



Policy

POL.COR.16.05 Town Complaint Resolution Policy

Policy Type:	Corporate Policy (Approved by Council)
Date Approved:	June 6, 2022
Department:	Administration
Staff Report:	FAF.16.33; FAF.22.104
By-Law No.:	N/A

Policy Statement

This policy is intended to enable the Town to promptly and effectively address program and service delivery complaints raised by members of the public. This policy provides the mechanism to respond to complaints and will assist the Town in providing excellent customer service to the public and contribute to continuous improvement of operations.

Purpose

The purpose of this policy is to satisfy the provisions of Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014 as it relates to response to Complaints from the public. This policy will improve customer satisfaction by providing timely and accurate response to Complaints and use Complaints as an opportunity to improve program and service delivery options.

Application

This policy applies to all staff when responding to complaints received from the Public.

Exclusions

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

- a) Complaints about non-municipal services;
- b) Issues already addressed by legislation, or an existing Town by-law, policy, or procedure (i.e., Freedom of Information Requests, Development Charge levies, Land Use planning, By-law notices, orders and appeals;
- c) Requests to change a By-law
- d) Requests for Service;
- e) Insurance claims, or potential insurance claims;

- f) A decision of Council or a decision of a Committee of Council;
- g) Complaints about Members of Council (as they are governed by the Council Code of Conduct and investigated by the Integrity Commissioner);
- h) Complaints from Employees about other Employees or working conditions
- i) Complaints which involve ongoing litigation
- j) Anonymous Complaints
- k) Frivolous, Vexatious or Unreasonable requests or complaints
- l) Enquiry or Feedback
- m) Civil matters

Definitions

C.A.O. means Chief Administrative Officer of the Town of The Blue Mountains

Complainant means a customer or person who is submitting a Complaint. Any customer who uses or is affected by Town services can submit a Complaint including residents, visitors, businesses and community groups.

Complaint is an expression of dissatisfaction related to a Town of The Blue Mountain's program, service, facility, or staff member, where a member of the public believes that the Town has 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. **A Complaint is distinct from:**

- Request for Service: A request made to the Town on behalf of a member of the public for a specific service, or to notify the Town that a scheduled service was not provided on time. Examples include: requesting road repairs, missed garbage collection, burnt out street light, no water service, by-law infraction
- Enquiry: A general or specific request for information regarding a Town product or service made by a citizen that is resolved at the point of service delivery
- Feedback: an opinion, comment and expression of interest in a Town program or service by a member of the public

Complainant means a customer person who is submitting a Complaint. Any customer who uses or is affected by Town services can make a Complaint including residents, visitors, businesses and community groups.

Council means the Council of the Town of The Blue Mountains.

Employee means all full-time, part-time, temporary, seasonal and staff hired on a contract basis for a defined period of time, of the Town as well as students.

Frivolous means a Complaint/Request that has no serious purpose or value or may have little merit and be trivial and is part of a pattern of conduct that amounts to an abuse of the right of

access, interferes with the operations of the institution, or is made in bad faith or for a purpose other than to obtain access.

Mayor means the Mayor of the Town.

Ombudsman means the Office of the Ombudsman of Ontario.

Town means the Town of The Blue Mountains.

Unreasonable means a Complaint/Request that is likely to cause distress or disruption to the Town, its Employees, or other members of the public, without any proper or justified cause. Behaviour that because of the nature or frequency of a Complainant's contact with the Town, negatively affects the ability to deal with their Complaints or those of others.

Vexatious means a Complaint/Request without merit, that is pursued in a manner that is malicious, intended to inconvenience, embarrass or Harass the recipient or is a pattern of conduct by the Complainant that amounts to the misuse of the Complaints processes and procedures.

Procedures

1. Examples of Complaints

The following are some examples of Complaints covered by this policy:

- Complaints about receiving poor customer service;
- Complaints about the quality of a service provided;
- Timeliness in responding to a complaint;
- Concern that a matter was not completed or carried out in accordance with Town Policies and By-laws.

2. Responsibilities

Employees:

Employees are to have knowledge and understanding of the purpose of receiving Complaints, the process through which a Complaint can be made and the service standards that apply to Complaints.

Directors, Managers and Supervisors:

Directors, Managers and Supervisors are responsible for investigating and responding to Complaints about services for which they are responsible. Complaints about Employees are to be processed by that Employee's direct Supervisor.

Customers/ Members of the Public:

Customers are to recognize that the Town must consider the needs of the whole community. They are to provide honest and respectful communication with a goal to improving services.

3. Principles

i. **Customer focused**

The Town will deal with Complaints promptly and respond in a format that meets the needs of the customer.

ii. **Continuous improvement**

The Town will consider Complaints as opportunities to evaluate programs and services for possible improvement and will record lessons learned.

iii. **Fair and impartial**

The Town will deal with Complaints in an open-minded and impartial way. Making a Complaint will not negatively affect future dealings with the Town. Customers will not be discriminated against during the investigation or because of a Complaint. Employees about whom a Complaint is launched will be treated fairly.

iv. **Accountable**

The Town will provide honest, evidence-based explanations and give reasons for decisions. Information will be provided in a clear and open way. When requested and if appropriate, the Town will inform the Complainant about the lessons learned and corrective actions taken.

v. **Confidentiality**

Protecting the privacy of all parties is of utmost importance. Personal Information will only be collected, used and/or disclosed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.

4. Resolution Attempt

- i. Whenever possible, customers are encouraged to work with Employees as the first point of contact within the Department providing the service, to have their issues addressed. Employees will listen with an open mind and make efforts to resolve Complaints in a timely manner.
- ii. It is the responsibility of the Employee(s) to attempt to resolve issues or concerns before they become Complaints and identify opportunities to improve Town services.

5. Filing a Complaint

Where resolution cannot be achieved, the Town has established a formal procedure to ensure that all Complaints are investigated using a consistent and uniform process. Complaints can be submitted through the following channels:

- a) Online at <https://www.thebluemountains.ca/town-hall/accountability-customer-service/customer-service-complaints-compliments>
- b) By completing the Complaint Form and submitting by:

Email: complaints@thebluemountains.ca;

Mail or Delivery: Town of The Blue Mountains
32 Mill Street, Box 310
Thornbury, ON N0H 2P0;

Fax: 519-599-7723; or

In-person: Town Hall, located at 32 Mill Street, Thornbury (Office hours are Monday to Friday 8:30a.m. to 4:30p.m.)

6. Details of Complaint

The following items must be detailed when submitting a Complaint:

- a) The name, phone number, email address, and mailing address of the Complainant (anonymous Complaints will not be accepted);
- b) The nature of the Complaint, including the:
 - i. Background leading to the Complaint;
 - ii. Date(s), time(s) and location(s) of any incident(s); and
 - iii. Name(s) of any Employee(s) previously contacted regarding the Complaint(s); and,
- c) Actions the Complainant is requesting of the Town.

7. Upon Receipt of a Complaint

- i. The C.A.O.'s Office shall acknowledge receipt of the Complaint, within five days of receipt of the Complaint.
- ii. The C.A.O. shall review the issues identified by the Complainant and in doing so may:
 - a) Review relevant municipal and provincial legislation;
 - b) Review the Town's relevant policies and procedures;
 - c) Review any existing file documents;
 - d) Interview employees or member of the public involved in the Complaint;
 - e) Identify actions that may be taken to address the Complaint or improve Town operations; or
 - f) Take other actions the C.A.O. deems expedient to resolving the matter.
- iii. Upon receipt of a Complaint, and where the C.A.O. deems appropriate, the C.A.O. may delegate the authority to investigate and respond to a Complaint to another Employee.

- iv. The C.A.O. may not delegate the authority to investigate a Complaint to an Employee who is or may be named in the Complaint.
- v. The C.A.O. shall maintain a file of the Complaint in compliance with the Town's records retention by-law.
- vi. The C.A.O. may, at their discretion, notify Council of an open Complaint investigation for information purposes.

8. Decision

- i. Within thirty (30) calendar days of the C.A.O.'s receipt of a Complaint, a response shall be provided in writing to the Complainant. The response shall include:
 - a) Whether the Complaint was substantiated;
 - b) If the Complaint is not substantiated, the reason(s) for their decision; and,
 - c) Any actions the Town has or will take as a result of the Complaint.
- ii. If the C.A.O. is unable to provide a response within thirty (30) days of receipt, they shall notify the Complainant of the delay and provide an estimate of when a response will be provided.

9. Complaint Appeal Process

There is no additional appeal process at the municipal level. If the Complainant is not satisfied with the results of the investigation or the process, they may contact the Office of the Ontario Ombudsman. The Ontario Ombudsman has the authority to look at how the issue was handled by the Town, the steps taken, and the outcome. The Ombudsman has the authority to consider and make recommendations as to whether the process was fair, transparent, and in accordance with the applicable policies and by-laws of the Town.

10. General

- i. Copies of all correspondence and notices shall be retained in the Complaint file.
- ii. Where appropriate, copies of correspondence shall be placed in the Employee's HR file that is the subject of the Complaint.
- iii. Communications with a Complainant shall not provide details of disciplinary measures imposed on any Employee.
- iv. The C.A.O. or their designate shall make dated records of any communication and attempted contacts with the Complainant(s).

References and Related Policies

- Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014
- POL.COR.07.01 Accountability and Transparency of Town Actions to the Public
- POL.COR.13.16 Integrated Accessibility Standards Regulation Policy
- POL.COR.17.04 Accessibility Standards for Customer Services
- POL.COR.18.10 Social Media Policy
- POL.COR.22.08 Frivolous Vexatious or Unreasonable Complaints
- POL.COR.22.07 Respectful Interactions with the Public

Consequences of Non-Compliance

- a) Non-compliance with the Town Complaint Resolution Policy may result in the Complaint being filed with the Ontario Ombudsman for investigation;
- b) Consequence to commensurate with severity of non-compliance

Review Cycle

This policy will be reviewed by Council once per term of Council.

SCHEDULE "A"
TOWN OF THE BLUE MOUNTAINS POLICY #POL.COR.16.05 COMPLAINT FORM

Your Name	
Telephone Number(s):	
Mailing Address:	
Email Address:	
What is your Complaint? Please include relevant date(s), location, and background information, including the Town employees you have contacted regarding this matter. Additional space is available on the back of this form.	
Name of the Supervisor/Manager/Director you spoke with:	
How could this situation be improved?	
Additional Information:	
Office Use Only	File No.
Received by:	

Forwarded to:	
Acknowledgement of Receipt:	
Date Sent:	
By Staff Name:	
Action Taken:	
Final Response to Complainant:	
Date Sent:	
By Staff Name:	

TOWN COMPLAINT RESOLUTION POLICY APPENDIX “1”
DEPARTMENT DIRECTOR CONTACT INFORMATION

Department	Department Director and Contact Information	Responsible For:
Chief Administrative Officer	cao@thebluemountains.ca 519-599-3131 ext. 234	Administration, Human Resources, Town Clerk, Communications
Operations	Director of Operations directorops@thebluemountains.ca 519-599-3131 ext. 260	Roads, Water, Wastewater, Capital Projects, Solid Waste
Planning and Development Services	Director of Planning and Development Services directorplanningdevelopment@thebluemountains.ca 519-599-3131 ext. 246	Planning, Development Engineering, Building,
Finance and IT Services	Director of Finance and IT Services directorfit@thebluemountains.ca 519-599-3131 ext. 228	Finance, Fleet and Facility Maintenance, IT Services
Community Services	Director of Community Services directorcs@thebluemountains.ca 519-599-3131 ext. 281	Parks, Trails, Facilities, Golf, Harbour, Cemetery
Fire	Fire Chief firechief@thebluemountains.ca 519-599-3131 ext. 103	Fire
Legal Services	Director of Legal Services directorlegal@thebluemountains.ca 519-599-3131 ext. 258	Legal Services, By-law