





Local complaints are best resolved locally:
How to create an effective municipal complaint policy



LAURA PETTIGREW, GENERAL COUNSEL
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Ontario Ombudsman



Complaint handling

Early Resolutions

Individual complaints
Quickly resolved

Investigations

Individual complaints
More difficult issues

Special Ombudsman Response Team

Systemic investigations

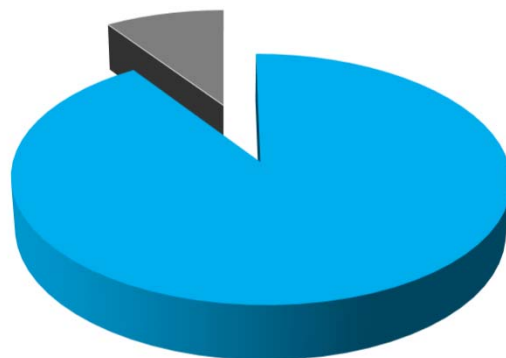
Legal

Complex issues
Research
Training



Municipal complaints since January 1, 2016

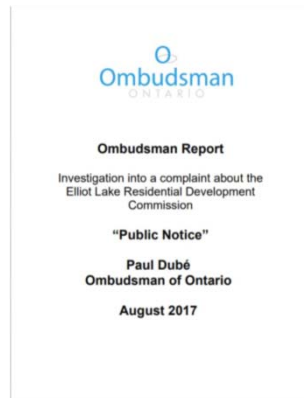
- Closed
- Open



Types of complaints

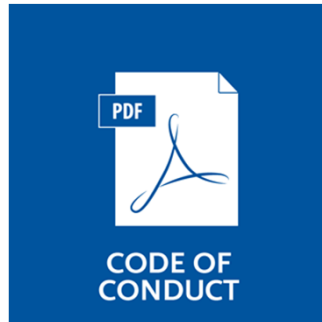


Red Rock

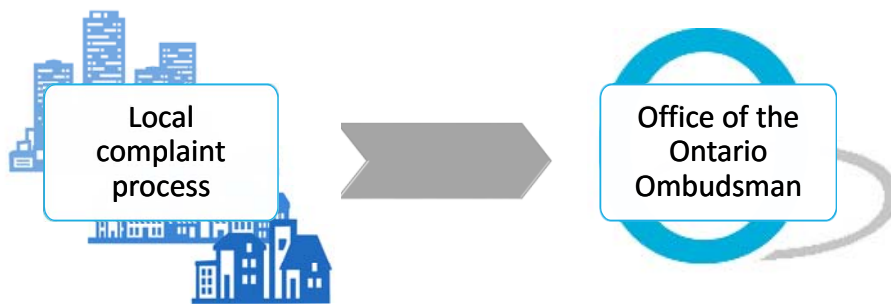




Example Building good policies



Process





Tips for municipal complaint resolution policies

- General complaint policy approved by council and publicly posted, and staff trained on policy
- Distinguish between requests for service, complaints, inquiries, suggestions, and compliments
- Distinguish from any code of conduct applying to council, committee and local board members
- Establish separate process for monetary claims
- Provide staff contact and referral information where appropriate e.g. for code of conduct complaints



Complaints policy

- Specify whether anonymous complaints will be accepted
- Encourage complaint resolution at lowest level
- Include timeline for responding to complaints
- Official with ultimate responsibility for responding to complaint
- Keep record of every complaint received, any interaction between complainant and staff, and the result
- Clear delegation to staff to confirm scope of authority to address complaints



Helpful
Tips

Complaints policy

- Where the competence or conduct of staff is subject of a complaint – ensure someone impartial responds
- All relevant information should be considered, and individuals should have opportunity to comment before a final decision is made
- Provide a written explanation concerning any decisions made in response to a complaint
- Advise complainant of where they can go next if they remain dissatisfied
- Prohibit retaliation for anyone attempting to use or using the policy
- Complaints should be treated in confidence
- Address how frivolous and vexatious complaints will be dealt with



Helpful
Tips

Complaints policy

- Useful to set out examples of remedies that may be available: Changes in policy or practices, financial or remedial action as appropriate
- Complaint policy should cross reference the municipality's accessibility policy and accommodations
- Provide means for complainants to provide feedback about their experience with complaints process
- Complaint statistics (volume, issue, result, etc.) should be collected, analyzed, and reported on publicly
- Policy should indicate that complainant may contact the Ontario Ombudsman if they are dissatisfied with the municipality's final response to their complaint



Developing a Code of Conduct Complaint Procedure

- Adopt and publicize a code of conduct complaint procedure
- Accessibility of the complaint process
- Written Complaints
- Discretion to Decline to Investigate



Developing a Code of Conduct Complaint Procedure



- Time Limits for Complaints
- Confidentiality
- Acknowledgement of Complaints
- Notifying the Respondent of Complaint
- Responding to the Complaint
- Mediation/Informal Resolution
- Investigations and Inquiries



Developing a Code of Conduct Complaint Procedure

- Notice
- Access to information
- Records
- Investigative Fairness
- Hearing Procedure



Developing a Code of Conduct Complaint Procedure

- Reports
- Council's Consideration of
Integrity Commissioner
Reports
- Sanctions
- Annual Reports
- Municipal Conflict of
Interest Act



Complaints about Integrity Commissioners



We consider whether:

- Acted in accordance with relevant legislation
- Considered issues before them
- Followed a fair practice
- Obtained and considered relevant information
- Provided sufficient reasons to support their decision based on the available evidence



Review an Integrity Commissioner's process



Review an Integrity Commissioner's process



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