



Complaints Handling Policy

Original Prepared By:	Approved: Motion #: RES-249-2023
Date:	Approval Date: July 17, 2023
Revision Prepared By:	
Date:	Approval Date:

PURPOSE

The purpose of this policy is to outline a procedure as it relates to response to complaints from the public.

POLICY STATEMENT

The Town of Torbay is committed to a consistent and uniform process to respond to complaints received from members of the public regarding programs, facilities, municipal services, municipal staff and procedures. This policy outlines the process to be followed and service standards for the handling of public complaints.

The Town of Torbay recognizes the importance of public feedback and welcomes constructive complaints as a valuable form of feedback regarding our services, operations and facilities. The information gained from complaints helps improve the quality of the services provided by the municipality and the customer service experience of residents.

SCOPE

This policy applies to:

1. Town Employees
2. Town Elected Officials.
3. Council-appointed Boards/Committees.

Who can make a complaint? Anyone who uses or is affected by municipal services can make a complaint. This includes:

1. Residents or property owners.
2. People who work in or visit the Municipality.
3. Local businesses.
4. Community groups.

This policy **does not** apply to:

- a) A customer service request made on behalf of a citizen or public at large for a specific service.
- b) Outside Boards and Agencies.
- c) Feedback/Compliments/Inquiries.
- d) Anonymous Complaints.
- e) Request for Accommodations.
- f) Issues addressed by legislation, or an existing municipal bylaw, policy or procedure.
- g) Matters that are handled by tribunals, courts of law, quasi judicial boards.
- h) A decision of Council.

POLICY

Definitions

Complaint – A complaint is an expression of dissatisfaction related to a municipal program, service, facility, and staff or council member, where a citizen believes that the municipality has not provided a service experience to the customer's satisfaction and applies only when the 'Customer Service Request' process has been exhausted (where applicable).

Complainant – the person who is dissatisfied and filing the complaint. Anyone who uses or is affected by municipal services can make a complaint including residents or property owners, people who work in or visit the town, local business or community groups.

Customer Service Request – A Customer Service Request is a request for a specific service provided by the municipality.

HANDLING COMPLAINTS

The Town will deal with all complaints promptly, courteously, impartially and professionally. All complaints will be treated with respect and will not receive adverse treatment or any form of reprisal.

All complaints will be dealt with in accordance with the *Access to Information and Protection of Privacy Act (ATIPP)* and other applicable legislation. The identity of the

complainant will be made known only to those who need to know in order to consider the complaint. All participants in the complaints process shall keep the details of the complaint confidential except as may be required by law. It may be necessary to release the complainant's name and contact information during the resolution process.

Complaints received by one department are to be limited to that specific department unless the complaint involves more than one department. Generally, Department A will not be able to view complaints received by Department B unless operationally required to address the complaint.

Complaints must be submitted in writing (Complaint Form as found in Schedule 'B') and can be submitted:

- a) In-person.
- b) By email.
- c) By mail.
- d) By fax.

Complaints will not be accepted via social media (Twitter, Facebook, Instagram, etc.).

Complaints Regarding Municipal Employees

Complaints regarding the conduct of municipal employees are to be submitted in writing and will be processed in accordance with the provisions of the Town's Municipal Official Code of Conduct Policy and Code of Ethics Policy.

Complaints Regarding Members of Council/Committees and Local Boards Complaints regarding the conduct of a member of Council, members of Local Boards or Committees of Council are to be submitted in writing and will be processed in accordance with the provisions of the Town's Council Code of Conduct.

Complaints Regarding Bylaw Violations

Complaints regarding bylaw violation are to be submitted to the Town (via phone, email, in-person or website).

Complaints Regarding Municipal Services, Facilities or Programs

Complaints regarding municipal services, facilities or programs are to be submitted in writing to the Chief Administrative Officer and will be forwarded to the appropriate Department Head.

I. Procedure

Complaints shall be submitted to the Chief Administrative Officer. All information must be completed in writing (Complaint Form as found in Schedule 'B') and include information such as:

- Details of what happened.

- Where the event happened. Is it within the Municipality's area of responsibility?
- When the event happened.
- Who was involved?
- What was said or done?
- What kind of resolution is being sought?
- Contact details of the complainant?

Complaints may be submitted by:

Mail – Town of Torbay
 Attention: Chief Administrative Officer
 P.O. Box 1160, 1288 Torbay Road
 Torbay, NL A1K1K4

Email – mwhalen@torbay.ca
 Subject Line: Complaint

Fax – (709) 437-1309
 Attention: Chief Administrative Officer

In-Person – By appointment with the Chief Administrative Officer.
 Ph (709) 437-6532 ext. 252

II. Receipt and Acknowledgement

- a. The Corporate Services Administrator shall log the complaint, date-stamp and forward a copy to the Department Head (or designate) and the Chief Administrative Officer for review.
- b. Within seven (7) business days of receipt of the complaint, the Department Head shall acknowledge the complaint by providing the complainant with an 'Acknowledgement of Complaint' letter (Schedule 'C') indicating that a response to the complaint shall be forwarded within thirty (30) calendar days.
 - i. A copy of the 'Acknowledgement of Complaint' letter shall be forwarded to the Chief Administrative Officer.

III. Investigation

The Department Head 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 any existing file documents.
- Interview employees or member(s) of the public involved in the issue.
- Identify actions that may be taken to address the complaint or improve municipal operations.

- The Department Head may, at their discretion, notify Council of an open complaint investigation for information purposes.

IV. Decision

Within thirty (30) calendar days of receipt of a complaint, the Department Head shall provide a response in writing to the complainant and provide a copy to the Chief Administrative Officer.

The response shall include:

- Whether the complaint was substantiated.
- If the complaint is not substantiated, provide reason(s) for their decision; and
- Any actions the Municipality has or will take as a result of the complaint.
- If the Department Head is unable to provide a response within thirty (30) calendar days, they shall notify the complainant of the delay and provide an estimate of when a response will be provided.

V. Record

The Department Head shall file a copy of the complaint, supporting documentation and decision with the Chief Administrative Officer. The Chief Administrative Officer shall maintain a file of the complaint in accordance with the Town's Record Retention Policy. If a municipal employee was the subject of the complaint, a copy of the record shall be retained in their personnel file.

POLICY REVIEW

This policy will be reviewed annually or as deemed necessary by the Chief Administrative Officer. All changes shall be subject to final approval of Council.

APPROVAL

Chief Administrative Officer: _____

Date: _____

Schedule 'B'



Complaint Form

YOUR NAME			
CONTACT INFORMATION			
HOME PHONE		CELL	
MAILING ADDRESS			
EMAIL			
<i>Please outline your complaint/issue, 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, etc.</i>			

<i>How do you suggest the situation be improved or complaint resolved?</i>			
OFFICE USE ONLY			
COMPLAINT #		Customer Service Request #	
RECEIVED BY		DATE	
FORWARDED TO		DATE	
<input type="checkbox"/> Acknowledgement Letter Date sent: _____ Staff name: _____		<input type="checkbox"/> Additional correspondence Date sent: _____ Staff name: _____	
ACTION TAKEN			
<input type="checkbox"/> Final Decision Letter Date _____ sent: _____ Staff name: _____		Copies filed with Chief Administrative Officer <input type="checkbox"/> Initial complaint <input type="checkbox"/> Acknowledgement letter <input type="checkbox"/> Additional correspondence <input type="checkbox"/> Final Decision letter	

Thank you for taking the time to express your concern(s).
We will provide a response within thirty (30) calendar days of receiving your complaint. If you have any questions about this process, please contact the Chief Administrative Officer 709-437-6532 ext 252 or mwhalen@torbay.ca.

Schedule 'C'



Acknowledgement of Complaint Letter

INSERT DATE

NAME
ADDRESS

Dear Mr./Ms./Mrs. _____

Thank you for taking the time to express your concerns regarding COMPLAINT
EXPLANATION. Your written complaint was received by the municipality on INSERT DATE
COMPLAINT RECEIVED

We will provide a response within thirty (30) calendar days of receiving your complaint.

If you have any questions regarding the process, please do not hesitate to contact myself at
PHONE: _____
EMAIL: _____

or Chief Administrative Officer at 709-437-6532 ext 252 or mwhalen@torbay.ca.

Yours truly,

NAME
TITLE