or required by their position.

Department Heads and Managers are responsible to ensure that all employees within their department are aware of and understand this Policy and for facilitating a prompt response to all complaints to ensure that service standards are achieved.

Department Heads, Managers, Chief Administrative Officer, Municipal Law Enforcement Officer and Clerk are responsible for investigating complaints in accordance with this Policy.

Any dispute from the public regarding any provision of this policy shall be referred to the Chief Administrative Officer/Clerk, who shall be responsible for clarifying and resolving any ambiguity which may exist within this policy.

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## **5. PROCEDURE**

All complaints shall be in writing, and may be submitted in a number of ways, complainants are encouraged to use the Complaint Form:

- in person or by mail at the Municipal Office at 44 St. Christophe Street, PO Box 156, Noëlville, ON P0M 2N0;
- by email at [webmaster@frenchriver.ca](mailto:webmaster@frenchriver.ca);
- online on the [Municipal website](#);
- by fax at 705.898.2181; or
- by phone at 705.898.2294.
  - Verbal complaints received by phone must be documented in writing by the staff member receiving the complaint, must include the same information that is required for complaints submitted in writing and the complaint must indicate that the complainant has given their consent.

Complaints regarding by-law violations will be investigated and processed in accordance with the provisions of the applicable legislation and by the applicable Officer.

All complaints must be filed as soon as possible following the occurrence of the incident, or upon identification of the issue.

A complaint shall include the following information:

- Contact information of the complainant;
- Date and time of occurrence;
- Specific details to be considered in the investigation;
- Details of occurrence, such as but not limited to, location, address, who was involved (if applicable); and
- Signature and date.

Complaints lacking sufficient information may not be investigated. Frivolous or Vexatious complaints, as determined by the CAO or designate in consultation with the appropriate Department Head, may not be investigated.

Once a complaint is received, staff will document the complaint and the complaint will be forwarded to the appropriate department for investigation and action. Within 5 (five) business days of receipt of the complaint, an acknowledgement will be provided to the complainant either in person at the point of service by the staff member receiving it, by phone or in writing (by e-mail or mail). The acknowledgement will identify who will be assigned to investigate and follow up on the complaint as well as their contact information.

The Investigator assigned to the complaint shall review the issues identified by the Complainant and in doing so may review relevant municipal and provincial legislation, relevant municipal policies and procedures, interview employees or persons external to the municipality, review file documents, identify actions that may be taken to address the complaint or improve municipal operations.

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Within thirty (30) business days of receipt of a complaint, the Investigator shall provide a response in writing to the Complainant and will include:

- whether the complaint was validated;
- if the complaint is not validated, provide reason(s) for their decision; and
- any actions the Municipality has or will take as a result of the complaint.

If a resolution is unable to be provided within thirty (30) business days, the complainant shall be notified of the delay and an estimate of when a response will be provided.

Complaints that can be resolved quickly or easily may combine the acknowledgement and final response within the five (5) business days' time period.

Once the Municipality has communicated the decision to the complainant, there is no appeal process at the municipal level. Complainants that are dissatisfied with the outcome or process may submit a complaint to the Office of the Ombudsman at [www.ombudsman.on.ca](http://www.ombudsman.on.ca). The Ontario Ombudsman has authority to look at how the issue was handled at the local level, the steps taken, and the outcome. The Ombudsman has authority to consider whether the process was fair, transparent, and in accordance with the applicable policies and by-laws of the municipality.

### **Confidentiality**

All complaints will be dealt with in a confidential manner according to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) as amended. Information will be collected, used and disclosed in accordance with the MFIPPA rules. 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 complaints process shall keep details of the complaint confidential except as may be required by law.

Complaints received by one department are to be limited to that specific department unless the complaint involves more than one department.

### **Attachment**

Complaint Form