

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2022-45

Being a By-law to Adopt a Corporate Complaints Handling Policy for the Municipality of Tweed, and to Repeal By-law No. 2017-53.

WHEREAS the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides the general authority for Councils to adopt policies;

AND WHEREAS the Council of the Corporation of the Municipality of Tweed deems it expedient to adopt a Corporate Complaints Handling Policy for the Municipality of Tweed;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

1. THAT the Corporate Complaints Handling Policy attached hereto as Schedules 'A', 'B', 'C', and 'D' to this By-law, is hereby adopted as the Corporate Complaints Handling Policy for the Municipality of Tweed.
2. THAT Schedules 'A', 'B', 'C', and 'D' attached hereto form part of this By-law.
3. THAT By-law No. 2017-53 is hereby repealed in its entirety.
4. THAT this By-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first, second, and third and final time, passed, signed, and sealed in open Council this 26th day of July, 2022.

MAYOR

CLERK

SCHEDULE 'A' to By-law No. 2022-45

Municipality of Tweed Corporate Complaints Handling Policy

Policy Statement:

This policy is intended to enable the Municipality of Tweed to promptly and effectively address program and service delivery complaints 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 reduce customer dissatisfaction by providing a timely and accurate response to complaints and using complaints as an opportunity to improve program and service delivery issues.

This policy is to comply with Bill 8 Public Sector and MPP Accountability and Transparency Act, 2014 effective January 1, 2016 with complaint mechanisms enforced.

Definitions:

Complaint:

A complaint is an expression of dissatisfaction related to a municipal program, service, facility, and staff or council member, where a citizen believes that the municipality has not provided a service experience to the customer's satisfaction at the point of service delivery and a response or resolution is explicitly or implicitly expected.

A complaint is distinct from:

- A Request for Service- Schedule B made on behalf of a citizen or public at large for a specific service, or to notify the Municipality that a scheduled service was not provided on time.
- A general enquiry or specific request for information regarding municipal service.
- An opinion or feedback, comment and expression of interest in a program or service.
- An expression of approval or compliment for municipal staff member, program, product or process.

- A suggestion or idea submitted by a citizen or public at large with the aim of improving services, programs, products or processes.

This policy is not for complaints pertaining to:

- Staff members that are employed by a service provider contracted by the Municipality who shall be subject to the policies of that service provider.
- Issues addressed by legislation, or an existing municipal by-law, policy or procedure;
- A decision of Council or a decision of a committee of Council;
- Internal employee complaints; or
- Matters that are handled by tribunals, courts of law, quasi-judicial boards.

Role of Council

The role of Council is to develop general policies and directives on how to enforce the issues. The policy shall be set by Bylaw.

- All complaints shall be in writing and signed by the complainant or submitted through the online form submission with the municipal website. **Complaint Form Schedule C**
- All complaints shall remain confidential, subject to Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Council shall not get involved in individual enforcement issues but can receive confidential status reports on an issue, for their information only, through a direction to staff.

It shall be understood that a complaint cannot seek a remedy by calling a Council Member(s).

The Council member shall direct the complainant to provide a written, signed complaint letter addressed to the CAO/Treasurer marked "Confidential" to the Municipal Office. By doing so, the CAO/Treasurer will ensure compliance with Legislation and Policies. The CAO/Treasurer will also advise the complainant, that complaints are an enforcement issue which councillors as individuals cannot be involved with.

The complaint shall be logged at the Municipal Office and the complaint procedure followed.

Frontline Staff Role

It is the responsibility of the complainant to attempt to resolve concerns by dealing with Municipal employee(s) directly involved with the issue where appropriate through a **Request for Service- Schedule B**.

A Request for Service is distinct from a complaint as the request is made on behalf of a citizen or public at large for a specific service, or to notify the municipality that a scheduled service was not provided.

It is the responsibility of all Municipal employees to attempt to resolve issues or concerns before they become complaints, and identify opportunities to improve municipal services.

Municipal CAO/Treasurer and Department Managers Role(s)

Complaints and enforcement shall be exercised at the CAO/Treasurer's discretion and in the best interest of the Municipality, when following Legislation and Policy. This shall include the granting of extensions, if deemed necessary. All complaints received may be followed through by the CAO/Treasurer to ensure compliance with the Complaint Policy.

If a complaint letter/email is addressed to Council, the CAO/Treasurer will circulate a copy to the appropriate Manager for first resolution. If resolution is not obtained, then a copy of the letter/email will be circulated by the CAO/Treasurer to Council in a Closed Council Agenda for information purposes only. In addition to the receipt of a complaint letter/email, the complainant **will be asked to submit the Request for Service Form or a Complaint Form** that includes their name and details.

Staff cannot act on hearsay; however, the complainants name will be kept confidential.

Anyone, including but not limited to, Municipality of Tweed citizens can lodge a complaint.

The Municipal CAO/Treasurer and Staff will treat the complainant's personal information as confidential, including the complainant's name. All complainants and property owners shall be treated with respect and courtesy.

Resolution of complaints will consider whether the party forwarding the complaint requires feedback of the complaint resolution.

Procedure

1. Submit the Complaint

Where frontline resolution cannot be achieved, complaints shall be submitted to the CAO/Treasurer's Department or Designate, Complaint Form- Schedule C. All information must be completed in writing or through the online submission form from the municipal website.

Complaints may be submitted by:

Mail- Municipality of Tweed
Attention: CAO/Treasurer
255 Metcalf Street
Postal Bag 729
Tweed, ON
K0K 3J0

Email- cao-treasurer@tweed.ca
Subject Line: Complaint

In Person- See CAO/Treasurer, please call prior to arrival.

Online- www.tweed.ca/formsc5

2. Receipt and Acknowledgement

The CAO/Treasurer shall direct the Administration/Public Works Assistant(s) to log the complaint, date stamp and forward a copy to the Department Manager or designate. Within seven (7) business days of receipt of the complaint, the Manager shall acknowledge to the complainant providing copy to the CAO/Treasurer in writing/email that the complaint has been received.

Acknowledgement of Complaint- Schedule D

3. Investigation

a) Department Manager

A Department Manager may not delegate the authority to investigate a complaint to an employee who is or may be named in the complaint.

If a complaint is made against the Department Manager, the CAO/Treasurer or designate shall conduct the investigation.

If a complaint is made against the CAO/Treasurer, the Mayor shall consult with Council and may designate the municipal solicitor, or other qualified individual at arm's length from the Municipality to investigate. The designated investigator 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;
- Review any existing file documents;
- Interview employees or member of the public involved in the issue;
- Identify actions that may be taken to address the complaint or improve municipal operations; or,
- The Department Manager may, at their discretion, notify Council of an open complaint investigation for information purposes.

b) Council Member

If a complaint is made against a Council Member, the Mayor shall consult with the municipal solicitor, or other qualified individual at arm's length from the Municipality or the Ontario Ombudsman, to investigate. The designated investigator shall review the issues identified by the complainant and in doing so may review the documents listed above under complaint made against the CAO/Treasurer.

c) Mayor

If a complaint is made against the Mayor, the CAO/Treasurer shall consult with the municipal solicitor, or other qualified individual at arm's length from the Municipality or the Ontario Ombudsmen, to investigate. The designated investigator shall review the issues identified by the complainant and in doing so may review the documents listed above under complaint made against the CAO/Treasurer.

d) Closed Meeting Investigation

If a complaint is made regarding a Closed Meeting of Council, the procedures under By-Law 2007-53, Adopt a Policy for Procedures for Receipt of Complaints by Closed Meeting Investigator, as amended or replaced.

e) Decision

Within thirty (30) calendar days of receipt of a complaint, the Department Manager shall provide a response in writing to the complainant, copy to the CAO/Treasurer. The response shall include:

- Whether the complaint was substantiated,
- If the complaint is not substantiated, provide reason(s) for their decision; and,
- Any actions the municipality has or will take as a result of the complaint.
- If the Department Manager 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.

f) Record

The Department Manager shall file a copy of the complaint, supporting documentation and decision with the CAO/Treasurer. The CAO/Treasurer shall maintain a file of the complaint in accordance with the municipality's records retention bylaw. If a municipal employee was the subject of the complaint, a copy of the record shall be retained in their personnel file.

Process

CAO/Treasurer Department

- Receives written complain on complaint form
- Date stamped
- Logs complaint
- Forwards to appropriate department manager



Department Manager

- Acknowledges receipt to complainant within 7 days
- Investigate the complaint
- Make a decision
- Notify the complainant of the outcome within 30 days of the filing of the complaint
- File a copy of the decision with the CAO/Treasurer

**CAO/Treasurer's Department**

- Files acknowledgement letter to complainant within 7 days
- Files a copy of the decision with supporting documentation
- Report to Council on a yearly basis

Appeal Process

Once the Municipality has communicated the decision to the complainant, there is no appeal process at the municipal level.

Non Compliance

Non-compliance with this complaint policy may result in the complaint being filed with the Ontario Ombudsman.

Review Cycle

This policy shall be reviewed each term of Council.

APPENDIXES:

Request for Service- Schedule B

Complaint Form- Schedule C

Acknowledgement of Complaint- Schedule D

The Corporation of the
MUNICIPALITY OF TWEED

255 Metcalf St., Postal Bag 729
Tweed, ON K0K 3J0
Phone: 613-478-2535
Toll Free: 833-478-5818
Fax: 613-478-6457



Email: info@tweed.ca
Website: www.tweed.ca
facebook.com/tweedontario

SCHEDULE 'B' to By-law No. 2022-45

**Municipality of Tweed
Request for Service**

RFS# _____

Once submitted, your request will be forwarded to the appropriate Department Manager for review. Line with (*) must be completed in accordance with our Corporate Complaints Handling Policy.

Date * _____

Your Name * _____

Email address _____

Contact Telephone * _____

Department * (circle one) Council Services Finance Bylaw Enforcement
 Fire Roads Waste
 Park Maintenance Recreation Facilities
 Other: _____

Location of Issue * _____

Description of Service Requested * _____

Tracking Information – for office use only

Received by: _____ Date: _____

Assigned to: _____ Date: _____

Action Taken: _____

Closed by: _____ Date: _____

[illegible]

How do you suggest the situation be improved or complaint resolved?

OFFICE USE ONLY

COMPLAINT #

RECEIVED BY

FORWARDED TO

DATE

DATE

☐ Acknowledgement Letter

Date sent:

☐ Additional correspondence

Date sent:

ACTION TAKEN

☐ Final Decision Letter

Date

sent: _____

Staff name: _____

Copies filed with CAO/Treasurer

☐ Initial complaint

☐ Acknowledgement letter

☐ Additional correspondence

☐ Final Decision letter

*Thank you for taking the time to express your concern(s).
We will provide a response within thirty (30) calendar days of receiving your complaint.*

*If you have any questions about this process, please contact
the CAO/Treasurer 613-478-2535 or cao-treasurer@tweed.ca*

The Corporation of the
MUNICIPALITY OF TWEED

255 Metcalf St., Postal Bag 729
Tweed, ON K0K 3J0
Phone: 613-478-2535
Toll Free: 833-478-5818
Fax: 613-478-6457

Email: info@tweed.ca

Website: www.tweed.ca
facebook.com/tweedontario



SCHEDULE 'D' to By-law No. 2022-45
Acknowledgement of Complaint

[INSERT DATE]

[NAME]
[ADDRESS]

Dear [Mr./Ms./Mrs.] _____

Thank you for taking the time to express your concerns regarding [COMPLAINT EXPLANATION]. Your written complaint was received by the Municipality on [INSERT DATE COMPLAINT RECEIVED].

We will provide a response within thirty (30) calendar days of receiving your complaint.

If you have any questions regarding the process, please do not hesitate to contact myself at

PHONE: _____

Email: _____

or Gloria Raybone, CAO/Treasurer, at 613-478-2535 or cao-treasurer@tweed.ca.

Yours Truly,

[NAME]
[TITLE]