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| POLICIES AND PROCEDURES MANUAL | Category Municipal Governance | Policy Number MG.010 |
| | Date May 27, 2020 | Resolution Number 119/05/20 |

MUNICIPAL COMPLAINT POLICY

1.0 PURPOSE

- 1.1 The Town of Inuvik wishes to establish a consistent and uniform process for processing and responding to complaints, made in good faith, received by the municipality.
- 1.2 The purpose of this policy is to allow the public to make complaints in order to advise the municipality of gaps or deficiencies in its provision or operation of a municipal program, facility, service or procedure, or the service of a municipal employee in order for the municipality to improve. As such, the public is encouraged to use the informal complaint process in order to facilitate efficient and effective responses. Formal complaints are reserved for serious matters that cannot be addressed through the informal complaint process.

2.0 DEFINITIONS

- a) **Complainant** A person who has submitted a complaint to the municipality
- b) **Complaint** An expression of dissatisfaction related to the provision or operation of a municipal program, facility, service or procedure, or the service of a municipal employee. A complaint does **NOT** include:
- an expression of dissatisfaction with an action or decision of Council, a committee of council or an external board, agency or entity;
 - a communication that commences a formal legal action against the municipality, or that relates to an ongoing formal legal action involving the municipality;
 - a report of damage to infrastructure or facilities owned or controlled by the municipality;
 - a report of an alleged infraction of a bylaw of the municipality by a member of the public; or
 - a request for service from the municipality, including, for example, and without limiting the generality of the foregoing, requests for repair or maintenance of infrastructure or facilities owned or controlled by the municipality.

3.0 SCOPE OF POLICY

3.1 This policy applies to complaints that the municipality receives from members of the public.

4.0 PROCEDURE – INFORMAL COMPLAINT

4.1 Any member of the public may, in good faith, make an informal complaint in person or in writing. Individuals are encouraged to pursue an informal complaint process prior to engaging in a formal complaint process.

4.2 It is the responsibility of municipal employees to make every reasonable effort to resolve informal complaints before they become formal complaints and identify opportunities to improve municipal programs, facilities, services, and procedures and the service provided by municipal employees.

4.3 For cases where informal resolution is successful, it is not necessary to log the complaint.

5.0 PROCEDURE – FORMAL COMPLAINT

5.1 If an informal complaint is not successfully resolved, the complainant may make a formal complaint.

5.2 A formal complaint must be made in writing and submitted to the Senior Administrative Officer on a form established by the Town. All formal complaints must be signed, dated and include the complainant's contact information.

5.3 If a municipal complaint form is incomplete or illegible, the Senior Administrative Officer may, in their sole discretion, dismiss the complaint.

5.4 A formal complaint must provide a summary of the complaint, including details of the complaint, location, date, names of persons involved, resolution requested, and any other relevant information.

5.5 The Senior Administrative Officer will:

5.5.1 Acknowledgement

- i) Contact the complainant in writing to confirm receipt of the formal complaint and to clarify the complaint, if required.
- ii) A formal complaint may be terminated at this point if a resolution is possible, if it is a duplicate complaint or if it does not meet the requirement of a complaint defined in this policy.

5.5.2 Transfer of Formal Complaint

Notify and transfer the formal complaint for investigation as follows:

- i) In the case of municipal program, facility, service, or procedure, transfer to the director of the appropriate department;
- ii) In the case of a municipal employee, transfer to the employee's immediate supervisor and the Human Resources Officer;
- iii) In the case of a director or manager, transfer to the Senior Administrative Officer and Human Resources Officer; and
- iv) In the case of the Senior Administrative Officer, transfer to the Mayor and Council.

5.5.3 Investigation

- i) If in the opinion of the Senior Administrative Officer, the formal complaint warrants an external investigation, the Senior Administrative Officer may appoint an external investigator.
- ii) If the formal complaint is against the Senior Administrative Officer, the Mayor and Council may, by resolution, appoint an external investigator.
- iii) The investigator will review the formal complaint and if the investigator is of the opinion:
 - a) the complaint is frivolous, vexatious or is not made in good faith;
 - b) that there are no grounds or insufficient grounds for conducting an investigation; or
 - c) that the matter is already being addressed.
- iv) the investigator may choose not to investigate and terminate the complaint in a summary manner. The investigator will notify the Senior Administrative Officer or Council, as the case may be, and the complainant.
- v) If the investigator decides to investigate the complaint, the investigator shall:
 - a) advise the person or department that is the subject of the complaint about the complaint and provide an opportunity for them to respond to the complaint;
 - b) review the issues identified by the complainant and in doing so may:
 - c) review relevant municipal and provincial legislation;
 - d) review the Town's relevant policies and procedures;
 - e) interview employees or other relevant parties; and

- f) identify actions that may be taken to address the complaint or improve municipal operations and make recommendations.
- vi) At the discretion of the Senior Administrative Officer, Council may be notified of an open complaint for information purposes.
- vii) The investigator will provide a final report to the Senior Administrative Officer if the formal complaint is about a municipal program, facility, service, procedure or municipal employee.
- viii) The investigator will provide a final report to the Mayor and Council if the formal complaint is about the Senior Administrative Officer.

5.5.4 Decision

- i) If the formal complaint is about a municipal program, facility, service, procedure or municipal employee, the Senior Administrative Officer will review the investigator report and may accept, reject, amend, or modify the recommendations of the investigator.
- ii) If the formal complaint is about the Senior Administrative Officer, Mayor and Council will review the investigator report and may accept, reject, amend or modify the recommendations of the investigator.
- iii) The Senior Administrative Officer or Mayor and Council will make a decision, as the case may be, and provide a copy of the decision, in writing, to the complainant and the person or department that is the subject of the complaint within 7 business days of receiving the investigator's report.
- iv) The decision will consist of information such as:
 - a) overview of complaint;
 - b) details of how the investigation was conducted;
 - c) summary of the facts;
 - d) outline of the findings;
 - e) identification of next steps; and
 - f) recommendations for appropriate resolution, if applicable.

6.0 APPEAL

- 6.1 There is no appeal process at the municipal level.

7.0 COMPLIANCE WITH PRIVACY AND LABOUR AND EMPLOYMENT LAWS

- 7.1 All complaints and investigations shall comply with all relevant privacy laws, including the *Access to Information and Protection of Privacy Act*.
- 7.2 The complaints policy shall not be used to replace processes and procedures under labour and employment practices.

8.0 RECORDS MANAGEMENT

- 8.1 Upon delivery of decision, a formal complaint shall be deemed resolved/closed and the investigator will transfer all physical and electronic documents pertaining to the complaint to the Senior Administrative Officer.

9.0 RESPONSIBILITY

- 9.1 All employees should have a clear understanding of how complaints are handled by the Town.
- 9.2 All supervisors must comply with and explain this policy to their employees and conduct any training which may be necessary.
- 9.3 This policy shall be reviewed by the Mayor and Council every 2 years.

MUNICIPAL COMPLAINTS FORM



How to Make a Complaint

The Town of Inuvik has procedures for receiving and handling complaints from citizens. Complaints are defined as:

An expression of dissatisfaction related to the provision or operation of a municipal program, facility, service, or procedure or the service of a municipal employee.

A Complaint does not include:

- an expression of dissatisfaction with an action or decision of council, a committee of council or an external board, agency or entity;
- a communication that commences a formal legal action against the municipality, or that relates to an ongoing formal legal action involving the municipality;
- a report of damage to infrastructure or facilities owned or controlled by the municipality;
- a report of an alleged infraction of a bylaw of the municipality by a member of the public; or
- a request for service from the municipality, including, for example, and without limiting the generality of the foregoing, requests for repair or maintenance of infrastructure or facilities owned or controlled by the municipality.

It is recommended that you first speak directly with the service area where you have an issue, in person or by telephone. Most complaints are received verbally and can be resolved promptly by the department in charge of the service.

If you are not satisfied with how your complaint is handled, you may submit a written formal complaint by completing this form. Forms that are incomplete or illegible may be dismissed.

Complainant Contact Details

First Name: _____ Last Name: _____

E-mail Address: _____
(considered the most prompt way we can communicate with you)

Mailing Address: _____

Phone Number: _____

Complaint Details

Please record information on what happened, who was involved, dates, and times. Be as detailed as possible. If there is not enough space to describe the complaint, attach extra paper.

Details

Service area/location of problem

Staff persons involved (if known and applicable)

List of enclosures (include copies of any documentation in support of the complaint)

Resolve

How do you suggest the complaint be resolved?

Complainant Signature

Complainant's Signature

Date complaint submitted (mm/dd/yyyy)

Acknowledgement

The Senior Administrative Officer will contact you to acknowledge receipt of this complaint. Complaints will be assessed and where it is deemed an investigation is required, the Complainant will be advised.

Notice of Collection

The personal information you choose to provide on this form is collected under the authority of the *Access to Information and Protection of Privacy Act*. The information you provide will be used to investigate the complaint and may be used for contact purposes but is otherwise considered confidential. Questions about this collection can be directed to:

Grant Hood
Senior Administrative Officer
Town of Inuvik
PO Box 1160
Inuvik NT X0E 0T0
Phone: 867.777.8608
E-mail: sao@inuvik.ca

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| File Number: | |
| Date Received: | |
| Decision Date: | |
| Notes (if any): | |