

	MANUAL – General Government	POLICY # - RESOLUTION# - 180-2018
	SECTION: Administration	Original effective Date: September 12, 2018
	TITLE: Complaint Policy	Last Review Date:
POLICY/PROCEDURE		APPROVED BY:

1. PURPOSE

The Town of Kyle is committed to a consistent and efficient process to respond to complaints of the public. This policy statement establishes guidelines and standards in handling and resolving complaints made to the municipality in order to address concerns raised and improve services.

2. DEFINITIONS

- Complainant:** The person who is dissatisfied and is filing the complaint.
Anyone who uses or is affected by Town services can make a complaint.
- Complaint:** Expression of dissatisfaction or concern related to Town of Kyle programs, facilities, services, Town employee(s) or operational procedures, or under Town of Kyle bylaws or policies.
- Enquiry:** Is defined as a request for information.
- Feedback:** Input/suggestions that is neither positive, nor negative.
- Investigator:** A municipal employee, a member of Council, bylaw enforcement officer or other designated or authorized third party charged with investigating any part of the complaint.
- Resolution:** The final stage of the complaint process in which the complaint is considered “closed” and resolved and complainant contacted in writing with the resolution.
- Service Request:** A request made to the Town of Kyle for a specific service. Examples include: Requesting that the Town repair a street surface, report a diseased tree, damaged municipal property, etc.

3. TYPES OF COMPLAINTS

This policy applies to complaints that are received from members of the general public.

This policy does not address:

- Enquiries;
- Requests for service;
- Feedback;
- Internal employee complaints or;
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc;

Outside boards and agencies;
Closed meeting investigations.

4. PROCEDURE

4.1 The Town of Kyle does not accept verbal complaints or anonymous complaints.

A formal complaint must be in writing and filed by hand delivery, mail, fax or email. It shall include the following components:

- a) Contact details (including name, phone number, civic and mailing address) of the Complainant;
 - b) Type of complaint;
 - c) Details of complaint (location, persons involved, resolution requested, enclosures, date complaint submitted);
 - d) Complainant Signature and date submitted.
- 4.2 The Personnel who received the complaint will date and sign it received, log the complaint and assign a reference number to track it. Administration may contact the complainant in writing or through a phone call to request clarification about the complaint, if needed.
- 4.3 All complaints will be forwarded to the Administrator. The Administrator will assess and forward the complaint to the appropriate Investigator or department.
- 4.4 A resolution will be provided to the Complainant in writing within a reasonable amount of time. If a resolution cannot be provided within 30 days, the Administrator shall contact the Complainant regarding the progress of their complaint, inform them of the delay, the reasons for the delay, and provide an estimation of time to completion.

The notice of resolution should consist of information such as:

- ◆ Overview of complaint;
- ◆ Details of how the investigation was conducted
- ◆ Summary of the facts / Outline of the findings;
- ◆ Identification of the next steps;
- ◆ Suggestions of appropriate resolution along with the rationale supporting the proposed resolution
- ◆ Information on appealing the resolution & appeal fee \$50.00.
- ◆ Complaint Number

5. MONITORING

The complaint must be tracked from its initial receipt to its resolution. This process is managed by Administration.

When action is taken on an already existing formal complaint, Administration will ensure that a record of this action is saved on the Complaint Tracking Form. All correspondence between the Town and the Complainant must be documented.

6. PRIVACY

The personal information provided on the complaint form is collected under the authority of the *Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*. The information provided will be used to investigate the complaint internally and potentially with third-parties for the purposes of investigation, as well as enforcement under municipal, provincial or federal laws and regulations, and used for contact purposes.

7. RECORDS MANAGEMENT

Upon resolution, the complaint shall be deemed resolved/closed and the Investigator will transfer all physical and electronic documents pertaining to the complaint to the Administration who will maintain the records according to the Town's Records Retention Schedule. No records or copies thereof shall be kept by any employee, or investigator.

8. APPEAL

Upon resolution, the complainant has the right to appeal within 30 days of the resolution. Any appeal shall be made in writing referencing the original complaint number, and the reasons for appeal. The appeal fee of \$50.00 shall accompany the appeal. The appeal fee may be waived or refunded by authorization of the Administrative Committee upon resolution or by the Administrator upon withdrawal of an appeal prior to the first scheduled meeting at which the appeal will be addressed.

Appeals shall be brought to the Administrator and shall be brought to a meeting of the Administrative Committee. The Administrative Committee shall receive all of the original details/files on the complaint.

Appellants must be prepared to come before the Administrative Committee in person at a date and time to be scheduled. If the appellant misses a scheduled meeting, or is unable to attend a meeting within 30 days of filing the appeal, the appeal will be closed and no further appeal shall be made or accepted. Resolutions/Decisions of the Administrative Committee regarding an appeal shall be considered binding.

Once the appeal is deemed resolved/closed, Investigator(s) will transfer all physical and electronic documents pertaining to the appeal to Administration who will maintain the records according to the Town's Records Retention Schedule. No records or copies thereof shall be kept by any employee, or investigator.