

The Corporation of the Township of North Kawartha
Corporate Policies and Procedures

Subject: Customer Complaints Policy

Effective: 2016/07/19	Revised:	Revision No.:	Page 1 of 8	Policy: A09 – C1
Review Date / Associated Documents / Legislation Associated Documents: Complaint Form, Tracking Sheet, Sample Responses Legislation: Bill 8				

Purpose

The overall purpose of this policy is to provide a consistent and uniform process to respond to complaints received from members of the public regarding programs, facilities, services, staff or operational procedures. This policy outlines the process to be followed and service standards for the handling of public complaints.

Resolving Complaints is intended to assist in improving services, policies and procedures.

Scope

The Township of North Kawartha 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 Township and the client experience of residents and the public.

Application

This policy applies to: Township Employees

This policy applies to Complaints that are received by phone, at service counters, by email, by mail, by the website, by social media or by fax.

*This policy **does not** apply to:

- Outside boards and agencies
- Service Requests
- Feedback and inquiries
- Compliments
- Anonymous complaints
- Request for accommodations
- Property Standards Complaints; By-law Enforcement; and Building Code Complaints

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- Matters before the courts or administrative tribunals (e.g. OMB)
- Members of Council

These communications and requests are all handled through other mechanisms and processes. While this policy does not apply to anonymous complaints, these complaints will be provided to the Chief Administrative Officer to determine whether there is any merit to the complaint and to take any action deemed appropriate.

Definitions

Complaint – any expression of dissatisfaction about the action or lack of action taken regarding operations, facilities or services provided by the Township or by a person or body acting on behalf of the Township.

Examples may include but are not limited to:

- a perceived failure to something agreed to;
- a failure to observe a policy or procedure;
- unfair or discourteous actions/statements by staff.

Complainant – the person who is dissatisfied and filing the complaint. Anyone who uses or is affected by Municipal services can make a complaint including: residents, people who work in or visit the Township, local businesses or community groups.

Compliment – an expression of appreciation for satisfactory or above-satisfactory service.

Feedback – input from client that is neither positive, nor negative, but provides input or ideas.

Service Request – a request for a specific service provided by the Township.

Policy Requirements

The Township 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 arbitration, it may be necessary to release the complainant's name and contact information during the resolution process.

Complaints received by one department are to be limited to that specific department unless the complaint involves more than one department. Generally, Department A will not be able

to view complaints received by Department B unless operationally required to address the complaint.

What is a complaint?

A complaint is any expression of dissatisfaction about the action or lack of action taken regarding operations, facilities or services provided by the Township or by a person or body acting on behalf of the Township.

All complaints filed necessitate a response.

Anonymous complaints will not be acted upon.

Who can make a complaint?

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

- residents
- people who work in or visit the Township
- local businesses
- community groups

Some individuals may require assistance to make a complaint, and complaints can be made on their behalf, provided that the person affected has given their consent in writing.

Complaints can be submitted:

- By telephone at 705-656-4445 or 1-800-755-6931;
- By email: reception@northkawartha.on.ca
- By mail; PO Box 550, Apsley, Ontario K0L 1A0
- By fax at 705-656-4446;
- In person at the Township Administrative Office, 280 Burleigh Street, Apsley

Service Standards

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

All Complaints will be logged on the electronic Complaints Form (filed by year). Sample form is attached as Appendix 'B'

Complainants must receive an acknowledgement of receipt of their complaint and an assigned tracking number within two (2) 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 10 business days, barring exceptional circumstances.

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Complaints that are forwarded between departments are to be copied to the CAO, who may intervene to ensure that the complaint receives action by the appropriate department. Refer to Appendix “A” for the procedures.

Compliance

Department Heads are responsible for implementation and ongoing compliance with the Complaints Handling Policy.

Quarterly reports will be provided by each Department Head to the CAO indicating the number of complaints received during the year, the number of complaints meeting service standards, the number of complaints outstanding, and the number of complaints not meeting service standards.

Responsibilities

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

Department Heads: Department Heads are responsible for facilitating prompt response to all complaints by their staff to ensure that service standards are achieved and are responsible for the receipt and response of all complaints according to the service standards set out. Department Heads hold responsibility for departmental compliance to the Complaints Policy.

Chief Administrative Officer (CAO): The CAO will monitor corporate compliance with this policy and will follow up with appropriate departments as required.

Appendix A

Procedures for the Complaints Policy

General (applies to all employees)

The Township is committed to providing enhanced customer service and is committed to being responsive and accountable to its customers.

The Township receives service requests on a daily basis. Service requests that may be outside of the scope of a typical request; that may require some further investigation; that may require a policy or By-law amendment, etc... should be documented by employees. Each Department may choose an appropriate documentation method (request form, note book, log etc...).

Service requests may include but are not limited to:

- notifying the Township of missed garbage collection
- request for road maintenance (pot hole repair)
- request to trim a tree on a Township road allowance

The documentation should note the requester name and contact information, date, nature of the request, location, resolution being sought and any other relevant information. The resolution to the request will be documented. The majority of service requests are closed to the satisfaction of customers but there may be occasion when a service request is not addressed to the satisfaction of a customer and as such a Complaint may be made.

Procedure for Managing Complaints

The following outlines the service standards for the handling of Complaints:

- i. All Complaints will note date of receipt of the Complaint and be forwarded to the Clerk's Department to be assigned a tracking number by year. Files will be maintained by the Clerk's Department related to the Complaints process.
- ii. The Clerk's office will provide the Complainant with an acknowledgement of receipt within two (2) business days and will identify the tracking number and who will be following up on the Complaint along with their contact information.
- iii. The Complaint will then be forwarded to the appropriate Department. Should the Complaint involve the Clerk's Department, the CAO will oversee the Complaint process.
- iv. The Department Head will consult with applicable staff, summarize findings and identify action to resolve the complaint. The Complainant may be contacted to clarify the Complaint.

- v. All Complaints necessitate a review/investigation and a written response.
- vi. Ideally within 10 business days, a response is to be provided to Complainants, barring exceptional circumstances.
- vii. Should there be a need for additional response time the Complainant will be advised within the 10 day time frame that additional time is required including the projected time frame for a response. Complainants will be provided updates during the review process.
- viii. **Complaint Response and Communication of the Decision**
The written response to the Complainant will include:
 - Setting out of the complaint
 - Details on how the investigation/review was conducted
 - Summary of the facts
 - Outline of the findings
 - Action being taken to address the complaint
 - A suggestion(s) for an appropriate resolution along with the rationale supporting the proposed resolution

The written response shall then be provided to the Complainant and will include the next steps for an appeal to the CAO / Council depending on the nature of the complaint. If the Complainant is satisfied, the complaint is closed and documented as such on the Complaint Form.

It may also include an apology, reconsideration, restitution and/or change in policy – as possible remedies. *The Apology Act* provides that apologies are not admissible as evidence of fault or liability.

In order to initiate a complaint, the complaint form must be received, however if an action is taken during the complaint process verbally, ensure that a record of this action is documented.

- ix. The CAO may assist with the investigation/review of the complaint. The CAO will be informed of all Complaints and will be provided with a copy of the response to the Complaint.

Complaint Process and Complaint Form

Complaints must be in writing and include information such as:

- Details of what happened.
- Where did this happen? Is it within the township's areas of responsibility?
- When it happened?
- Who was involved?

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- What was said or done, or not done?
- What kind of resolution is being sought?
- Contact details of the Complainant.

A municipal Complaint Form will be used to document Complaints attached hereto as Appendix "B".

Complaints to the Ontario Ombudsman

The Ombudsman's role is to enhance, not replace local accountability. The Ombudsman's office strongly encourages municipalities to resolve local issues through their own Complaints process. Complaints made to the Ombudsman's office will be assessed and if an issue has not followed the local Complaint process, the Complainant will be referred to the local municipality. If the local mechanism has been exhausted the Ombudsman's office will assess the complaint. The Ombudsman's office defines the resolution of a Complaint as being satisfied that there has been appropriate action, follow-up and investigation of a Complaint i.e. the Complainant may not get what they have requested.

The Ombudsman's Office:

- cannot overturn decisions of the Township
- cannot issue penalties (recommendations are not binding)
- cannot investigate complaints that are before the courts or a tribunal (e.g. Ontario Municipal Board) or the decision of the courts
- cannot investigate closed meeting complaints (separate process)
- cannot investigate certain local Boards (e.g Police Services Boards, Library Boards) (separate process)

In addition the Office

- can decide not to investigate issues arising pre-2016 (date legislation came into effect) where there is no opportunity to effect change
- can decide not to investigate Complaints deemed frivolous and vexatious

Ombudsman Contact: www.ombudsman.on.ca

Appendix B

Township of North Kawartha Complaint Form

Complainant Information:

Name:	Phone number:
Address:	Email / Fax:
Affiliation (if any)	
Details/description: (include details of what happened, where did this happen, who was involved, what was said or done, or not done, resolution being sought)	
(additional page / information may be attached)	

All complaints or concerns received by Municipal Staff will be forwarded to the Clerk and Assigned to the applicable Department Head.

A copy of the Complaints Policy and Procedures is available on the website, at the Township Office, 280 Burleigh Street, Apsley or upon request by emailing reception@northkawartha.on.ca

Administrative Information:

Complaint Received by:	
Date: (year / month / day)	Time:
By: Person ☐ Telephone ☐ Mail ☐ Email ☐ Fax ☐	
Assigned to:	Tracking No. Assigned: 2016 -
Date: (year / month / day)	Time:

Personal information you choose to provide on this form is collected under the authority of Section 227(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25. The information will be used to confirm your consent under Section 32(b) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 to disclose information relating to your complaint to the third party you identified. Questions about this collection can be directed to the Clerk at Telephone no. 705-656-4445 ext. 234 or c.parent@northkawartha.on.ca