



FORTFRANCES
BOUNDLESS

PUBLIC COMPLAINT POLICY
GOVERNANCE / COUNCIL 3.12

POLICY

Created: 2024-09-09

Revised:

Authorized: By-Law 61-24

Superseded:

1. PURPOSE

The purpose of this 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 Municipality in order to address concerns raised and improve services.

Customer satisfaction is a priority for the Town of Fort Frances. The Town is committed to satisfying customer expectations in all areas of service. Receiving feedback on services helps improve processes and can identify areas for improvement. Offering customers opportunities to escalate concerns reinforces commitments to excellent service delivery.

2. SCOPE

A complaint is an expression of dissatisfaction related to a Town 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 an existing 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. Fort Frances 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.

3. DEFINITIONS:

Complainant means the person who is dissatisfied and is filing the complaint. Anyone who uses or is affected by Town services can make a complaint.

Complaint means an expression of dissatisfaction related to The Town of Fort Frances programs, services, facilities, Town employee or operational procedures where it is believed that the Town 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.

Compliment means an expression of appreciation for satisfactory or above-satisfactory service.

Cyberbullying means the use of communication technologies to engage in deliberate, repeated or hostile behaviours intended to harm embarrass, harass or slander someone deliberately, including, but not limited to: social media outlets (e.g. Facebook, Instagram, Twitter, YouTube), personal blogs, web pages, discussion groups or online media/newspaper articles;

Enquiry is defined as a general or specific request for information regarding a municipal program, service or facility.

Feedback means input that is neither positive, nor negative, but provides ideas

Frivolous means a Complaint that is reasonably perceived by Town staff to be

- (a) without reasonable or probable cause,
- (b) without merit or substance, or
- (c) trivial;

Harassment or **Harass** involves engaging in a course of behaviour, comment or conduct, whether it occurs inside or outside the work environment, that is or ought reasonably to be known to be unwelcome. It includes but is not limited to any behaviour, conduct or comment that is directed at or is offensive to another person:

- (a) on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status, as well as any other grounds under the provisions of the Human Rights Code; or
- (b) which is reasonably perceived by the recipient as an intention to bully, embarrass, intimidate or ridicule the recipient.

Intimidation means unwarranted conduct, including, but not limited to: cyberbullying, discrimination, harassment, violence or threats of violence, profanity, personal insults or communication that is deemed threatening;

Ombudsman means the Ombudsman of Ontario or the Ombudsman appointed by Council in accordance with Section 223.13 (1) of the Municipal Act, 1996, as amended where applicable.

Resolution of Complaint means the final stage of the complaint process which may include an apology, explanation, reconsideration, and/or change in policy. The complaint is considered “closed” and resolved.

Service Request means a request made to the Town for a specific service. Examples include: request to repair a street surface, report a burnt out street light, report a by-law or parking infraction, damage to a municipal facility or park.

Town means the Corporation of The Town of Fort Frances Town;

Vexatious means a Complaint that is Frivolous and which is pursued in a manner that is reasonably perceived by Town staff to be

- (a) malicious,
- (b) intended to embarrass or harass the recipient, or
- (c) intended to be a nuisance.

4. TYPES OF COMPLAINTS

4.1 This policy applies to all complaints received by staff from members of the public regarding all administrative actions and functions of:

Examples of a complaint include, but are not limited to, perceptions of:

- A failure to do something agreed to do;
- A failure to observe policy or;

- An error made by an employee, contractor, or volunteer of the Town;
- Unfair or discourteous actions/statements made by an employee, contractor, or volunteer of the Town;
- Access to services;
- Timeliness of service; and
- Quality of service.

4.2 This policy does not apply to complaints made by employees, contractors, or volunteers working on behalf of the Town, or complaints about Members of Council.

4.3 This policy does not address:

- Enquiries;
- Request for service/Service Request
- Complaints about non-town services;
- Issues addressed by legislation, or an existing Town by-law, policy or procedure. For example, appeals to the Assessment Review Board (ARB) or Ontario Land Tribunal (OLT) (previously OMB - Ontario Municipal Board);
- A decision of Council or a decision of a Committee of Council;
- Internal employee complaints; or
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.
- Closed meeting investigations
- Council Code of Conduct

4.4 A complaint is distinct from:

- A request for service (service request) made on behalf of a citizen for a specific service, or to notify the town that a scheduled service was not provided on time;
- A general enquiry or specific request for information regarding town service;
- An opinion or feedback, comment and expression of interest in a program or service;

- An expression of approval or compliment for municipal staff member, program, product or process;
- A suggestion or idea submitted by a customer with the aim of improving services, program, products or processes.

5. PROCEDURES

5.1. GENERAL COMPLAINT PROCEDURES

5.1.1 Informal Complaint - It is the responsibility of Town employees to attempt to resolve issues or concerns before they become formal complaints, and identify opportunities to improve town services. For cases where informal resolution is successful, complaint logging is not required.

5.1.1.1 Verbal complaints are made in person or by telephone directly to Town staff or through a member of The Town of Fort Frances Town Council;

5.1.2 Anyone personally affected, or their representative can submit a complaint and it will be reviewed in accordance with this procedure.

5.1.3 Anonymous complaints will not be accepted.

5.1.4 A complaint may be made in a number of ways:

5.1.4.1 Online through the Town of Fort Frances website Public Complaint Form;

5.1.4.2 Written complaints may be filed by hand delivery, mail or e-mail directly to Town staff or through a member of the Town of Fort Frances Council.

5.1.5 A **formal** complaint shall include the following components:

- a) Contact details of the complainant;
- b) Type of complaint;
- c) Summary of complaint (details, location, Town employee involved, resolution requested, enclosures, date complaint submitted);
- d) Date of incident;

5.1.6 All complaints should be filed as soon as possible in writing.

- 5.1.7 A formal complaint is generated when an informal resolution could not be successfully achieved. Formal complaints shall be submitted to the Clerk's Office on the Public Complaint Form. The complaint will be acknowledged within five (5) business days upon receipt.
- 5.1.8 Monetary Claims – all complaints that relate to a monetary claim against the Town shall be forwarded to the Town Insurer where required. Notification of referral shall be forwarded to the complainant which will deem the file closed as it relates to this policy.

5.2. FORMAL COMPLAINT PROCESS

5.2.1 Acknowledge

The Clerk will contact the complainant within five (5) business days. If the complainant has requested a response or resolution to a matter, then the acknowledgement of receipt should indicate an estimated timeline for further follow-up and an indication of what next steps may be expected.

5.2.2 Assess (if Applicable)

Contact the complainant to clarify the complaint, if needed. The complaint may be terminated at this point if a resolution is possible, if it is a duplicate or if it does not fit the definition of a complaint.

5.2.3 Assign

The complaint is then forwarded to the Senior Manager responsible in the appropriate department.

5.2.4 Investigate

The Senior Manager will:

- 5.2.4.1 Document all notes;
- 5.2.4.2 Contact the complainant where a quick resolve is possible;
- 5.2.4.3 Notify the complainant in writing of an approximate length of time if it is determined that the issue may result in a lengthy investigation process;
- 5.2.4.4 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;
- Interview employees;
- Identify actions that may be taken to address the complaint or improve municipal operations.

5.3 Resolve

A resolution will be provided to the complainant in writing by the responsible staff member within 30 days upon receipt of the complaint. If a resolution cannot be provided within 30 days, staff shall contact the complainant about the delay and provide an estimation of time.

The decision will consist of information such as:

5.3.1 Overview of complaint;

5.3.1.1 Details of how the investigation was conducted;

5.3.1.2 Summary of the facts;

5.3.1.3 Outline of the findings;

5.3.1.4 Identification of next steps;

5.3.1.5 Suggestions of appropriate resolution along with the rationale supporting the proposed resolution.

Should the Complainant believe that the review of the Complaint undertaken by the responsible staff contact was inadequate, they may proceed in submitting an appeal.

5.3.2 Appeal Process / Internal Complaint Review Committee

With input from and records retained by the responsible staff contact, an internal staff committee referred to as the Internal Complaint Review Committee comprised of the Chief Administrative Officer (or designate) the Clerk and the Human Resources Manager if needed (matter relates to employee conduct) will assess the review undertaken in Step 3 for the following purposes:

- a. Accuracy and completeness;
- b. Clarity of response and information provided;
- c. Fairness, including opportunity for internal or external appeal;

- d. Opportunities for further refinement of customer complaints management; and
- e. Opportunities for improvements in service delivery including a review of existing practices and processes.

A written response will be provided to the Complainant outlining the committee's assessment of the review undertaken and indicate that should the Complainant believe that the assessment of the review undertaken by the committee was inadequate, they may refer the Complaint to the Ombudsman in accordance with the provisions of Bill 8 Public Sector and MPP Accountability and Transparency Act, 2014.

5.4 Threats, Intimidation

- (a) Staff should report to their designated or senior department contact and the Human Resources division immediately: Any implied or explicit threats made against the safety of the staff member or the safety of others in the course of handling the Complaint;
- (b) Any Intimidation behaviour in the course of handling the Complaint, which may be established by a variety of circumstances that may include:
 - (i) the content, tone and language of a person's correspondence, especially if the language used is insulting, offensive or abusive; or,
 - (ii) unsubstantiated, derogatory or inflammatory allegations against Town staff.

5.4.1 Harassment, discrimination, threats or matters of a similar nature will be dealt with through the Workplace Harassment Policy.

5.5 Potentially Frivolous or Vexatious Complaints

5.5.1 Where the Complaint may be considered Frivolous or Vexatious or there appears to be a pattern of Frivolous or Vexatious Complaints, a department may seek advice from the Complaint Review Committee to ensure valid Complaints are heard and addressed in a professional and mutually respectful manner, while ensuring efficient use of Town resources. The Town reserves the right to close any file deemed Frivolous or Vexatious.

5.6 TRACKING AND REPORTING

5.6.1 The complaint must be tracked from its initial receipt to its resolution.

PUBLIC COMPLAINT POLICY

- 5.6.2 Complaint records will be needed for regular review and analysis to identify recurring issues and to improve customer service and satisfaction.
- 5.6.3 Annually, the number of complaints, type of complaints, and number of resolved complaints shall undergo review by the Chief Administrative Officer's Office and Clerk's Office, with an annual presentation to the Senior Management Team.
- 5.6.4 The Senior Management Team will routinely review corporate complaint trends for the purpose of continuous service and process improvements.
- 5.6.5 Semi-Annual complaint report / statistics shall be reported to Council with a summary of the complaints, resolutions, and identifying areas for improvement within Council policy.
- 5.6.6 Personal information collected by the Town as a result of a written complaint and any information collected during an investigation is protected under the authority of the [Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M-26.](#)
- 5.6.7 The Municipal Clerk has the authority to create procedures and necessary forms to implement this policy and to edit the flow chart content as needed.
- 5.6.8 The Town will fully cooperate with the Ombudsman in executing his or her statutory duties.



ORDER OF PROCESSING A PUBLIC COMPLAINT STEP BY STEP FLOW CHART

ISSUE

What is a complaint:

A complaint is an expression of dissatisfaction with a service, product, or experience, where the individual expects a response or resolution.

IF THESE CONDITIONS ARE MET, YOU HAVE A COMPLAINT!

What is not a complaint:

- **Request for information** about a Town program, service, or facility.
- **Service Request or Reporting a Problem** garbage pick-up, rough roads/ snow clearing, street repair, by-law infraction, tree maintenance, pothole, litter, facility damage, graffiti/vandalism, signage, sidewalks, street light (file a service request online, by phone or in person)

STEP 1

First point of contact

Have you initiated contact and communicated directly with the Town or its employees within the department about the issue? (Phone Call, Email, attended the office)

This is known as an informal complaint:

Town employees are responsible to attempt to resolve issues or concerns before they become formal complaints and identify opportunities to improve Town services.

STEP 2

Contact the Department Head

Attempt to resolve the issue by dealing with the Department Head / Subject Matter Expert. Communications may be written or verbal. If informal resolution fails, the manager provides information on submitting a formal complaint. If successful, logging the complaint is unnecessary.

STEP 3

File a formal complaint

If steps 1 and 2 fail, submit a completed 'Confidential' Public Complaint Form to the Clerk or online. All fields must be filled; anonymous complaints are not accepted.

COMPLAINT PROCESS

Receipt & Acknowledgement

The Clerks Office shall:

- ✓ receives all formal complaints submitted on the Public Complaint Form
- ✓ acknowledge receipt of complaint within five (5) business days
- ✓ assess the complaint and provide a tracking number
- ✓ In consultation with the CAO the Clerk will assign the complaint to appropriate Senior Manager responsible to investigate

Investigation

The Senior Manager shall:

- ✓ Investigate the complaint
- ✓ Notify Complainant in writing if determined issue may result in lengthy investigation. If needed Senior Manager shall contact the Complainant about delay and provide an estimation of time
- ✓ Review the issue(s) identified

The Decision

The Senior Manager shall:

- ✓ Notify Complainant of decision within thirty (30) days upon receipt of complaint;
- ✓ If the review undertaken by staff was deemed to be successful, forward all records related to the investigation to Clerk's Office and file closed
- ✓ If the review undertaken by staff was deemed to be inadequate by the complainant, the complainant may proceed with the Appeal Process

Appeal Process

The Internal Complaint Review Committee comprised of the Chief Administrative Office, the Clerk and the Human Resources Manager when required shall:

- ✓ Assess the review undertaken in Step 3
- ✓ Provide written response to the Complainant
- ✓ If the complainant remains unsatisfied with the final decision they may contact the Ontario Ombudsman.

Semi-Annual Report

The Clerk will deliver a semi-annual report to Council summarizing complaints, resolutions, and highlighting any potential areas for improvement within Council policy as identified by the Senior Management Team and the CAO while maintaining individual privacy.