

	Policy Title: Public Complaint Resolution Policy	Policy No: CO-014
	Authority: Council	Classification: n/a
	Date Adopted: October 25, 2021	Motion No: 2021-389
Historical Changes:		

Purpose:

The purpose of the Public Complaint Resolution Policy is to promptly and effectively address concerns raised by members of the public regarding service and program delivery. The policy will aid in providing excellent service to the public and contributing to the continuous improvement of District of Sooke operations. The *District* strives to improve customer satisfaction through:

- The provision of a fair, clear, easy-to-use, complaint procedure;
- Timely and reasonable responses to complaints; and
- Utilizing complaints as an opportunity to improve service and program delivery issues.

Complaints are to be viewed as an opportunity to review *District* practices and improve upon them, as appropriate.

Scope:

This policy provides residents, local business owners, and members of the public an avenue under which to file a complaint about a *District* program or service if a Point-of-Service Resolution cannot be achieved. Complaints should be viewed as an opportunity to review *District* practices and improve upon them, as applicable.

This policy does not address initial bylaw complaints nor complaints regarding non-*District* services, issues addressed by legislation, a decision of Council, internal employee complaints or matters that are handled by tribunals, courts of law, and quasi-judicial boards.

Should an individual contact the Mayor or a Council Member to express dissatisfaction with a District program or service, they will be directed to the Public Complaint Resolution Policy and procedures contained within.

All employees, Council members and committee members must follow this policy and should have a clear understanding of the Complaint Administration Procedure.

Definitions:

Defined word	Definition
Council	means the Council of the <i>District</i> .
CAO	means the Chief Administrative Officer of the <i>District</i> .
Complaint	A complaint is a statement of dissatisfaction concerning policies or procedures related to <i>District</i> programs, services, facilities or staff members, where a member of the public believes that the <i>District</i> has not provided a service experience to the customer's satisfaction at the point of service delivery and where a response or resolution is expected. A complaint is distinct from:

	• A request for service made on behalf of a citizen for a specific service including initial bylaw complaints, • A general enquiry or specific request for information regarding <i>District</i> services, • An opinion or feedback, comment, or expression of interest in a program or service process. • A suggestion or idea submitted by a customer to improve services, programs or processes.
Designate	means the applicable department director or manager as determined by the CAO.
District	means the District of Sooke
Investigator	means the CAO or <i>Designate</i> tasked with investigating the complaint.
Mayor	means the Mayor of the <i>District</i> .
Unfounded	means the complaint has been found to have no foundation or basis in fact.
Valid	means the complaint has been found to have a sound foundation in logic or fact.
Valid in part	means only certain parts of the complaint have been found to have sound basis in logic or fact.

Complaint Administration Procedure:

1) Point-of-Service Resolution

The complainant must attempt to resolve concerns by dealing with the applicable *District* employee or immediate supervisor directly involved with the issue, where appropriate.

District employee responsibilities:

- to attempt to resolve an issue or concern before it becomes a *complaint* and to identify opportunities to improve *District* services where deficiencies are noted.
- to inform individuals of the District's Complaint Policy and procedure, if they are unsatisfied with the Point-of-Service resolution.
- To notify the Corporate Officer of the issue who will log the concern. The log will be reviewed quarterly by the Leadership Team to identify patterns and opportunities for improvement.

2) Complaints

If a complainant does not consider their matter was resolved through a point-of-service resolution, a formal *complaint* may be submitted to the CAO on the *District's* Complaint Form. All information, including name and contact information, must be complete to respond to a complaint.

Anonymous complaints will be logged, investigated to the extent possible given the information provided and used to improve programs and services, where practicable.

a) Administration

The CAO, or *Designate*, shall log the *complaint* within the *District's* Complaint Registry, assign a tracking number and acknowledge receipt of the *complaint* within 3 business days. During this phase, the CAO or *Designate* will:

- i) Contact the complainant, acknowledging receipt of the *complaint*, and provide a tracking number for reference purposes.
- ii) If needed, clarify the *complaint* with the complainant obtaining additional information and detail.
- iii) If appropriate, transfer the *complaint* to the *Designate* of the appropriate department. In the case of a *complaint* regarding the CAO, the *complaint* shall be transferred to the Mayor.

b) Investigation

The *CAO* and/or *Designate* shall investigate the nature of the *complaint* following the principle of procedural fairness outlined in the associated operating procedure (see related publications).

If the *complaint* is made against the *CAO*, the *Mayor* shall conduct the investigation or designate a solicitor or other qualified third-party.

The designated *Investigator* shall review the issues identified by the complainant, and in so doing they may:

- i) Review relevant municipal, provincial or federal legislation
- ii) Review *District* policies, procedures and other existing documents
- iii) Interview employees or members of the public involved in the issue(s)
- iv) Identify actions that may be taken to address the *complaint* or to improve *District* operations
- v) Prepare a resolution report
- vi) Provide the report to the *CAO* or *Mayor*, except where the *CAO* is the *Investigator*.

c) Decision

Within thirty (30) calendar days of receipt of the *complaint*:

- 1) the designated *Investigator* shall determine the validity of the *complaint* (determine that the *complaint* was valid, valid in part, or unfounded);
- 2) the *Investigator* shall recommend an appropriate resolution which may include initiating changes to procedure or any other suitable resolution as may be appropriate in the circumstances; and
- 3) the *Investigator* shall provide a written response to the complainant including whether or not the *complaint* was valid with reasons for the decision and any actions the *District* has or will take as a result. Details of the information provided may include the following where appropriate:
 - i) Overview of the *complaint*
 - ii) Detail of how the investigation was conducted
 - iii) Summary of the facts
 - iv) Outline of the findings
 - v) Identification of next steps
 - vi) Suggestions of appropriate resolution along with the rationale supporting the proposed resolution

If the *complaint* is complex, the response provided may identify a need for additional time. Justification and an estimated timeline will be provided within this correspondence.

The decision shall be considered final. There are no appeal mechanisms at the *District* level. If the complainant is dissatisfied with the response, they are invited to contact the Office of the Ombudsperson.

3) Records Management and Personal Information

A copy of the *complaint* and response shall be maintained under the *District's* Records Classification and Information Schedule.

The *District* will adhere to all applicable legislation regarding privacy under the *Freedom of Information and Protection of Privacy Act*. All *complaint* records will be kept securely under the policy and legislative requirements.

Personal information on the *complaint* is treated as confidential to protect the privacy of the complainant. However, complainants should be aware that certain circumstances may indirectly identify them during an investigation.

Retribution:

- 4) Allegations of retribution or threat of retribution against a complainant or anyone cooperating with an investigation under this policy shall be investigated in accordance with the current Code of Ethics and Anti-Bullying and Harassment policies.

References:

Policy Number:	CO-014
Policy Owner:	Council
Endorsed by:	Leadership
Final Approval:	Council
Date Approved:	October 25, 2021
Review Date:	October 25, 2026
Revision Date:	
Related Policies:	Anti-Bullying and Harassment Policy Code of Ethics Policy OP-024 – Complaint Handling Process Under the Complaint Policy OP-026 – Conducting Investigations
Related Publications:	Complaint Registry Complaint Form Records Classification and Information Schedule

Contact Information:

Position: Chief Administrative Officer