

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2024 - 37

BEING A BY-LAW TO ADOPT A COMPLAINTS POLICY

WHEREAS Section 9 of the *Municipal Act, S.O. 2001, Chapter M.25*, as amended, gives a municipality 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 Section 10(2)(1) of the *Municipal Act, S.O. 2001, Chapter M.25*, as amended, a single-tier municipality may pass By-laws respecting to the governance structure of the municipality and its local boards;


AND WHEREAS the Corporation of the Municipality of Magnetawan is committed to the thorough, prompt, and courteous receipt, processing, investigation and resolution of formal complaints related to program and service delivery and general concerns within a reasonable amount of time in accordance with appropriate steps and procedures;


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

1. THAT the Magnetawan Complaints Policy (Schedule "A") be adopted as attached.
2. THAT By-law 2016-16 and any other previously relevant by-law(s) be hereby repealed effective the date of passing of this By-law.
3. THAT this By-law shall come into force and effect on the date of its passing.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 14th day of August, 2024.

THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN





Mayor

CAO/Clerk



Schedule "A" By-law 2024- COMPLAINTS POLICY

PURPOSE

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

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

DEFINITION

A complaint is an expression of dissatisfaction related to a Municipal program, service, facility, or staff member, where a member of the public believes that the Municipality 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.

The Municipality's definition of a complaint does not include those complaints that are anonymous in nature and/or happened more than six (6) weeks prior. In order to resolve an issue, the Municipality requires the complainant's contact information. Personal information will be maintained as required under the *Municipal Freedom of Information and Protection of Privacy Act*.

A complaint is distinct from:

- A request for service made on behalf of a citizen for a specific service, or to notify the Municipality that a scheduled service was not provided on time;
- A general inquiry or specific request for information regarding a municipal service;
- A suggestion or idea submitted by a member of the public with the aim of improving services, programs, products, or processes; or
- An expression of approval or compliment for a municipal staff, program, product or process.

This policy is not for complaints regarding:

- Non-municipal services
- Issues addressed by legislation, or an existing municipal by-law, policy, or procedure;
- A decision of Council or a decision of a Committee and/or Board of Council;
- Internal employee complaints; or
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.

FRONTLINE RESOLUTION

It is the responsibility of the complainant to attempt to resolve concerns by dealing with the Municipality and/or the Municipal employee(s) directly involved with the issue where appropriate.

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

PROCESS FOR FILING A COMPLAINT

1. Filing the Complaint

Where a frontline resolution cannot be achieved, complaints will be submitted to the CAO/Clerk or designate on the prescribed form within 6 weeks of the alleged incident. All information on the form must be completed.

2. Receipt and Acknowledgement

The CAO/Clerk will log the complaint within seven (7) business days and will acknowledge receipt of same to the complainant.

3. Investigation

The CAO/Clerk or designate will conduct an investigation into the nature of the complaint.

If a complaint is made against the CAO/Clerk, the Municipal Council designates the municipal solicitor to investigate. The CAO/Clerk will apprise Council of the complaint and the results will be made available to Council in camera.

The designated investigator will review the issues identified by the complainant, and in so doing they may:

- Review relevant Municipal and provincial legislation;
- Review relevant Municipal policies and procedures and any existing file documents;
- Interview employees or members of the public involved in the issue;
- Identify actions that may be taken to address the complaint or to improve municipal operations; and
- Provide a resolution report to the CAO/Clerk.

4. Decision

Within sixty (60) calendar days of receipt of a complaint, the CAO/Clerk or designated investigator will provide a response in writing to the complainant, which will include:

- Whether or not the complaint was substantiated;
- If the complaint is not substantiated, the reason for the decision; and
- Any actions that the Municipality has or will take as a result of the complaint.

If the CAO/Clerk or designated investigator is unable to provide a full response within sixty (60) days, they will notify the complainant of the delay and provide an estimate of when a response will be provided.

5. Record

The CAO/Clerk will file a copy of the complaint and response. Such record will be maintained in accordance with the Municipal Record Retention By-law. If a Municipal employee was the subject of the complaint, a copy of the record will be retained in their personnel file.