

Municipal Complaint Policy			
Effective Date	September 24 th , 2024	Policy Type Policy #	Administration AD-006
Responsibility	Clerk	Cross-Reference	Resolution No. 487-2024 By-Law No. 1605-2024
Approver	Council	Appendices	A - Municipal Complaint Form (Public Use) B - Municipal Complaint Form (Internal Use) C – Municipal Complaint Policy Flow Chart
Review Schedule	5 Years		

1. Policy Statement

The Town of Cochrane is committed to continuous improvement providing effective service delivery led by responsive and collaborative Town administration. This policy is intended to assist Town employees to promptly and effectively address program and service delivery complaints raised by the members of the public. This policy provides a mechanism to receive and respond to a complaint and will assist the Town in providing excellent customer service to the public and contribute to the continuous improvement of its operation.

2. Purpose

The purpose of this policy is to recognize the underlying principals and processes for the disposition of complaints related to programs and services delivered by the Town of Cochrane, ensuring, and supporting transparency and accountability. This policy will improve customer satisfaction by providing a timely response to complaints. This policy should be utilized when a member of the public is not satisfied with the results of an informal discussion with Town Employees.

3. Scope

This policy applies to all Town Employees, services, programs, and facilities, as well as contractors, consultants, and volunteers working on behalf of the Town of Cochrane.

This policy does not apply to the following:

- Members of Council, Committees, or Local Boards, (as they are governed by the Council Code of Conduct and investigated by the Integrity Commissioner);
- Decisions made by Council, Committees, or Local Boards;
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.;
- Matters that have statutory review and appeal processes (including but not limited to, Municipal Freedom of Information Requests, Development Changes, Land Use Planning, By-Law Notices, etc.);
- Insurance claims, or potential insurance claims;
- Civil matters;
- Complaints by employees about other employees or working conditions;
- Anonymous, frivolous, or vexatious complaints;
- Inquires, compliments, or suggestions; or
- Request for services.

Other forms of feedback that are distinct from a complaint, shall be handled by a Town Employee through internal operating processes and procedures. The Town Employee will make every effort to handle all forms of feedback in a consistent and respectful manner.

4. Definitions

Chief Administrative Officer (CAO) means the person appointed as the CAO of the Town of Cochrane in accordance with the Municipal Act, 2001, S.O. 2001 c.25.

Clerk means the person appointed as the Clerk of the Town of Cochrane in accordance with the Municipal Act, S.O. 2001 c.25.

Complainant means a customer or person who is submitting a complaint. Any member of the public that uses or is affected by Town services can be a Complainant.

Complaint means an expression of dissatisfaction with Town services, programs, facilities, employees or volunteers, where a member of the public believes that the Town has not provided sufficient service delivery.

Employee means all full-time, part-time, temporary, seasonal, students, and staff hired on a contract basis for a defined period of time by the Town.

Frivolous mean a complaint or request that has no serious purpose or value, which may have little merit and be trivial.

Ombudsman mean the Office of the Ombudsman of Ontario, an independent officer of the Legislature who investigates complaints from the public about Ontario government services, recommending improvements for governance, and resolving individual matters.

Town means the Corporation of the Town of Cochrane.

Senior Management means the department heads, which are appointed by the CAO as a member of the Town of Cochrane Senior Management Team.

Vexatious means a complaint without merit, which intends to cause inconvenience, harassment, instituted maliciously or improper motives.

Volunteer mean a an individual who has officially been accepted as a volunteer by the Town of Cochrane.

5. Responsibility

Chief Administrative Officer (CAO) is responsible for ensuring this policy is applied within the organization and adhered to by all employees of the municipality. The CAO is also responsible for clarifying and resolving any ambiguity which may exist within the policy.

Clerk's Office is responsible for assisting in the ongoing administration and training of this policy.

Senior Management is responsible for ensuring that the proper procedures are available to members of the public and followed by employees. When deemed necessary, they are responsible for ensuring receipt and response of all complaints and compliance to this policy is achieved by their respective department and staff.

6. Procedures

The following procedures are to be followed when dealing with complaints. Employees will make every effort to promptly respond to the complaint in a format that meets the needs of the member of the public. Making a Complaint will not negatively affect future dealings with the Town. It is important to note that the Town has zero tolerance for violence and aggressive behaviour. Therefore, Employees will only respond to complaints which are presented by the Complainant in a non-violent or non-aggressive manner.

These procedures are to encourage complaint resolution, and form an organized, consistent, and respectful process for handling and responding to complaints.

6.1 Resolution Attempt

Whenever possible, Employees are encouraged to work with the Complainants at the first point of contact within the Department providing the service, to have their matter addressed. Employees are responsible for listening to the Complainant, with an open mind and make efforts to resolve any concerns raised in a timely manner.

It is the responsibility of the Employee to attempt to resolve the matter or concerns before they become a complaint and identify opportunities to improve Town services. Should a resolution not be made at the first point of contact, a formal complaint can be submitted by a Complainant by following the process outlined in this policy.

6.2 Filing a Complaint

When a resolution cannot be achieved, the Town has established a formal procedure to ensure that all complaints are investigated using a consistent and uniform process. Complaints can be submitted through the following:

- i. Online at: <https://cochraneontario.com/services/report-it/>
- ii. By completing the Complaint Form and submitting by:
 - Email: cao@cochraneontario.com
 - In-Person: Town Hall, located at 171 Fourth Avenue, Cochrane, ON (Office hours are Monday to Friday 8:30am to 4:30pm or 8am to 4pm during the months of July and August)
 - Mail or Delivery: Town of Cochrane
171 Fourth Avenue
Cochrane, ON
P0L 1C0

6.3 Details of Complaint

The Complainant must provide the following information in a respectful and transparent manner:

- i. The name, phone number, email address, and mailing address of the Complainant (anonymous complaints will not be accepted);
- ii. The nature of the complaint:
 - Background leading to the complaint;
 - Date(s), time(s), and location(s) of the matter being complained about;
 - Name(s) of any Employee(s) previously contacted regarding the complaint; and
- iii. Action(s) requested from the Town.

6.4 Upon Receipt of a Complaint

- i. The CAO's Office shall acknowledge receipt of the complaint within one (1) business day.
- ii. The CAO's Office shall review the matter identified by the Complainant and in doing so may:
 - Review relevant municipal or provincial legislation;
 - Review the Town's relevant policies and procedures;
 - Review any existing file documents;
 - Interview Employee(s) or members of the public involved in the complaint;

- Identify actions that may be taken to address the complaint or improve Town operation; or
- Take any other actions the CAO deems expedient to resolving the matter.
- iii. Upon receipt of a complaint, and where the CAO deems appropriate, the CAO may delegate the authority to investigate and respond to a complaint to a Senior Management Staff.
- iv. The CAO shall not delegate the authority to investigate a complaint to a Senior Management Staff that is or may be named in the complaint.
- v. The CAO shall maintain a file of the complaint in compliance with the Town's Records Management. The file shall include:
 - All dated records of any communication and attempted contacts with the Complainant;
 - All electronic correspondence or notes pertaining to the complaint; and
 - Any other documents pertaining to the complaint.
- vi. The CAO may, at their discretion, notify council of an open complaint investigation for information purposes.

6.5 Decision

- i. Within thirty (30) days of CAO's receipt of a complaint, a response shall be provided in writing to the Complainant. The response shall include:
 - Whether the complaint was substantiated;
 - If the complaint was not substantiated, the reason(s) for their decision; and
 - Any action(s) the Town has or will take as a result of the complaint.
- ii. If the CAO or their designate is unable to provide a response within thirty (30) days of receipt, they shall notify the Complainant of the delay and provide an estimate of when a response will be provided.

6.6 Complaint Appeal Process

Once the Town has communicated its final decision to the Complainant, there is no additional appeal process at the municipal level.

In the event that the Complainant is dissatisfied with the process or the outcome of the complaint, the Complainant shall be provided the contact information for the Office of the Ombudsman of Ontario and any other options available to them.

The Ombudsman has the authority to look at how the complaint was handled by the Town, the steps taken, and the outcome. The Ombudsman has the authority to consider and make recommendations as to whether the process was fair, transparent, and in accordance with the applicable policies and by-laws of the Town.

6.7 Privacy

All complaints, brought forward to the Town will be dealt with in a confidential manner in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

6.8 Reporting

The CAO shall present an annual administrative report to Council which shall include the number of complaints summarized by major category and service level compliance information.

7. Review Cycle

This policy shall be reviewed by Council every five (5) years.

APPENDIX "B"
Municipal Complaint Form (Internal Use)

File No: _____ Complainant's Name: _____

1. ACKNOWLEDGEMENT

Notification of Receipt of Complaint (dd/mm/yyyy): _____

Complaint Transferred To (if applicable): _____

Date Transferred (dd/mm/yyyy) (if applicable): _____

2. ASSESSMENT

Select all that apply.

- Does the complaint apply to this policy?
- If not, please provide the reason: _____

- Does the complaint require additional information?
- If yes, please provide the following information:
 - o Date the complainant is notified for additional information (dd/mm/yyyy): _____
 - o Additional Information Received: _____

- Can the complaint be resolved informally?
- If yes, please provide the following information:
 - o Date of informal resolution (dd/mm/yyyy): _____
 - o How it was resolved: _____

3. INVESTIGATION

Please list or note all findings pertaining to the complaint investigation below.

Revision of any relevant municipal or provincial legislation (if applicable):

Revision of any relevant municipal policies or procedures (if applicable):

Review any existing file documents (if applicable):

Interview(s) with Employee(s) or members of the public involved in the complaint:

Action(s) that may be taken to address the complaint or improve Town operation:

Additional Information (if applicable):

4. DECISION

A resolution has been pursued and communication of the decision is provided to the complainant in writing.

Response shall include:

- Details of how the investigation was conducted.
- Summary of the findings.
- Action(s) the Town has or will take as a result of the complaint.

Date of written response to the complainant (dd/mm/yyyy): _____

5. RECORDS MANAGEMENT

Ensure that all documents, notes, electronic correspondence, etc, are sent directly to the CAO's Office.

CHIEF ADMINISTRATIVE OFFICER SIGNATURE

Print: _____

Signature: _____

Date (dd/mm/yyyy): _____

EMPLOYEE SIGNATURE (IF APPLICABLE)

Print: _____

Signature: _____

Date (dd/mm/yyyy): _____

APPENDIC "C"

MUNICIPAL COMPLAINT POLICY FLOW CHART

