

Town of Greater Napanee Corporate Complaints Policy



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Department:	CAO	Contact:	CAO, Clerk
Approval Authority:	Council	Policy No:	CA-2023-02

1. Introduction

The Town of Greater Napanee is committed to a consistent and uniform process to respond to complaints received from members of the public regarding programs, facilities, municipal services, municipal staff and procedures. This policy outlines the process to be followed and service standards for the handling of public complaints.

2. Purpose

This policy is intended to enable the Town to promptly and effectively address program and service delivery issues raised by members of the public in a consistent manner, to assist the Town in providing excellent service to the public, and to contribute to continuous improvement of operations.

The Town strives to reduce customer dissatisfaction by providing a timely and accurate response to complainants and using complaints as an opportunity to improve program and service delivery issues.

3. Scope

This policy applies to:

- a) Municipal Employees
- b) Municipal Elected Officials
- c) Council-appointed Boards/Committees

Anyone who uses or is affected by municipal services can make a complaint.

This includes:

- a) Residents or property owners
- b) People who work in or visit the Town
- c) Local businesses
- d) Community groups

This policy does not apply to:

- a) A customer service request made on behalf of a citizen or public at large for a specific service
- b) Outside Boards and Agencies
- c) Feedback/Compliments/Inquiries
- d) Anonymous Complaints
- e) Request for Accommodations
- f) Issues addressed by legislation, or an existing municipal bylaw, policy or procedure
- g) Matters that are handled by tribunals, courts of law, quasi judicial boards
- h) A decision of Council or a decision of a committee or Committee of Council

4. Definitions

4.1. Complaint means an expression of dissatisfaction related to a Municipal program, service, facility, or staff member, where a member of the public believes that the Municipality has not provided a service experience to the customer's satisfaction at the point of service delivery, and where a response or resolution is expected.

A complaint is not:

- a) A request for service made on behalf of a citizen for a specific service, or to notify the Town that a scheduled service was not provided on time;
- b) A general inquiry or specific request for information regarding a municipal service;
- c) A suggestion or idea submitted by a member of the public with the aim of improving services, programs, products, or processes; or
- d) An expression of approval or compliment for a municipal staff, program, product or process.

4.2. Complainant means the person who is dissatisfied and filing the complaint. Anyone who uses or is affected by municipal services can make a complaint including: residents or property owners, people who work in or visit the municipality, local business or community groups.

4.3. Customer Service Request means a request for a specific service provided by the municipality. The Town's customer service standards are outlined in the Customer Service Standards policy. It should be noted that while a request for service is not a complaint, the issue may become a complaint if it is not responded to in a reasonable timeframe.

4.4. Frivolous or Vexatious carries the same meaning as defined in the Town's Respectful Conduct Policy.

4.5. Town means the Corporation of the Town of Greater Napanee

5. Responsibilities

5.1. Council is responsible for:

- a) Approval of this policy and the standards contained within, as well as any changes made to the policy;
- b) Supporting the implementation of this policy;
- c) Reviewing any complaints received about the conduct of the Chief Administrative Officer, in accordance with the Employee Code of Conduct; and
- d) Making decisions around changes to any established policies, services, or service area budgets based on the trends or areas of concern that are identified through the complaints process.

5.2. The Chief Administrative Officer (CAO) is responsible for:

- a) Ensuring Council is appraised of any open complaint investigation which has the potential to escalate or become controversial;
- b) Ensuring this policy is brought to Council for review at least once per term of Council; and
- c) Providing a final determination on whether to close a complaint file.

5.3. Senior Management is responsible for:

- a) Reporting to Council on a monthly basis regarding the complaints received and resolved by their department;
- b) Acknowledging, investigating, and responding to complaints affecting their department as detailed in this policy;
- c) Determining whether the investigation of a complaint should be delegated to another staff member, or directed to the CAO or external third party as appropriate, to ensure that the investigating party is sufficiently removed from the subject of the complaint; and
- d) Ensuring department staff are aware of and trained on this policy.

5.4. The Clerk is responsible for:

- a) Maintaining all records associated with a formal complaint and ensuring they are kept in accordance with the records retention and privacy protection standards;
- b) Receiving formal complaint forms and directing them to the department head, CAO, and/or Mayor, as appropriate.

5.5. All employees are responsible for:

- a) Making reasonable efforts to satisfy or resolve customer concerns through an informal resolution process;
- b) Advising customers of their ability to file a formal complaint through this process if they are unable to resolve the issue; and
- c) Providing all information required in support of an investigation under this policy.

6. Policy

6.1. Frontline Resolution

It is the responsibility of all Municipal employees to attempt to resolve issues or concerns before they become complaints and to identify opportunities to improve Municipal services where deficiencies are noted.

The first step should be for the complainant to attempt to resolve concerns by dealing with the Department and/or the Municipal employee(s) directly involved with the issue where appropriate. If not satisfied, the complainant should attempt to resolve the issue with the Manager and then the General Manager (if required) responsible for the Department in question. These discussions may be written or verbal.

6.2. Process for Filing a Formal Complaint

a) Submission of Complaint Form

If the issue cannot be resolved through the informal frontline resolution process, the complainant shall be directed to submit a formal written complaint. Complainant's may also initiate a formal complaint directly.

Complaints shall be submitted to the Clerk's Department or designate. All information must be completed in writing (Appendix 'A') and include information such as:

- Details of what happened?
- Where the event happened?
- Is it within the Municipality's area of responsibility?
- When the event happened?
- Who was involved?
- What was said or done?
- What kind of resolution is being sought?
- Contact details of the complainant?

Complaints may be submitted by:

- Mail: Town of Greater Napanee
Attn. Municipal Clerk
99-A Advance Avenue
Napanee, ON K7R 3Y5
- Email: jwalters@greaternapanee.com
Subject: Complaint
- Fax: (343) 302-5238

- In Person: 99 Advance Ave, Napanee, ON

b) Receipt and Acknowledgement

The Municipal Clerk shall log the complaint, assign a tracking number, date-stamp and forward a copy to both the Department Head (or designate) and the CAO for review. Complaints about the Department Head will be forwarded to the CAO. Complaints about the CAO will be forwarded to the Mayor.

Within seven (7) business days of receipt of the complaint, the Department Head shall acknowledge the complaint by providing the complainant with an 'Acknowledgement of Complaint' letter indicating that a response to the complaint shall be forwarded within thirty (30) calendar days.

c) Initial Assessment

After acknowledging receipt of the complaint, the Department Head will confirm whether the issue(s) raised within the complaint are within the Town's control. The Department Head will also consider the outcome sought by the complainant and the parties involved.

When determining how a complaint will be managed, the Department Head, in consultation with the CAO if necessary, will consider:

- i. How serious, complicated or urgent the complaint is;
- ii. Whether the complaint raises concerns about people's health and safety;
- iii. How the person making the complaint is being affected;
- iv. The risks involved if resolution of the complaint is delayed; and
- v. Whether a resolution requires the involvement of other organizations.

d) Investigation

The Department Head shall review the issues identified by the complainant and in doing so may:

- i. Review relevant municipal and provincial legislation;
- ii. Review the municipality's relevant policies and procedures;
- iii. Review any existing file documents;
- iv. Interview employees or member(s) of the public involved in the issue;
- v. Identify actions that may be taken to address the complaint or improve municipal operations;
- vi. The CAO may, at their discretion, notify Council of an open complaint investigation for information purposes where the issue is deemed likely to escalate or become controversial. The privacy

of involved parties will be protected through this process.

e) Decision

Within thirty (30) calendar days of receipt of a complaint, the Department Head shall provide a response in writing to the complainant and provide a copy to the Municipal Clerk. The response shall include:

- i. Whether the complaint was substantiated;
- ii. If the complaint is not substantiated, provide reason(s) for their decision; and
- iii. Any actions the Town has or will take as a result of the complaint.

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

6.3. Process for Other Types of Complaints

a) Complaints Regarding Municipal Employees

Complaints regarding the conduct of municipal employees are to be submitted in writing and will be processed in accordance with the provisions of the Town's [Employee Code of Conduct](#). Complaints will be reviewed by the appropriate General Manager or the CAO, unless they are about the CAO in which case they will be reviewed by Mayor and Council.

b) Complaints Regarding Members of Council / Committees and Local Boards

Complaints regarding the conduct of a member of Council, members of Local Boards or Committees of Council are to be submitted in writing and will be processed in accordance with the provisions of the Town's [Code of Conduct for Members of Council and Local Boards](#). Complaints will be reviewed by the Town's Integrity Commissioner, and may be filed confidentially with the Clerk or directly with the Integrity Commissioner.

c) Complaints Regarding Closed Meetings of Council

Complaints regarding Closed Meetings of Council are to be submitted to the Closed Meeting Investigator. For the Town of Greater Napanee, this is the provincial Ombudsman's office.

d) Complaints Regarding By-law Violations

Complaints regarding bylaw violation are to be submitted to the Town via phone, email, in-person or website form, and will be processed in accordance with the Town's Bylaw Enforcement Standards Policy

e) Complaints Regarding Services Contracted by the Town

Complaints regarding services contracted by the Town shall be handled in accordance with the contract between the Town and the service provider.

6.4. Reporting

On a monthly basis, the CAO and Department Heads shall provide a report to Council outlining, in broad terms, the complaints received and the resolutions reached. The purposes of this report are:

- To ensure adherence to this policy in terms of timelines;
- To identify potential policy issues or service level changes that need to be considered; and
- To promote transparency and confidence that the complaint resolution process is being followed.

As outlined in the Customer Service Standards Policy, this report may also include data on the number and types of customer service requests that were closed on the grounds that the Town does not provide the requested service.

No personal identifying information will be included in this report.

7. Retaliation Prohibited

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

8. Records Management and Privacy

The Department Head shall file a copy of the complaint, supporting documentation and decision with the Clerk. The Clerk shall maintain a file of the complaint in accordance with the municipality's records retention bylaw. If a municipal employee was the subject of the complaint, a copy of the record shall be retained in their personnel file.

All records relating to any issue pursuant to this policy shall be maintained in accordance with the Town's record retention schedule. Throughout all processes outlined in this policy, all Members of Council and municipal employees shall adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

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. It may be necessary to release the complainant's name and contact information during the resolution process, however privacy issues will be considered before information obtained about an individual during an investigation is released.

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.

9. Appeals

There is no appeal process at the municipal level. Following receipt of the resolution from the Department Head or CAO, the complainant may contact the Ontario Ombudsman at www.ombudsman.on.ca or 1-800-263-1830.

10. Related Documents

This policy should be read in conjunction with the following documents:

- Customer Service Standards Policy
- Respectful Conduct Policy
- Employee Code of Conduct Policy
- Council Code of Conduct Policy

Appendices

- Appendix A – Complaint Form

Appendix A – Formal Complaint Form

The Town of Greater Napanee is committed to continuous organizational improvements in an environment where all complaints are dealt with fairly in a respectful, transparent manner.

Complaints can be submitted in a sealed envelope marked confidential:

By Mail: Town of Greater Napanee
99-A Advance Avenue
Napanee, ON K7R 3Y5
Attn: Municipal Clerk

In Person: 99 Advance Avenue, Napanee, ON

By Fax: (343) 302-5238

By Email: jwalters@greaternapanee.com

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Please provide us with your contact information:

First Name: _____ Last Name: _____

Address Number & Street Name: _____

P.O. Box Number: _____ Ward: _____ Postal Code: _____

Phone Number(s): _____

Email Address: _____

Preferred Contact Method: _____

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Details of Complaint

Please outline your complaint / issue, including relevant dates, times, and background information such as municipal employees you have already contacted to resolve the issue, witnesses to the incident, photographs, correspondence, etc.

How could the situation be improved or the complaint resolved?

Note: Personal Information on this form is being collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act* for the purposes of improving Customer Service.

Thank you for taking the time to express your concern(s).
We will provide a response within thirty (30) calendar days of receiving your complaint.
If you have any questions about this process, please contact the Municipal Clerk at jwalters@greaternapanee.com or (343) 302-5238.

Office Use Only

COMPLAINT # _____

Customer Service Request # _____

RECEIVED BY

DATE

FORWARDED TO

DATE

Acknowledgement Letter Issued

Date sent: _____

Staff name: _____

Additional Correspondence Issued

Date sent: _____

Staff name: _____

ACTION TAKEN

Final Decision Letter

Date sent:

Staff name:

Copies filed with Clerk

Initial complaint

Acknowledgement letter

Additional correspondence

Final Decision letter

Included in Quarterly Council Report

Report Date: