

**MUNICIPAL CORPORATION OF NORTH ALGONA WILBERFORCE  
TOWNSHIP**

**BY-LAW #2016-19**

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**BEING A BY-LAW TO ADOPT A POLICY TO DEAL WITH  
CONCERNS**

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WHEREAS the Council of the Corporation of North Algona Wilberforce Township wishes to establish a Concern policy;

NOW THEREFORE BE IT ENACTED BY THE  
CORPORATION OF NORTH ALGONA WILBERFORCE  
TOWNSHIP AS FOLLOWS:

1. That the "North Algona Wilberforce Township Complaint Policy" attached hereto as Schedule "A" be and is hereby adopted.
2. That Schedule "A" is deemed to form part of this by-law.
3. That this by-law shall come into force and take effect following third reading. By-law read a first and second time this 2<sup>nd</sup> of May 2016
4. By-law read a third time and passed this 2<sup>nd</sup> of May 2016

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Mayor

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Clerk Treasurer

## Schedule "A" to By-Law 2016-19

- 1) This Policy may be cited as the "Municipal Concern Handling Policy" of the Municipality of North Algona Wilberforce Township
- 2) This policy is intended to enable the Municipality to promptly and effectively address program and service delivery concerns 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.

### Interpretation

- 3) In this policy:
  - a. "Complainant" means the individual filing the concern with the Municipality;
  - b. "Complaint" means an issue or concern raised with a municipal program, service, or operation that is not resolved at the time of the incident and for which the complainant submits their concerns to the Municipality in accordance with this policy;
  - c. "Council" means the Council of the Municipality of North Algona Wilberforce Township
  - d. "Designated Officer" means the Municipal Clerk/Treasurer of the Municipality;
  - e. "Employee" means the employee of the Municipality;
  - f. "Municipality" means the Municipality of North Algona Wilberforce Township
  - g. "Ombudsman" means the Ontario Office of the Ombudsman;
  - h. "MFIPPA" means Freedom of Information and Protection of Privacy Act.

### Scope

- 4) This policy is not meant to address:
  - a. Complaints about non-municipal services; Municipality of the North Algona Wilberforce Township– **Municipal Complaint Handling**
  - b. Issues already addressed by legislation, or an existing Municipal by-law, policy or procedure;
  - c. A decision of Council or a decision of a committee of Council; or,
  - d. Internal employee complaints

### Designated Officer

5. A Designated Officer may delegate the authority to investigate a concern to another employee, where s/he deems appropriate.
6. A Designated Officer may not delegate the authority to investigate a concern to an employee who is or may be named in the complaint.
7. If a complaint is made against the Designated Officer, the Council shall consult with the Municipal Solicitor and;
  - a. shall consult with Council; and,
  - b. may refer the matter to the Integrity Commissioner.
8. It is the responsibility of the complainant to attempt to resolve concerns by dealing with employee(s) directly involved with the issue where appropriate.
9. It is the responsibility of all employees to attempt to resolve issues or concerns before they become complaints, and identify opportunities to improve municipal services.

### **Filing a Complaint**

10. Where frontline resolution cannot be achieved, complaints should be submitted to the Designated Officer and include:

- a. The name, phone number, e-mail address, and mailing address of the individual submitting the complaint.
- b. The nature of the complaint including the:
  - i. Background leading to the issue(s);
  - ii. Date(s), time(s), and location(s) of any incident(s); and,
  - iii. Name(s) of any employee(s) previously contacted regarding the issue(s); and,
- c. Any action(s) being requested of the Municipality.

11. Complaints shall be submitted on the form provided in Schedule B.

### **Exception**

11b. Any compliant form and/or requests for information dealing with items that are not in the current term of Council will be processed through an application to MFIPPA; and the rules and fees set under this act and its regulations will be applied under MFIPPA.

### **Receipt and Acknowledgement**

12. The Designated Officer shall acknowledge in writing that the complaint has been received within five (5) business days of receipt of the complaint.

### **Investigation**

13. The Designated Officer shall review the issues identified by the complainant and in doing so may:

- a. Review relevant municipal and provincial legislation; Municipality of the North Algona Wilberforce Township– Municipal Complaint Handling Policy
- b. Review the Municipality's relevant policies and procedures;
- c. Review any existing file documents;
- d. Interview employees or member of the public involved in the issue;
- e. Identify actions that may be taken to address the complaint or improve municipal operations;  
or,
- f. Take other actions the Designated Officer deems expedient to resolving the matter.

14. The Designated Officer shall maintain a file of the complaint

15. The Designated Officer may, at their discretion, notify Council of an open complaint investigation for information purposes.

### **Decision**

16. Within thirty (30) calendar days of receipt of a complaint, the Designated Officer shall provide a response in writing to the complainant. The response shall include:

- a. Whether the complaint was substantiated,
- b. If the complaint is not substantiated, the Designated Officer shall provide reason(s) for their decision; and,
- c. Any actions the Municipality has or will take as a result of the complaint.

17. If the Designated Officer 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.

18. Decisions made by the Designated Officer may not be appealed to Municipal Council.

19. Complaints regarding staff members that are employed by a service provider contracted by the Municipality shall be subject to the policies of that service provider and not that of the Municipality.

20. Complaints regarding services provided by a service provider contracted by the Municipality shall be handled in accordance with this policy, and may also be subject to any complaints policies and procedures employed by that service provider.

### **General**

21. Forms of correspondence and notices here above may be amended and adapted as appropriate.

22. Copies of all correspondence and notices shall be retained in the complaint file.

23. Where appropriate, copies of correspondence shall be placed in the personnel file of the subject of the complaint.

24. Communications with a complainant shall not provide details of disciplinary measures imposed on any employee.

25. All notes and correspondence shall be dated and identified by author.

26. The Designated Officer or their delegate shall make dated records of any communications and attempted contacts with complainants