

THE CORPORATION OF THE
Municipality of Neebing

COMPLAINT POLICY

Purpose: The purpose of this policy is to outline the processes for handling complaints related to services delivered by the Municipality.

This policy does not apply to complaints about the conduct of members of Council or closed meetings, which are covered by the policy approved on March 2, 2016.

This policy does not apply to comments submitted in response to circulation of notices for development applications or submitted in response to public meetings, or other requests by Council for specific input.

Scope: This policy applies to complaints relating to:

1. Road conditions (winter conditions, potholes, dust);
2. By-law infractions (loose dogs; noise; zoning); Highway Traffic Act or other Provincial law infractions (i.e. speeding; clear-cutting property);
3. Trespass to Property by members of the public (i.e. wandering animals s (other than dogs); snow blown/pushed from one property to another);
4. Trespass to Property and/or damage caused by the Municipality (i.e. mailbox damage);
5. Personnel matters (complaints about poor customer service or staff aggression); and
6. Complaints about municipal rules, processes, fees, etc. (i.e. Council procedures, user fees, landfill site rules, etc.).

Definition: A complaint is an unsolicited expression of dissatisfaction related to a municipal program, service, asset, facility or staff member. Complaints are distinct from opinions, suggestions or feedback with respect to a program or service.

Complaint Process:

1. Complete the complaint form attached as Schedule "A".
 - a. All complaints must include contact information. Anonymous complaints will not be processed.
 - b. Complaints can be received by phone, email, in person or online.
2. When a complaint is received, it will be handled based on the complaint type listed in this section.
 - a. Road condition complaints:
 - i. A copy of the complaint form is forwarded to the Working Roads Foreman. The name of the complainant is not kept confidential.

- ii. A copy of the complaint form is placed in the mailbox for the Councillor for the ward in which the complainant lives, and/or in which the condition complained of exists.
 - iii. The Working Roads Foreman will undertake an investigation into the complaint.
 - iv. Where the Working Roads Foreman is able to take action to address the concern, he will do so, and advise Administration of the actions taken.
 - v. Administration will advise the complainant of the closure of the complaint.
 - vi. Where the Working Roads Foreman is not able to take action to address the concern, he will bring the matter to the attention of the Clerk and/or Roads Chairman, as appropriate. If the problem can be resolved, Administration will advise the complainant of the closure of the complaint. If the problem still cannot be resolved, a report will be written to Council with a resolution recommendation or a request for direction.
 - vii. Administration will advise the complainant of the outcome of the Council meeting.
- b. By-law, Highway Traffic Act or other Provincial infractions:
- i. Administration will send a warning letter to the person who is alleged to be committing the infraction, together with information relating to it (such as a copy of the by-law in question). The identity of the complainant is strictly confidential unless the complainant directs otherwise.
 - ii. If a second complaint alleging the same infraction by the same individual(s) on a subsequent occasion is received within 12 months of the date of the issue of the warning letter, Administration will contact the Municipal Law Enforcement Officer, and request that he attend to give a verbal warning to the alleged offender and/or undertake further investigation.
 - iii. If a third complaint alleging the same infraction by the same individual(s) on a subsequent occasion is received within 12 months of the date of the issue of the warning letter, Administration will advise the Municipal Law Enforcement Officer, and request that prosecution proceedings be commenced, if evidence to support a conviction is available.
- c. Trespass to Property and/or Damage Caused by the Municipality
- i. Administration will send a standard form letter to the complainant which advises that the complaint has been received and will be investigated. The standard form letter will advise the complainant that he or she should seek legal advice if he or she wishes to claim damages, as there are time limits involved, and many applicable limits are short.

- ii. Administration will forward the complaint to the relevant department head (Clerk, Fire Chief, Working Roads Foreman, etc.) for investigation.
- iii. If the complaint involves (or may involve) damage that is valued in excess of the “deductible” amount of the Municipality’s insurance policy, Administration will also forward a copy of the complaint to the Municipality’s insurer. In such circumstances, the Municipality’s insurer will assume responsibility for investigation and resolution of the complaint. Paragraphs iv-vi below will not apply.
- iv. If the relevant department head concludes that the Municipality caused the damage, and the total damage will cost less than \$500.00 to repair, the repairs will be undertaken.
- v. If the relevant department head concludes that the Municipality caused the damage, and the total damage will cost more than \$500.00 to repair, a report will be written to Council with a recommended resolution.
- vi. If the relevant department head concludes that the Municipality did not cause the damage, a letter will be written to the complainant to deny the claim.

d. Personnel Matters

- i. A copy of the complaint form is forwarded to the Clerk (unless the complaint is about the Clerk). The name of the complainant is kept confidential.
- ii. If the complaint is about the Clerk, a copy of the complaint form is provided to the Mayor or Deputy Mayor. In those circumstances, the Mayor or Deputy Mayor will undertake the tasks set out for the “Clerk” in paragraphs iii through v below.
- iii. The Clerk will undertake an investigation into the complaint, by interviewing the complainant(s) and the staff person about whom the complaint was made. Where the person involved is a member of a bargaining unit, the procedures outlined in the collective agreement must be followed. Where it is believed that the assistance of an external consultant is necessary, a report to Council will be made to seek authorization for the engagement of the consultant.
- iv. If the circumstances warrant it, disciplinary action may be taken against the staff person in question, in accordance with the Municipality’s progressive discipline procedures. Where the person involved is a member of a bargaining unit, the procedures outlined in the collective agreement must be followed.
- v. Administration will advise the complainant of the closure of the complaint when the investigation is completed. The complainant will be advised if a decision was made to take no action with respect to the staff person. The complainant will not be advised of the detail of any disciplinary action undertaken.

- e. Complaints about Municipal Rules, Processes, Fees, etc
 - i. The complaint will be forwarded to the Clerk, who will write a report on the matter for inclusion in the agenda for the next reasonably available Council meeting.
 - ii. The complainant will be advised of the date and time of the Council meeting at which the complaint will be discussed, and asked whether he or she wishes to be placed on the agenda as a deputant for that meeting.
 - iii. If the complainant does not attend the Council meeting at which the issue is discussed, the Clerk will write to the complainant to advise him or her of the outcome of the meeting.
- 3. The Municipality will strive to respond to all complaints within 30 days.
- 4. The Clerk will keep a record of all complaints and a record of how those complaints were resolved.
- 5. A report will be provided to Council on a quarterly basis outlining complaints received and outcomes.