



The Corporation Of The Municipality Of South Huron

By-Law #22-2016

Being a By-Law to adopt Policy #02-2016 – Complaint Policy

Whereas the *Municipal Act, 2001* provides under Section 5(1) that the powers of a Municipality shall be exercised by its Council and under Section 5(3) provides that a municipal power shall be exercised by By-Law; and

Whereas the Municipality of South Huron deems it desirable to adopt a Complaint Policy;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the Council of the Corporation of the Municipality of South Huron hereby adopts Policy 02-2016 – Complaint Policy, identified as Schedule 'A' and attached hereto.
2. That Schedule 'A' shall form an integral part of this By-Law.
3. That this By-Law takes effect upon the date of final passing.

Read a first and second time this 18th day of April, 2016.

Read a third and final time this 18th day of April, 2016.

Maureen Cole, Mayor

Genevieve Scharback, Clerk



Corporation Of The Municipality of South Huron Schedule "A" to By-Law #22-2016

Complaint Policy

Policy Number: 02-2016
Effective Date: April 18, 2016
Revision Date:

Department: Corporate Services
Applies To: Council, All Departments

1. Purpose

This policy is intended to enable the Municipality of South Huron to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist the municipality in providing excellent service to the public and contribute to continuous improvement of operations. The municipality strives to increase customer satisfaction by:

- Providing a fair complaint procedure which is clear and easy to use for anyone wishing to make a complaint; and
- Providing a timely and accurate response to complaints; and
- Using complaints as an opportunity to improve program and service delivery issues.

2. Legislative Authority

Section 270(1)5 of the Municipal Act, 2001, as amended, and the Public Sector and MPP Accountability and Transparency Act, 2014 require a municipality to be accountable to the public for its actions. This policy supports the municipality's commitment to the accountability and transparency of the operations of the municipality.

3. Definition

A complaint is an expression of dissatisfaction related to a municipal program, service, facility or staff member, where a citizen believes that the municipality 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 general complaint may be received verbally, by phone, by email or in writing. Anonymous complaints will not be addressed.

A complaint is distinct from:

- A request for service made on behalf of a citizen for a specific service, or to notify the municipality that a scheduled service was not provided on time, (Examples of Request for Service: reporting a burnt out street light, notifying the municipality of a missed garbage collection, reporting a by-law infraction);
- A general enquiry or specific request for information regarding a municipal service;
- An opinion or feedback, comment and expression of interest in a program or service process;
- A suggestion or ideas submitted by a customer with the aim of improving services, programs, or processes.

This policy is not for complaints:

- Regarding a decision of Council or a decision of a committee of Council;
- Regarding internal employee complaints;
- Matters addressed by legislation or an existing municipal by-law;
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etcetera;

4. Frontline Resolution

The complainant is responsible to attempt to resolve concerns by dealing with municipal employee(s) directly involved with the issue where appropriate.

All municipal employees are responsible to resolve concerns by dealing with issues or concerns before they become complaints, and identify opportunities to improve municipal services.

5. Process For Filing A Complaint

Where frontline resolution cannot be achieved, complaints shall be submitted to the Clerk or designate, on the form attached as Schedule "A". All information must be completed. Complaints received verbally or by phone shall be recorded on the form, Schedule "A", by the employee receiving the complaint.

The Clerk shall log the complaint and forward a copy to the appropriate manager or designate. The Clerk shall acknowledge to the complainant within five (5) business days that the complaint has been received.

6. Designated Investigator and Investigation

The Department Manager and the Chief Administrative Officer (CAO) shall investigate a complaint against a municipal employee.

The CAO or designate shall investigate a complaint made against a Manager.

Council may designate the municipal solicitor or other qualified individual at arms-length from the municipality, to investigate a complaint made against the CAO.

The Clerk shall receive and forward complaints against Council members to Council, the Ombudsman or the Integrity Commissioner as required.

The designated investigator shall review the issues identified by the complainant and in doing so may:

- Review relevant municipal and provincial legislation;
- Review the municipality's relevant policies and procedures;
- Review existing file documents;
- Interview employees or member of the public involved in the issue;
- Identify actions that may be taken to address the complaint or improve municipal operations;
- The CAO may, at his/her discretion, notify Council of an open complaint investigation for information purposes.

7. Decision

The designated investigator shall provide a response to the complainant within ten (10) business days of the investigator receiving the complaint to advise of the outcome, or provide an estimated timeline for the resolution of the complaint.

The response shall include:

- Whether the complaint was substantiated;
- Reasons for the decision if the complaint was not substantiated;
- Actions the municipality has taken or will take as a result of the complaint;
- If the designated investigator is unable to provide a response within ten (10) business days, they shall notify the complainant of the delay and provide an estimate of when a response will be provided.

8. Recording and Reporting

The designated complaint investigator shall file a copy of the complaint and resolution with the Clerk. The Clerk shall maintain a file of the complaint in accordance with the municipality's record retention by-law. A copy of any complaint that leads to any disciplinary action shall be retained in the personnel file of an employee that was the subject of a complaint.

The Clerk shall provide an annual report to Council summarizing the complaints received and the resolutions.

9. Appeal Process

There is no appeal process at the municipal level once the municipality has communicated the decision to the complainant.

10. Policy Review

This Policy shall be reviewed by the Municipal Clerk a minimum of once per term of Council.

11. Enquiries

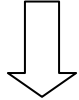
Manager of Corporate Services/Clerk
Municipality of South Huron
322 Main St. S., P.O. Box 759,
Exeter, ON N0M 1S6

Telephone: 519-235-0310 ext. 227

Process

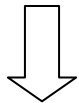
Clerk's Department:

- Receives written complaint
- Logs complaint
- Forwards to appropriate manager/investigator
- Acknowledges receipt to complainant within 5 business days



Designated Investigator:

- Investigate complaint
- Make a decision
- Notify complainant of outcome, or estimated timeline for resolution, within 10 business days
- File a decision with Clerk



Clerk's Department:

- File decision
- Annual report



322 Main St. S., P.O. Box 759,
 Exeter ON N0M 1S6
www.southhuron.ca
 Phone: 519-235-0310

Schedule "A" to Policy #02-2016 – Complaint Form

Contact Information	
Your Name:	
Home Phone:	Cell Phone:
Mailing Address:	
Email:	
Please indicate how you would like us to contact you regarding your complaint.	
<input type="checkbox"/> Email <input type="checkbox"/> Home phone <input type="checkbox"/> Cell phone <input type="checkbox"/> Mail	
Please outline your complaint, including relevant dates, times, location and background information that might include municipal employees you have contacted to resolve the complaint, witnesses to the incident, photographs, etcetera.	

How do you suggest the situation be improved or complaint resolved?	
Office use only	
Complaint #	
Received by:	Date:
Forwarded to:	Date:
<input type="checkbox"/> Acknowledge Complaint Rec'd by <input type="checkbox"/> Letter <input type="checkbox"/> Email <input type="checkbox"/> Telephone Date sent: _____ Staff name: _____	<input type="checkbox"/> Additional correspondence Date sent: _____ Staff name: _____
Action Taken	
<input type="checkbox"/> Final Decision Notice Date sent: _____ Staff name: _____	Copies filed with Clerk: <input type="checkbox"/> Initial complaint <input type="checkbox"/> Acknowledgement communication <input type="checkbox"/> Additional correspondence <input type="checkbox"/> Final Decision Notice

Thank you for taking the time to express your concern.
Please contact the Clerk if you have any questions about this process at:
519-235-0310 ext. 227 or toll free 1-877-204-0704

Personal information on this form is collected, used and disclosed in a confidential manner in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information will be used for the purpose of addressing your complaint and improving program and service delivery issues where possible.