

# **TOWN OF CARLETON PLACE**

## **MUNICIPAL COMPLAINT POLICY**

### **PART I - PURPOSE**

The Municipal Complaint Policy is intended to provide a consistent and uniform process to respond to program and service delivery concerns raised by members of the public. The policy will assist the Town in continuing to provide excellent service to the public, and will contribute to the continuous improvement of operations.

The following policy establishes guidelines and standards for the efficient handling and resolution of complaints made toward the Town in order to address concerns and to improve services.

### **PART II – SCOPE**

A complaint is an expression of dissatisfaction related to a municipal program, service, facility, or staff member.

This policy does not address:

- Inquiries
- Request for service
- Feedback
- Compliments
- Request for accommodation
- Criticisms or anonymous complaints
- Issues addressed by legislation, or municipal by-law, policy or procedure
- A decision by Council or an Advisory Committee
- Internal employee complaints
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.

For example, a request made to the Town for a specific service such as repair to street surface, by-law or parking infractions, damage to municipal property, or garbage pick-up do not qualify as a complaint under this policy.

This policy does not apply to outside boards (e.g. Town of Carleton Place Public Library Board), Closed Meeting Investigations, complaints made by employees, contractors, or volunteers working on behalf of the Town, or complaints about Members of Council.

## **PART III – TYPES OF COMPLAINTS**

### **Informal Complaints**

It is encouraged that individuals and municipal staff work to resolve issues or concerns before they become formal complaints. Informal complaints may be made in person, by phone, letter, e-mail or fax.

It is the responsibility of municipal staff to attempt to resolve issues or concerns before they become formal complaints and identify opportunities to improve municipal services. Every effort should be taken by staff to try to resolve matters informally. However, should the complainant continue to be unsatisfied, the complainant has the option of filing a formal complaint with the Clerk's office. The informal complaint option should be fully exhausted before progressing to the formal complaint process.

### **Formal Complaints**

A formal complaint is generated when an informal resolution cannot be successfully achieved. This will result in a file generated, investigation, and a formal decision.

All complaints should be filed in a timely manner.

## **PART IV – FORMAL COMPLAINT PROCEDURE**

### **1. Filing a complaint**

The complainant must fill out a complaint form which shall include all of the following information:

- i. Contact details of the complainant;
- ii. Type of complaint;
- iii. Details of the complaint (location, employee involved, resolution requested, enclosures, date complaint submitted); and
- iv. Signature and date.

Anonymous complaints will not be accepted.

### **2. Acknowledgement**

Formal complaints shall be submitted to the Clerk's Office. Upon receipt, the complaint will be given a tracking number and will be acknowledged in writing, within 7 calendar days.

The Clerk's Office will assess if the complaint falls within this policy as per Part II of this policy.

## **Investigation**

All formal complaints are to be investigated by the appropriate Department Head in consultation with the CAO. Complaints made against Department Heads shall be investigated by the CAO or designate. If a complaint is made against the CAO, Council or a sub-committee thereof will investigate.

The designated investigator (staff or other) shall review the issues identified and any relevant legislation, policies or procedures. As part of the investigation, all involved parties (complainant, employee, etc.) may be interviewed by the investigator.

A complaint may be considered vexatious or frivolous if it is pursued in a manner that is reasonably perceived by municipal staff or Council to be malicious, intended to embarrass or harass the recipient, or intended to be a nuisance. Where the complaint is considered frivolous and/or vexatious, or there appears to be a pattern of frivolous and/or vexatious requests, the Department Head and CAO or Council may deem the file closed.

### **3. Decision**

After the matter has been reviewed by the CAO and Council, the Department Head, or designated investigator, shall, in a timely manner, provide a written response outlining the results of the investigation into the complaint.

The response shall note whether the complaint was substantiated and shall outline any actions the Town may take as a result of the complaint.

If the designated investigator is unable to provide a timely response, the complainant shall be notified of the delay and provided with an estimate of when a response will be provided.

### **4. Appeal**

Once the Town has communicated the decision, there is no appeal process at the municipal level.

In the event complaints cannot be resolved through the Town's complaint process, they may be submitted to the Provincial Ombudsman's office in accordance with the provisions of *Bill 8 Public Sector and MPP Accountability and Transparency Act, 2014*.

## **PART V – RECORDS MANAGEMENT AND PRIVACY**

All records relating to the complaint shall be maintained in accordance with the Town's record retention schedule. During the complaints process, all Municipal employees shall adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*. Complainants should be aware that certain circumstances may indirectly identify them during an investigation.