

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2016 - 16**

**Being a By-law to adopt a Complaints Policy.**


**WHEREAS** 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 Council of the Municipality of Magnetawan formally adopts the Complaints Policy attached hereto as Schedule 'A' and Schedule 'B' to this By-law.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 13<sup>th</sup> day of April, 2016

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

  
\_\_\_\_\_  
Mayor

Council MTG. of April 13/16  
Agenda Item # 8.5

  
\_\_\_\_\_  
Clerk-Administrator

## **BY-LAW 2016-16 – SCHEDULE ‘A’**

### **COMPLAINTS POLICY**

April 13, 2016

#### **PURPOSE**

This policy is intended to enable the Municipality of Magnetawan (hereinafter referred to as the “Municipality”) 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. In order to resolve an issue, the Municipality requires the complainant’s contact information. Personal information shall 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 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 should be submitted to the Clerk-Administrator or designate on the form attached hereto as *Schedule 'B'*. All information on the form must be completed.

### **2. Receipt and Acknowledgement**

The Clerk-Administrator shall log the complaint and within seven (7) business days of receipt of the complaint, the Clerk-Administrator shall acknowledge to the complainant that the complaint was received.

### **3. Investigation**

The Clerk-Administrator or designate shall conduct an investigation into the nature of the complaint.

If a complaint is made against the Clerk-Administrator, the Municipal Council shall designate the municipal solicitor, or other qualified individual at arms-length from the Municipality to investigate.

The designated investigator shall 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 Clerk-Administrator.

### **4. Decision**

Within thirty (30) calendar days of receipt of a complaint, the Clerk-Administrator or designated investigator shall provide a response in writing to the complainant, which shall 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 Clerk-Administrator or designated investigator is unable to provide a full response within 30 days, they shall notify the complainant of the delay and provide an estimate of when a response shall be provided.

### **5. Record**

The Clerk-Administrator shall 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 shall be retained in their personnel file.

### **6. Reporting**

Semi-annually, the Clerk-Administrator shall provide a report to Council outlining the complaints received and the resolutions reached.

## **APPEAL PROCESS**

There is no appeal process at the Municipal level. Following receipt of the resolution from the Clerk-Administrator, the complainant may contact the Ontario Ombudsman.

**BY-LAW 2016-16 – SCHEDULE ‘B’ – COMPLAINT FORM**

NAME:	
MAILING ADDRESS:	
TELEPHONE:	
EMAIL ADDRESS:	
<i>Please outline your complaint, including relevant dates, times, location, and background information that may include Municipal employees you have contacted to resolve the complaint, witnesses to the incident, photographs, etc. Attach additional pages if required.</i>	

Do you have any suggestions as to how this complaint can be resolved or the situation improved?

\_\_\_\_\_  
COMPLAINANT SIGNATURE

\_\_\_\_\_  
DATE

**FOR OFFICE USE ONLY**

**Complaint #**

**Received By:**

**Date:**

**Forwarded To:**

**Date:**

Acknowledgement Letter

Date Sent: \_\_\_\_\_

Staff Sender: \_\_\_\_\_

Additional Correspondence

Date Sent: \_\_\_\_\_

Staff Sender: \_\_\_\_\_

**SUMMARY OF ACTION TAKEN**

Final Decision Letter

Date Sent: \_\_\_\_\_

Staff Sender: \_\_\_\_\_

**Copies Filed with Clerk-Administrator**

Initial Complaint

Acknowledgement Letter

Additional Correspondence

Final Decision Letter

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

*For questions about the process, please contact:*

**Andrew Farnsworth, Clerk-Administrator, 705-387-3947, [clerk@magnetawan.com](mailto:clerk@magnetawan.com), 4304 Hwy 520, Magnetawan**