



CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW No. 72-2018

BEING A BY-LAW TO ESTABLISH A COMPLAINT HANDLING POLICY FOR THE MUNICIPALITY OF MORRIS-TURNBERRY

WHEREAS, Section 224 of the Municipal Act, 2001 as amended, states “ It is the role of Council to (b) to develop and evaluate the policies and programs of the municipality”.

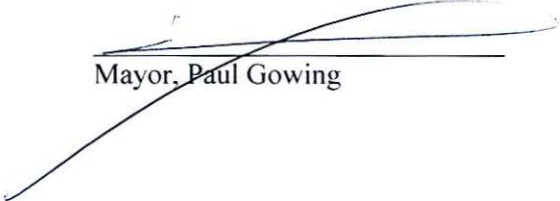
AND WHEREAS, Section 8 of the Municipality Act, 2001 states – Powers of a Natural Person “ A municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act”.

AND WHEREAS, the Council of the Municipality of Morris-Turnberry deems it necessary to establish a Complaint Handling Policy;


THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF MORRIS-TURNBERRY hereby enacts as follows:

- 1) That the Complaint Handling Policy Regulations for the Municipality of Morris-Turnberry are hereby adopted, as Schedule A, attached to this by-law;
- 2) That the Mayor and Clerk are hereby empowered to sign and execute all documents necessary to empower this by-law;
- 3) That this by-law comes into force on the final passing and will be known as the Complaint Handling Policy, for the Municipality of Morris-Turnberry.

Read a First, Second, Third and Final time this 6th day of November , 2018.



Mayor, Paul Gowing



Administrator Clerk-Treasurer,
Nancy Michie

Complaint Handling Policy

Scope:

This policy is intended to enable the Municipality to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist the Municipality in providing excellent service to the public, and contribute to continuous improvement of operations. The municipality strives to:

- Provide a timely and accurate response to complaints; and,
- Use complaints as an opportunity to improve program and service delivery issues

This policy is not meant to address:

- Complaints about non-municipal services;
- Issues already addressed by legislation, or an existing Municipal by-law, policy or procedure;
- A decision of Council or a decision of a committee of Council; or,
- Internal employee complaints

Definitions:

Designated Officer the manager/supervisor responsible for the department in which the complaint was received

Complainant the individual filing the complaint with the Municipality

Complaint an issue or concern raised regarding a municipal program, service, or staff member that is not resolved at the time of the incident and for which the complainant submits their concerns to the Municipality in accordance with this policy

Frontline Resolution

- It is the responsibility of the complainant to attempt to resolve concerns by dealing with employee(s) directly involved with the issues where appropriate
- It is the responsibility of all employees to attempt to resolve issues or concerns before they become complaints, and identify opportunities to improve municipal services

Filing a Complaint

- Where frontline resolution cannot be achieved, complaints should be submitted to the appropriate department and include:
 - The name, phone number, email address, and mailing address of the individual submitting the complaint
 - The nature of the complaint including the:
 - i. Background leading to the issue(s);
 - ii. Date(s), time(s), and location(s) of any incident(s); and,
 - iii. Name(s) of any employee(s) previously contacted regarding the issue(s); and,
 - Any action(s) being requested of the Municipality.
- Complaints shall be submitted in writing either via fax, electronic mail or regular mail.

Receipt and Acknowledgement

- The designated officer shall acknowledge in writing that the complaint has been received within five (5) business days of receipt of the complaint

Investigation

- The designated officer 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;
 - Interview employees or members of the public involved in the issue;
 - Identify actions that may be taken to address the complaint or improve municipal operations; or,
 - Take other actions the Designated Officer deems practical to resolving the matter
- Records of all complaints shall be maintained in compliance with the Municipality's records management policy
- The Designated Officer may, at their discretion, notify Council of an open complaint investigation for information purposes.

Decision

- Within thirty (30) calendar days of receipt of a complaint, the Designated Officer shall provide a response in writing to the complainant. The response shall include:
 - Whether the complaint was substantiated,
 - If the complaint is not substantiated, the Designated Officer shall provide reason(s) for their decision; and,
 - Any actions the municipality has or will take as a result of the complaint
- If the Designated Officer 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
- Decisions made by the Designated Officer may not be appealed to Municipal Council

Internal Employee Complaints

Internal employee complaints should follow Section 25 of the Personnel Policy.

Complaints Regarding Staff/Services Contracted by the Municipality

- Complaints regarding staff members that are employed by a service provider contracted by the Municipality shall be subject to the policies of that service provider and not that of the Municipality
- Complaints regarding services provided by a service provider contracted by the Municipality shall be handled in accordance with this policy, and may also be subject to any complaints policies and procedures employed by that service provider

General

- Where appropriate, copies of correspondence shall be placed in the personnel file of the subject of the complaint
- Communications with a complainant shall not provide details of disciplinary measures imposed on any employee
- All notes and correspondence shall be dated and identified by the author
- The Designated Officer or their delegate shall make dated records of any communications and attempted contacts with complainants
- If the employee cannot be clearly identified then the complaint will be dismissed
- If the incident was not witnessed directly by the complainant then the complaint will be dismissed
- If the complaint is made anonymously then the complaint will be dismissed
- If the complaint is deemed to be frivolous or vexatious, the complaint will be filed.