



CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA
BY-LAW NUMBER 2023-31
Complaint Handling Policy By-law

BEING a by-law to adopt a Complaint Handling Policy

WHEREAS Section 5(3) of the Municipal Act, 2001, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do so otherwise;

AND WHEREAS the Council of the Corporation of the United Townships of Head, Clara and Maria deems it prudent to adopt a Complaint Handling Policy to strengthen community engagement and communication;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara and Maria enacts as follows:

THAT the Complaint Handling Policy attached hereto and marked as Appendix "A" to this by-law, be hereby adopted;

AND THAT this by-law shall come into force and take effect upon the date of the final passing.

Read a first and second time this 16th day of November, 2023.

Read a third time short and passed this 16th day of November, 2023.



MAYOR



CLERK

Head, Clara & Maria Policies and Procedures			
DEPARTMENT: Administration			POLICY #: A-06
POLICY NAME: Complaint Handling Policy "Schedule A" to By-law 2023-31			
DATE:	REVISIOIN DATE: November 2023	APPROVED BY: Council	PAGE #: 1 of 3

POLICY STATEMENT

The United Townships of Head, Clara and Maria is committed to providing a uniform and consistent process for responding to concerns that arise from members of the public regarding municipal programs, facilities, services, procedures and Staff. The Complaint Handling Policy will establish standards for the efficient resolutions of complaints made towards the Municipality and will assist Council and Staff in continuing to provide excellent customer service to the members of the public while continuing to contribute to the improvement of operations and services.

PURPOSE

This policy sets out the general response and appeal process for complaints received by the Municipality. Should another policy adopted or piece of legislation by Council dealing with a specific issue contain an appeal process, that appeal process shall supersede this policy and take precedent. The Municipality recognizes the importance of public feedback and welcomes constructive complaints as a valuable form of feedback regarding our services, operations and facilities.

SCOPE

All members of municipal Council and Staff are to be familiar and be knowledgeable of the Municipality's Complaint Handling Policy and all that it entails.

DEFINITIONS

- "Anonymous Complaint" refers to a phone call, letter, or complaint form that is received expressing "dissatisfaction" about a facility, service, staff, operational issue or program that has no return address or contact information provided for follow up;
- "Clerk" refers to the Clerk or designate of the United Townships of Head, Clara and Maria, duly appointed by By-law;
- "Complainant" refers to the individual filing the complaint with the Municipality;
- "Complaint" means the issue or concern raised regarding the Municipality's service, operation or program;
- "Council" means the Council of the United Townships of Head, Clara and Maria;
- "Employee" or "Staff" refers to an employee of the Townships of Head, Clara and Maria;
- "Policy" refers to the Townships of Head, Clara and Maria's Complaints Handling Policy;
- "Resident" refers to a person who resides within the Townships of Head, Clara and Maria;
- "Service Request" refers to a request for a specific service provided by the Townships of Head, Clara and Maria or an agent working on behalf of the Municipality;
- "Municipality" or "Township" refers to the United Townships of Head, Clara and Maria.

RESPONSIBILITIES

The Clerk is responsible for the receipt and response of complaints relating to the service standards established throughout this policy and holds responsibility for departmental compliance to the Complaints Handling Policy. All complaints will be dealt with in accordance with the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, and other applicable legislation. The identity of the complainant will be made known only to the appropriate participants in the compliant process and such participants shall keep the details and information of the complaint confidential except as required by by-law/procedure. Complaint records shall be retained in accordance with the Municipality's records retention schedule adopted by by-law and as amended from time to time.

GUIDING PRINCIPLES

Types of Complaints

Conduct of Municipal Employees

1. This includes any compliant received regarding an employee of the United Townships of Head, Clara and Maria.

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2. Complaints may be submitted in writing through the complaint form attached as "Schedule A" and are processed in accordance with the Complaint Handling Procedure.
3. The Clerk is responsible to investigate all complaints made against and municipal employee(s). If the complaint is made against the Clerk, the Mayor is responsible for investigating the complaint.
4. The Clerk may follow up with the complainant to obtain any additional information. If the issue is resolved through discussion, written confirmation will be provided by the municipal representative and appropriate records are retained.
5. If the complaint is not resolved, the complainant(s) will receive an acknowledgement of receipt of their complaint within three (3) business days. This acknowledgement must identify who will be following up on the complaint as well as their contact information.
6. A final response or update must be sent to the complainant within thirty (30) business days, barring exceptional circumstances. If the complainant is satisfied, the complaint is closed. If the complainant is not satisfied with a decision made by the Clerk, it may be appealed to the Mayor.

Municipal Services and/or Facilities

This includes all operational-based complaints received regarding municipal services or facilities.

1. All policy-based service complaints will be dealt with through the formal submission of a letter to Council that is provided to the Clerk. Such complaints may be submitted in writing through the complaint form attached as "Schedule A".
2. Operational-based complaints are dealt with on a staff level. Should a complaint escalate, the Clerk will be notified and informed of the matter to take action and provide an efficient resolution for the resident.

Anonymous

Such complaints that are anonymous or lack sufficient information will not be investigated by municipal staff. All complaints must be submitted through the appropriate complaint form attached as "Schedule A".

PROCEDURE

Filing a Complaint

1. A complaint is deemed complete when including the following information:
 - Contact information of the complainant including name, address, phone number and email address
 - Address/location of the complaint
 - Contact names of those involved
 - Nature of the complaint
 - Date filed
 - Signature
2. Complete complaints can be submitted to the municipal office through one of the following methods:
 - In person at the Municipal Office: 15 Township Hall Road, Stonecliffe, Ontario
 - By email to: clerk@headclaramaria.ca
 - By regular mail to: 15 Township Hall Road, Stonecliffe, Ontario K0J 2K0

Receipt and Acknowledgement

1. Complaints are received both in person and via email.
2. All complaints are received through the Clerk's Department.
3. Upon receipt, all complaints are recorded, scanned and electronically filed into the Municipality's electronic records management and retention system.
4. The complaint is then directed to the Clerk to be investigated.
5. The Clerk is responsible for following up with the complainant.

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Investigation

1. The Clerk is responsible for investigating the manner. The Clerk may not delegate the authority to investigate a complaint to an employee who, is or may be named in the complaint.
2. If the complaint is made against Clerk, the Mayor shall conduct the investigation.
3. In order for successful investigation the Clerk must take these steps:
 - i. Review relevant municipal and provincial legislation;
 - ii. Review the municipality's relevant by-laws, policies and procedures;
 - iii. Review any related existing documents;
 - iv. Interview employees or members of the public involved in the issue; and
 - v. Identify actions that may be taken to address the complaint or improve municipal operations.

Decision

1. Once the investigation is complete and the decision has been made on how to appropriately handle the matter, the Clerk will provide an appropriate response to the matter.
2. Within thirty (30) days of submission of a complaint, a response will be issued to the complainant. When responding to a complaint verbally, staff must document the conversation for correspondence to be included in record keeping.
3. If a decision cannot be determined within thirty (30) days of submission of the complaint, the complainant will be notified of the delay and provided with an estimate of when a response will be provided.
4. All responses provided shall be retained within the Clerk's Department for record keeping purposes.

Record Keeping

1. Complaints received by Municipal staff are to be filed accordingly in respect to the United Townships of Head, Clara and Maria's current record's management procedures adopted by by-law and as amended from time to time.
2. Staff are required to file all correspondence and appropriate information with the complaint and retain for records.
3. Where appropriate, copies of correspondence may be placed in the employee's file that is subject of the complaint.
4. Communications with a complainant shall not include any details of disciplinary actions that are imposed on any employee.
5. All record keeping efforts are completed by the Clerk's Department.

Appeal Process

1. If the complainant is not satisfied with the decision of a complaint, they may appeal it, in writing, to the Mayor who will investigate and communicate a decision.
2. If the complainant remains unsatisfied of a decision, they may appeal the Mayor's decision to Council.