

**TOWNSHIP OF ESSA  
POLICY AND PROCEDURE MANUAL**

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<b>Department:</b>	<b>Clerk's/Administration</b>	<b>Date:</b>	<b>March 7, 2018</b>
<b>Subject/Title:</b>	<b>Municipal Complaint Policy</b>	<b>Date of Approval:</b>	<b>March 7, 2018</b>
		<b>Policy No.:</b>	<b>A07-09</b>
<b>Resolution No.</b>	<b>CW042-2018</b>	<b>Effective:</b>	<b>March 7, 2018</b>

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**1. POLICY STATEMENT AND RATIONALE**

The Township of Essa is committed to a consistent and uniform process for responding to complaints received from members of the public regarding programs, facilities, Township services, staff or operational procedures. This Policy outlines the process to be followed for the filing of, and handling of, public complaints.

The Township of Essa recognizes the importance of public input and welcomes complaints as a valuable form of feedback. The information gained from complaints helps to improve the client experience of residents, in addition to improving on the quality of services provided by the Corporation.

**2. SCOPE**

This policy applies to all complaints received from members of the public regarding administrative actions and functions of the Township of Essa (ie: programs, facilities, services, staff, operational procedures, etc.).

This policy has been put in place to assist members of the public with a process for lodging a complaint regarding municipal operations. As well, this Policy will provide staff with guidance on the appropriate process to recognize, investigate and respond to informal and formal complaints from members of the public. The Township of Essa will deal with all verbal and/or written complaints promptly, courteously, impartially and professionally. All complaints will be treated with respect and will not receive adverse treatment or any form of reprisal.

As part of the complaint process, all verbal and/or written complaints filed with the Township of Essa necessitate a response.

**2.1 EXCLUSIONS**

This complaint process will not be used to address the following issues:

- Enquiries;
- Requests for service (ie: report of streetlight burnt out, scheduled pick-up did not occur, etc.);
- Feedback;
- Compliments;
- Request for accommodations;
- A decision of Council or of a Committee of Council;
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.

**2.2 EXEMPTIONS**

The following complaints are exempt from this Policy:

- Anonymous complaints – Anonymous complaints are difficult, if not impossible, to assess or investigate and will only be dealt with at the direction of the Department Manager or Chief Administrative Officer.
- Complaints by employees or contractors working on behalf of the Township– Alternative procedures are available to employees to initiate complaints within the organization.
- Complaints made by one person or by a group on a frequent basis regarding routine service delivery where the premise of the complaint is not to obtain service delivery or satisfaction as a result of service delivery, but is submitted to frustrate a service, hinder service delivery, or where the customer has already submitted feedback and received a response but does not accept the outcome and chooses not to escalate the submission.
- Complaints about members of Council.
- Complaints regarding a process under an Act of the Provincial Legislature where the Township has little or no control over the process. Complaints of this nature may be referred to the Provincial Ombudsman.

### 3. PRINCIPLES

The Township of Essa will use the following principles to guide the complaint process:

- Customer-focus – The Township of Essa is committed to continuous improvement in service delivery;
- Accountability – Complaints are handled in a fair, respectful and transparent manner as quickly as possible;
- Responsiveness – Complaints are tracked and the Complainant is informed of each step;
- Accessibility – Information on how to submit a complaint is easily found on the Township's website;
- Simplicity – The process must be simple to understand and easy to use; and,
- Confidentiality – Complainants will be dealt with in a confidential manner according to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Information will be collected, used and disclosed in accordance with the *Act*.

### 4. DEFINITIONS

**Complaint** – an expression of dissatisfaction related to the Township of Essa's programs, facilities, services, Township employee or operational procedures, where it is believed that the Township 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.

**Complainant** – The person who is dissatisfied and is filing the complaint. Anyone who uses or is affected by Township services can make a complaint.

## **5. PROCEDURE**

### **5.1 GENERAL**

A complaint may be made in a number of ways:

- Verbal complaints are made in person or by telephone;
- Written complaints may be filed by hand delivery, mail, fax or email.

Complainants are encouraged to file their concern utilizing the Informal Complaint Resolution Process.

If there is dissatisfaction with the informal resolution, then the complainant is encouraged to file their complaint utilizing the Formal Complaint Resolution Process.

### **5.2 INFORMAL COMPLAINT RESOLUTION PROCESS**

#### **a. FRONT LINE**

Members of the public are encouraged to pursue the Informal Complaint Resolution Process as a means of stopping and/or remedying a behaviour or activity. Complainants are urged to discuss their concerns with the appropriate member of staff and to seek an informal resolution. Most concerns are resolved this way.

#### **b. DEPARTMENT MANAGER**

Members of the public who identify or witness actions or lack of action by municipal employees may address the behavior or activity themselves by filing an informal complaint with the appropriate Department Manager as follows:

- i. Contact the Department Manager either verbally or in writing to advise of the complaint. (In the case of the Public Works Department, complaints can be directed to the Administrative Assistant.)
- ii. Provide specifics to the Department Manager regarding the incident (ie: dates, times, locations, other persons present, and any other relevant information).

\*If the complaint is about a Department Manager, the complainant can file, informally or formally, to the Chief Administrative Officer.

### **5.3 FORMAL COMPLAINT RESOLUTION PROCESS**

- a. If after an informal submission or complaint has been addressed by the Department Manager, and the complainant is not satisfied with the outcome, the complainant may submit a written formal complaint to the Chief Administrative Officer, and include the following information:
  - Name and contact details of the Complainant (mailing address, telephone number, and e-mail address);
  - Summary of the complaint, including details, location, Township employee involved, resolution requested, enclosures, date complaint submitted;
  - Name and contact information of any witnesses;
  - Any efforts undertaken (if any) to resolve concern/issue;

- Type of resolution being sought; and
- Signature and date.

[If the complainant is submitting a complaint on behalf of another person, or is representing someone else (including a family member) as the agent or contact person, they will be required to submit written consent from the person that they are representing. The *Municipal Freedom of Information and Protection of Privacy Act* does not allow the Township to collect information that someone else has about that other person, unless the Township has received the signed written consent of that other person.]

- The Chief Administrative Officer will review both the written formal complaint and the response set forth by the Department Manager. All decisions made by the Chief Administrative Officer will be considered the final response from the Township of Essa.
- A final response from the Chief Administrative Officer shall be sent to the complainant within 30 business days, barring exceptional circumstances.
- At the discretion of the Chief Administrative Officer, the complaint and the nature thereof may escalate to members of Council.

#### 5.4 OMBUDSMAN

Where the Township of Essa and the complainant are unable to resolve a submission or complaint to their mutual satisfaction, the customer may:

Contact the Office of the Ombudsman of Ontario:

Phone: 1-800-263-1830 Complaints Line	Mail to: Office of the Ombudsman of Ontario Bell Trinity Square 483 Bay Street, 10 <sup>th</sup> Floor, South Tower Toronto, ON M5G 2C9
Online: <a href="http://www.ombudsman.on.ca">www.ombudsman.on.ca</a>	

#### 6. ADDITIONAL REFERENCES

##### Closed Meeting Investigation Complaints

Under Section 239 of the *Municipal Act*, 2001, as amended, any individual may request that an investigation be undertaken to determine whether a municipality or local board has complied with the *Municipal Act* or its Procedure By-law in respect of a meeting or part of a meeting that was closed to the public. Complaints shall be filed in accordance with the provisions outlined on the Township's website by the Closed Meeting Investigator.

##### Complaints of Council (Code of Conduct, Procedural Matters, Conflict of Interest)

Effective March 1, 2019, Part V.1 of the *Municipal Act*, "Accountability and Transparency", requires municipalities to appoint an Integrity Commissioner to perform functions as outlined in the *Municipal Act*, 2001, as amended. Complaints shall be filed as outlined in the Council Code of Conduct.