

COMPLAINTS HANDLING POLICY

A. PURPOSE

The Region of Peel recognizes the importance of public feedback and welcomes complaints as a valuable form of feedback regarding our services, operations and facilities. The information gained from complaints helps improve the quality of the services provided by the Region of Peel and the client experience of residents.

The purpose of this policy is to outline the Region's Informal Complaints resolution process and to establish a procedure for Formal Complaints from members of the public.

The Region will endeavour, first and foremost, to resolve complaints informally. In those situations where a member of the public is not satisfied with an informal resolution, they may follow the Formal Complaints process.

B. SCOPE

All union and non-union full time, part time, temporary and contract employees, citizen members of committees and volunteers and persons or a body acting on behalf of the Region of Peel, are covered in this policy.

Investigation of complaints regarding unionized employees will be conducted in accordance with applicable collective agreement provisions.

If there is another applicable policy, legislation, regulation or process to deal with a specific complaint, the Region will take the other applicable policy, legislation, regulation or process into consideration when handling the complaint.

This policy does not apply to:

- a) Outside boards and agencies, including: Peel Regional Police Services or Peel Housing Corporation Board of Directors
- b) The Region's elected officials and the Regional Chair.

This policy applies to complaints that are received in person, by phone, at Service Peel, by email, by regular mail or by fax.

This policy does not apply to:

- Requests for service
- Feedback
- Compliments
- Inquiries
- Anonymous complaints
- Request for accommodations
- Internal employee complaints, problems or concerns
- Allegations of violations of Canada's Criminal Code
- Allegations of Fraud

These communications and requests are all handled through other mechanisms and processes.

C. DEFINITIONS

What is a complaint?

A complaint is any expression of dissatisfaction about the programs, facilities, Regional services, operational procedures, staff or the action or lack of action taken regarding operations, facilities or services provided by the Region of Peel or by a person or body acting on behalf of the Region of Peel.

For clarity, a request for service is not a complaint. A request for service is an inquiry about a Regional service, program or operation in general or specific terms, or a query about how to receive, request assistance, inform, determine cost, or how to use or access a service, program or operation.

A Formal Complaint means a complaint that has not been successfully resolved through the Informal Resolution Process as outlined in this policy. The complainant has chosen to formalize the complaint by completing a Region of Peel Public Complaint form.

An Informal Complaint means a complaint that has been received by the Region by telephone, email, regular mail or in person, which has not been submitted on a Public Complaint Form.

All non-anonymous complaints filed necessitate a response. Anonymous complaints will not be responded to.

Who Can Make a Complaint?

Anyone who uses or is affected by Regional services can make a complaint. This includes:

- Residents
- People who work in or visit the Region
- Local businesses
- Community groups

Some individuals may require assistance to make a complaint and complainants may authorize someone to assist them.

D. POLICY

The Region of Peel is committed to a consistent process to respond to complaints received from members of the public regarding programs, facilities, Regional services, operational procedures, staff or the action or lack of action taken regarding operations, facilities or services provided by the Region of Peel or by a person or body acting on

behalf of the Region of Peel. This policy and the accompanying procedures outline the process to be followed and service standards for the handling of public complaints.

The Region of Peel will deal with all complaints promptly, courteously, impartially and professionally. All complainants will be treated with respect and will not receive adverse treatment or any form of reprisal.

All complaints will be dealt with in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable legislation. 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 the details of the complaint confidential except as may be required by law. If the matter goes to a formal complaint process, it may be necessary to release the complainant's name and contact information during the resolution process.

E. SERVICE STANDARDS

The following Service Standards will be adhered to in the handling of all complaints received.

- Complainants must receive an acknowledgement of receipt of their complaint within three business days. This acknowledgement must identify who will be following up on the complaint as well as their contact information.
- A final response or update must be sent to the complainant within 20 business days, barring exceptional circumstances.

F. RESPONSIBILITIES

Employees: All employees are to have knowledge and awareness of the Region's requirement to receive complaints, the process through which a complaint can be made and the service standards that apply to complaints.

Supervisors and Managers: Managers and Supervisors are responsible for facilitating prompt response to all complaints to ensure that service standards are achieved.

Commissioners and Directors: Commissioners and Directors are responsible for the receipt and response of all complaints according to the service standards set out. Commissioners and Directors hold responsibility for departmental compliance to the Complaints Handling Policy.

G. PROCEDURES

Informal Complaints

On Site: A member of the public may approach an on duty Manager or Supervisor with a complaint regarding programs, facilities, Regional services, operational procedures, staff

or the action or lack of action taken regarding operations, facilities or services provided by the Region of Peel or by a person or body acting on behalf of the Region of Peel. The complainant may be directed to the employee's direct manager, if they are on site. If no manager is available, the employee receiving the complaint will take basic contact information and advise the complainant that a manager will contact them within three business days. If a manager is available they should attempt to defuse the situation and come to an informal resolution.

If the complainant wishes to escalate their concern to the employee's direct manager or the next level of management, but does not want to launch a Formal Complaint, the manager who is involved in the initial discussion will forward the complainant's name, contact information, a brief description of the incident and request for a call back to the appropriate individual (the Manager's Director or Commissioner). The complainant will be advised that they will be contacted within three business days.

In Person: Should a complainant wish to file an informal complaint at the Office of the Regional Clerk, they will be offered the option of having the appropriate Director contact them within three business days to discuss their concern. If the complainant agrees, the Regional Clerk or designated staff will obtain their name and contact information and immediately forward this information to the appropriate Director who will contact the complainant within three business days to discuss their complaint. If the complainant advises that they wish to lodge a Formal Complaint, they will be advised of the procedure.

Mail or Email: Written complaints received (via regular mail or email or hand-delivered) by the Region will be considered to be informal if they are not on a Formal Complaint form. If an informal complaint is sent to a general Region postal or email address or has been misdirected, the recipient will forward the complaint to the Regional Clerk. The Regional Clerk will provide the complaint to the appropriate Director who will contact the Complainant within three business days to discuss their concerns. If the complainant advises that they wish to lodge a Formal Complaint, they will be advised of the procedure.

Formal Complaints received in the mail room must be forwarded to the Office of the Regional Clerk.

Telephone: Managers receiving complaints by telephone will conduct an informal discussion with the complainant with the intention of resolving the issue. Other Regional staff who receive telephone complaints will attempt to put the caller in contact with the appropriate Manager. If the Manager is not available, the employee will obtain the complainant's contact information, provide the Manager's name and advise the complainant that they will receive a call back within three business days.

Call Centre: Complaints received at the Call Centre will be forwarded to the appropriate Manager. The Call Centre Representative will obtain the following information only:

- The complainant's name and contact information

- The name of Regional staff that the complainant has dealt with relating to the issue of the complaint, if applicable; and
- Sufficient information (date, time, location of the incident) to direct the complaint to the appropriate Manager.

The complainant will be advised that they will receive a call back from a Manager within three business days. If the complainant advises that they wish to lodge a Formal Complaint, the Call Centre Representative will advise them of the Formal Complaint procedure.

Role of the Manager

The Manager receiving a complaint will assess the information to determine if it fits within the scope of this policy. If so, the Manager will gather and review any information available and attempt to resolve the issue informally through discussions with the complainant. The Manager may choose to involve Human Resources or other resources as necessary, if they require assistance and/or guidance. Managers are required to involve their departmental Human Resources representative prior to taking any disciplinary action against Regional staff.

Managers must ensure all staff involved in the resolution of the complaint are aware of their responsibility to keep the issue confidential and respect the privacy rights of all parties involved.

Records of Informal Complaints

The details of Informal Complaints should be noted as soon as possible and may include such information as when and where and how the alleged issue raising the complaint occurred, who was involved, and the names of any witnesses. These notes may be required if a Formal Complaint is filed.

Complaints that are informally resolved to the complainant's satisfaction will not be tracked. However, any records pertaining to the resolution of Informal Complaints, are to be maintained within each department in accordance with any existing policies or by-laws. Any disciplinary action resulting from an Informal Complaint will be maintained in accordance with established Human Resources procedures and policies.

Unresolved Complaints

If the issue cannot be resolved informally, or the complainant requests a formal investigation into the alleged misconduct, a Formal Complaint Form must be submitted.

Formal Complaints

Formal Complaints must be submitted to the Office of the Regional Clerk via regular mail, email or in person using the Public Complaints Form. The form can be found on the Region of Peel website or is available from the Office of the Regional Clerk.

The Regional Clerk or designated staff is solely responsible for:

- Receiving and date stamping the complaint;
- Ensuring it is completed and signed;
- Creating and maintaining a record of all Formal Complaints received for statistical purposes;
- Acknowledging receipt of the complaint within three days of receipt; and
- Forwarding the complaint to the appropriate Commissioner and noting who the complaint was forwarded to.

The information may be used to verify or demonstrate the number of Formal Complaints received by the Region and to monitor complaint resolution progress. The Office of the Regional Clerk will provide a summary to Regional Council on an annual basis.

Once the Formal Complaint is logged, a confidential copy of the complaint will be forwarded via inter-office mail to the Chief Administrative Officer, with the original going to the appropriate designated Regional Official (the "Designate") according to the Investigation of Complaints section of this policy.

Details of Formal Complaint

The complaint should provide details of the grounds of the complaint, factual information of when and where the incident occurred, and a description of what happened. All complaints must be signed by the complainant or their authorized agent. In the case of a complaint made on behalf of a person under 18 years of age, a parent or legal guardian may sign; in the case of a person with a disability, their Legal Guardian may sign.

Complaints Not Considered

Anonymous complaints will not be considered.

Complaints should be made as soon as possible following the incident giving rise to the complaint. Complaints filed 90 days or more after the incident will only be investigated if the Commissioner determines that circumstances exist to reasonably justify investigating beyond 90 days from the incident.

Investigation of Formal Complaint

All Formal Complaint forms with the details of the complaint and any attachments will be forwarded to the appropriate Designate as follows:

- Complaints regarding a citizen member of a committee to the Chief Administrative Officer;

- Complaints regarding Regional Employees, including Managers, Supervisors and volunteers, to the Director of the employee's Division;
- Complaints regarding a Director to the applicable Commissioner;
- Complaints regarding the Regional Clerk to the Chief Administrative Officer;
- Complaints against Commissioners to the Chief Administrative Officer; and
- Chief Administrative Officer complaints are referred to the Regional Chair.

The Designate, or their appointed delegate, will assume responsibility for the complaint at this point.

The Designate is responsible for conducting any investigation of the complaint. The Designate may delegate the investigation as appropriate but the Designate remains responsible for reporting the Complaint as per the Service Standards.

The investigation will be made in context of existing Region of Peel policies and procedures, accepted practices, and relevant legislation in place at the time of the incident.

The Region's expectations regarding the general behaviour of employees are outlined in various Region of Peel by-laws, agreements, policies and procedures, the Employee Code of Conduct, the Regional Values, and rules and regulations including but not limited to Corporate Policy and Procedure, Human Resources, Fraud and Theft, Conflict of Interest and Respectful Workplace.

If the Investigator deems the complaint to be Frivolous or Vexatious it will not be pursued. The Designate will advise the complainant, in writing, of the Investigator's decision and the reasons for it, and copy the Chief Administrative Officer and the applicable Commissioner.

A complaint shall be deemed Frivolous or Vexatious if the complaint was initiated with the intent to embarrass or annoy the employee or Manager, Director, Commissioner or CAO or if it is part of a pattern of conduct by the Complainant that amounts to an abuse of the complaints process, as determined by the CAO.

The Designate shall assess the information to determine if it fits within the scope of this policy. If so, the Designate will gather and review any information available and attempt to resolve the issue through discussions with the complainant. The Designate may choose to involve Human Resources or other resources as necessary, if they require assistance and/or guidance. Designates are required to involve their departmental Human Resources representative prior to taking any disciplinary action against Regional staff.

Designates must ensure all staff involved in the resolution of the complaint are aware of their responsibility to keep the issue confidential and respect the privacy rights of all parties involved.

Upon completion of the investigation, the Investigator will present a confidential written report which will include the allegations and Investigator's findings. This report will be discussed with the Designate who will take any necessary action, which may include disciplinary action.

The Designate, or their delegate will provide both the complainant and those alleged in the complaint with a written response which either:

- Revealed a contravention or deficiency of the Region's policies, programs, operations, services or conduct, and appropriate corrective action will be taken; or
- Revealed that no contravention or deficiencies took place, and the matter is closed.

Details of any employee disciplinary action taken will not be released to the complainant. A confidential copy of the decision will be forwarded to the Chief Administrative Officer. The original will be sealed and maintained in accordance with the Records Retention By-law.

The Designate will also advise the Regional Clerk's office as soon as possible that the complaint process is complete and the date the file was closed. This information will be added to the existing record.

Deadline for Complaint Resolution

The Office of the Regional Clerk will acknowledge the formal complaint within 3 business days of receipt.

Every effort will be made to investigate and respond to complaints within 20 days of receipt of the Formal Complaint by the Office of the Regional Clerk.

If the investigation into the complaint is not complete within 20 days, the Designate will advise the complainant or their guardian, in writing, of the status of the investigation and the expected time frame for a response.

In cases where the complaint cannot be resolved within 20 days, the Designate will notify the complainant and provide a reasonable timeframe within which to resolve the complaint.

Withdrawal of a Formal Complaint

A complainant may withdraw a Formal Complaint by writing to the Office of the Regional Clerk. The Designate may continue the investigation if they believe further investigation is warranted.

Formal Complaints that are withdrawn will be included in data collection with the status of withdrawn clearly indicated.