Applegrove Community Complex
Complaints Procedure[1] – Draft 2 August 2011

1. Introduction

Applegrove Community Complex is a neighbourhood partnership fostering community through social and informative programs for individuals and families. Applegrove is committed to providing the highest quality of programs and services.

Sometimes mistakes happen. Applegrove believes that acknowledging and correcting mistakes shows strength rather than weakness. Correcting mistakes provides opportunities to identify improvements in services and systems.

2. Preface

- The following procedure applies to complaints directly related to services and processes related to the operation and management of Applegrove Community Complex.
- Some services and processes may have a separate right of appeal, statutory remedy or prescribed procedure.[2]
- Complaints are reviewed on receipt and complainants are advised if alternative complaint procedures apply.
- Staff are trained and are accountable for their involvement in the complaint process.

3. Guiding Principles

- It is in the interest of all parties that complaints are dealt with promptly and resolved as quickly as possible.
- Staff and Board Members shall treat complaints as confidential and protect complainants' privacy.
- Review of complaints is fair, independent, timely, impartial and respectful to parties involved.
- Complainants are advised of their further options if they are dissatisfied with treatment or outcome.
- Complainants are provided clear and understandable reasons for how decisions on the complaint were made.
- Updates are provided to complainants during review processes.
- Complaints are used to assist in improving services, policies and procedures.

4. Types of Complaint

A complaint is an expression of dissatisfaction, either written or oral, made by or on behalf of a user of a service about Applegrove's rules, policies, procedures or practices.

Complaints can relate to service, action(s), or lack of action by Applegrove Community Complex staff, volunteers or Board Members.

The subject matter of complaints may include (but is not limited to):

- The quality and types of services or programs.

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[1] This procedure is longer and more complex than needed for simple complaints. See last page for the simplified version to hand out as needed.

[2] See the Human Rights and Anti-Harassment Policy and Procedures for complaints relating to discrimination and harassment. See the Complaints about Fundraising Ethics procedure for complaints regarding fundraising.

- The way services and programs operate.
- Policies and procedures.
- Applegrove's expectations of behaviour and community rules.
- How staff and volunteers work with and treat the public.
- How Applegrove operates within the neighbourhood.
- The impact of programs and services in the neighbourhood.
- Decisions about resources.
- Access to service.
- Timeliness of Service
- Outcomes
- Quality of service
- Standards of service
- Fees

Examples include but are not limited to:

- A perceived failure to do something agreed to do;
- A failure to observe policy or procedures;
- An error made by staff; or
- Unfair or discourteous actions/statements by staff, volunteers or Board Members.

Anyone personally affected can submit a complaint and it will be reviewed in accordance with this procedure.

5. What is NOT a Complaint

- A customer complaint is distinct from:
    - Enquiry – A general or specific request for service or request for information that is resolved at the point of service delivery.
    - Feedback – A participant's opinion, comment and expression of interest in an Applegrove program or service.
    - Compliment – An expression of approval for an Applegrove service, staff member, program, product or process.
    - Suggestion – A participant's idea with the aim of improving services, programs, products or processes.

- Some complaints are exempt from these Guidelines, including:
    - Anonymous complaints – these are difficult, if not impossible, to assess or investigate and *may* ~~will~~ not be dealt with through the complaint handling process.
    - Complaints by employees – there are alternative procedures available to employees to initiate complaints within the organization.
    - Complaints about other organization's services; for these, staff should try to provide the appropriate complaint process or information source, such as 311 for City services.
    - Appeals

6. How a Complaint is Made

- A complaint may be received verbally, in person or telephone.
- A complaint may be received in writing, received by hand delivery, mail, fax or email.

- An individual acting on another person's behalf on a written complaint must provide a signed authorization from that individual.

7. General Receipt and Handling of Complaints

When staff receive complaints, they should try to resolve the issue/concern whenever possible within the Centre's policies and procedures.

Staff are expected to explain the complaints process, facilitate resolutions to conflict, include participants in developing solutions, and provide referrals if necessary.

Staff are also expected to provide assistance (as requested) to help the complainant complete the Complaint/Appeal form. Assistance may include verifying what the participant wrote, completing the form accurately based on the participant's dictation, or arranging translation service for the participant.

As appropriate, staff should offer appropriate action which might include:

- apology.
- reimbursement.
- corrective action.
- involving or referring the issue to another staff or management.
- other action.

As appropriate, staff should complete an incident or serious occurrence[3] form.

a. Written complaints
Written complaints received by hand delivery, mail, fax or email will be date-stamped and provided to the appropriate front-line or management staff. Within 5 days of the centre receiving the complaint, the appropriate staff, *Executive Director, delegate or Board representative* will contact the complainant to explain the process and obtain additional details if needed.

b. Anonymous complaints
Applegrove accepts anonymous complaints; however, the effectiveness of follow up and resolution may be limited.

8. Complaint Review Process

- If the Applegrove staff person is uncertain about how to interpret or handle an issue raised by the complainant, they should request the assistance of the Executive Director or designate.
- Complaints may be accelerated through the process depending on the nature of the issue and judgement of relevant staff.
- If the staff receiving the complaint decides that the matter should be dealt with by someone other than themself, the staff person shall inform the complainant of the Executive Director's name and contact information.

[3] Serious Occurrence: programs funded by Children's Services have specific definitions of Serious Occurrences and reporting processes.

~~a. First Step – Informal Review~~ *Immediate Resolution*

- All staff will try to solve verbal complaints immediately to the satisfaction of the complainant without need for a formal written complaint.
- When receiving a verbal complaint directly, staff will listen and understand the complaint, and should attempt to resolve it with certain exceptions.
    - Complaints about another staff member, volunteer or Board Member shall be immediately referred to the Executive Director or designate.
    - Complaints not within Applegrove's jurisdiction are *referred to the appropriate organization as noted above, or* forwarded to the Executive Director or designate for referral to the appropriate City Division or other organization. In either case, the complainant is advised.
- Staff should ask appropriate questions to understand the issues and take notes.
- Complaints resolved at this level do not need to be logged. However, if staff become aware of a pattern of related complaints or multiple complaints about the same issue from the same individual or multiple individuals, staff should advise the Executive Director or delegate.
- Staff will automatically and immediately refer the verbal complaint to the Executive Director or designate when:
    - the complainant requests the complaint to be referred to a Manager;
    - significant disciplinary action is a possible outcome;
    - the complainant is unusually upset, extremely angry or threatening;
    - the verbal complaint cannot be resolved by the staff because it is outside their specific delegation or area of expertise; or
    - it is of a serious nature such as alleged controversial conduct, illegal conduct, or there is threat of legal action.

b. ~~Second Step –~~ Executive Director Review

- All written complaints begin at this stage.
- All complaints about conduct of staff, volunteers and Board Members begin at this stage.
- If a complainant is not satisfied with the resolution offered for a verbal complaint or if the verbal complaint is about another staff member, volunteer or Board Member, the complaint will be referred to the Executive Director to be addressed at this stage.
- The Executive Director acknowledges receipt with the complainant within five business days.
- The Executive Director reviews the complaint, and may attempt to resolve the complaint immediately.
- If required, the Executive Director conducts an informal review of the complaint to determine its validity and explore a resolution. No later than 14 days after acknowledgement, the Executive Director will provide the complainant with a status update.
- Upon completion of the informal review, if no resolution is found, the Executive Director may conduct a formal review or may forward it to the Board of Management for a formal review.
- Where the complaint is about a Board Member, the complaint shall be referred to the Board.
- The Executive Director may request a verbal complaint be put in writing, especially if it involves a serious or complex matter. If the complainant declines to put the complaint in writing, the Executive Director should record the details as described by the complainant.

- For all verbal and written complaints requiring formal review, the Executive Director will indicate to the complainant when they will be contacted with a resolution or update (normally within fourteen days of the acknowledgement of the complaint).

c. Board Review
- Where the complainant is dissatisfied with the decision of the Executive Director, or the Executive Director decides that the matter should be referred to the Board, or when the complaint involves the Executive Director, the Executive Director refers the complaint to the Board.
- The Board can uphold the decision of the Executive Director, request that the Board Chair resolve the complaint, offer a resolution, conduct a formal review or forward the complaint to a Board committee.

d. Last Resort
- A complainant who is dissatisfied at the end of the Board Review will be advised of the opportunity for external review by the City of Toronto Ombudsman.

9. Formal Review Process

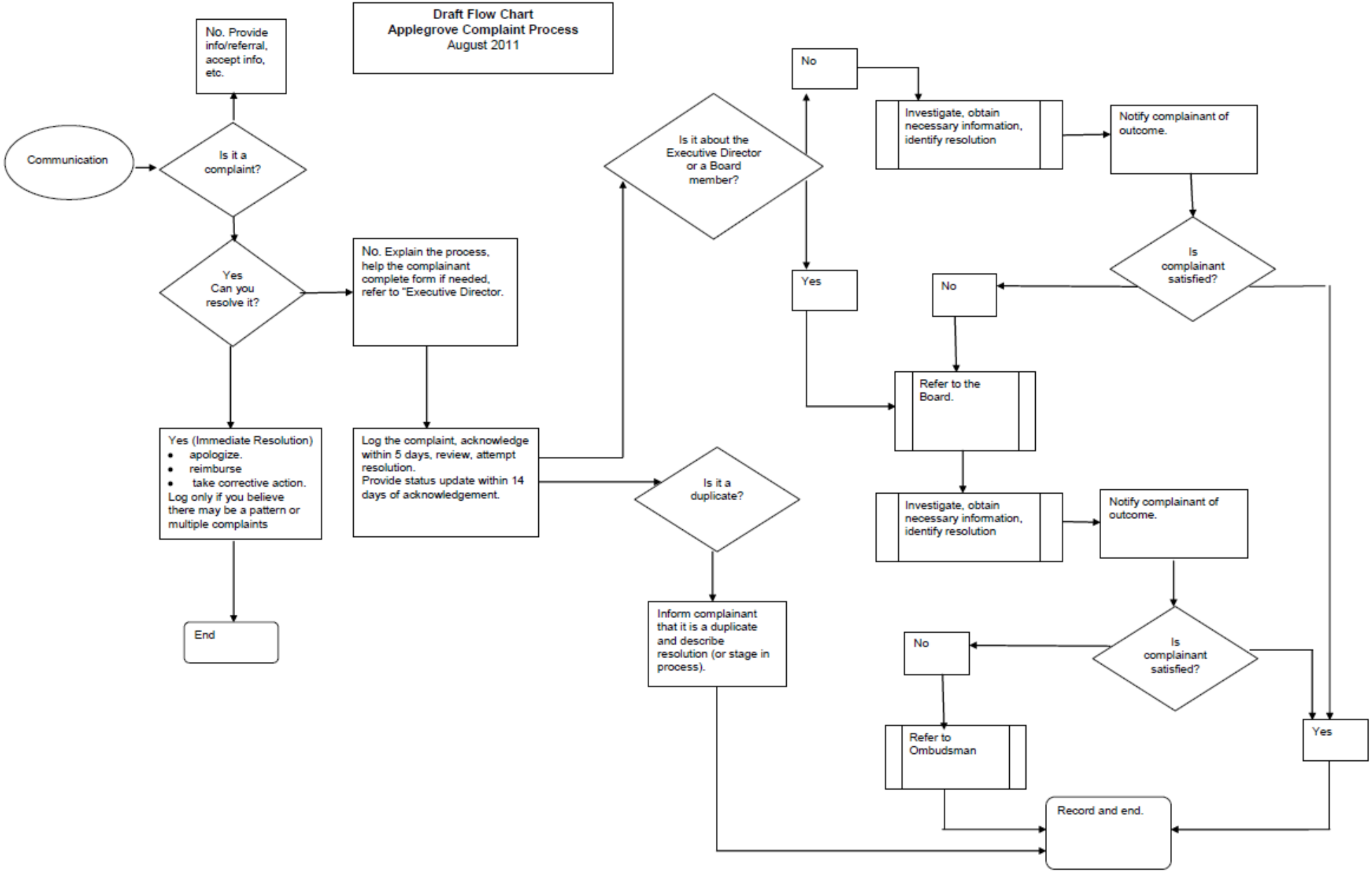
A formal review process may be conducted during the second and third steps. The formal review may include:
- Discussion(s) with the complainant to clarify the complaint, confirm common understanding, clarify outcome sought, and explain complaint procedures.
- Discussion with staff involved (with union representative if applicable).
- Review of background information such as policies and procedures, previous written communications and other documentation.
- May require obtaining and reviewing other expert opinions or perspectives.

At each step, it should be determined whether the formal review to date has been adequate.
- Once a formal review is begun, the formal review will be recorded.
- At the conclusion of the formal review(s), a copy of the formal review and any attachments sent in support of the complaint including any e-mail communications relating to the complaint, will be scanned and/or saved in a secure folder in the complaints registry.

10. Notice of Decision and Resolution
- Written complaints receive a written notice of the decision unless otherwise requested by the complainant.
- Verbal complaints receive written or verbal notice at Executive Director's discretion or as requested by the complainant.
- If a formal review determines that the reasons for the complaint are not justified, and no further action is required, the complainant is notified.
- If a formal review determines that the complaint is justified, the complainant is notified of corrective action to be taken and any remedy proposed.
- A copy of all written notifications to the complainant will be saved in a secure folder in the complaints registry.

11. Flowchart

The diagram on the next page is a guide to process but does not replace the description below.


Draft Flow Chart
Applegrove Complaint Process
August 2011
Communication
Is it a complaint?
No. Provide info/referral, accept info, etc.
Yes
Can you resolve it?
No. Explain the process, help the complainant complete form if needed, refer to "Executive Director.
Yes (Immediate Resolution)
• apologize.
• reimburse
• take corrective action.
Log only if you believe there may be a pattern or multiple complaints
End
Log the complaint, acknowledge within 5 days, review, attempt resolution.
Provide status update within 14 days of acknowledgement.
Is it about the Executive Director or a Board member?
No
Yes
Is it a duplicate?
Inform complainant that it is a duplicate and describe resolution (or stage in process).
Investigate, obtain necessary information, identify resolution
Notify complainant of outcome.
Is complainant satisfied?
No
Refer to the Board.
Investigate, obtain necessary information, identify resolution
Notify complainant of outcome.
Is complainant satisfied?
No
Refer to Ombudsman
Yes
Record and end.

12. Procedure and Standards for Responding to Complaints

- Where a formal review is required, complainants are contacted within 14 business days of the acknowledgment with either a final response or update.
- At that time, the complainant is advised of when the next contact will be either for a proposed resolution or for the next progress update.
- Complainants are automatically contacted when their complaint is moved to the next step.
- The adjudicator may exercise discretion and contact the complainant more frequently or sooner than the above standards.
- NOTE: From time to time, there may arise extraordinary circumstances where Applegrove may not be in a position to guarantee that these standards can be satisfied (e.g. during labour disruption, etc.)

13. Logging of the Complaint and Record

- A Complaint Registry will be maintained to ensure a central record of complaints.
- This Complaint Registry will be both a binder and electronic record and will be maintained by the Executive Director or designate. The records will be held in a manner that ensures confidentiality.
- Each file will labelled with the complaint number beginning with the year.
- The Executive Director or designate, is responsible for ensuring the logging the complaint in the complaints registry and assigning a complaint number.
- The Executive Director or designate scans and/or saves the complaint in a secure folder.
- All written complaints are logged with basic information relating to the complaint and stored securely.
- The City recommends the following:
    1. Tracking and resolution:
       The form should include:
       - Tracking number
       - Date complaints received
       - Name and contact information of complainant
       - Contact channel (e.g., in person, phone, etc.)
       - Complaint summary
       - Complaint type
       - Complaint Staff Contact: name, program area, and contact info
       - Investigation notes
       - Outcome
       - Target date for resolution
       - Escalated investigation information

    2. Complaints log:
       Categories should include:
       - Date complaints received
       - Unique tracking number
       - Contact channel
       - Complaint summary
       - Complaint type
       - Stage of complaint
       - Name, Role, and Program Area of Complaint Recipient

- Name, Role, and Program area of Complaint Owner
- Summary of Outcome
- Date Resolved

3. Reporting:
   Periodic reports should include
   - Total Number of Complaints
   - Size of current complaint backlog
   - Percentage of complaints handled within agreed response times (service standards)
   - The type and number of complaints received
   - The type and volume of escalated complaints

4. Customer service improvements made using complaint data.

14. Monitoring and Reporting on Complaints

- Regular monitoring and review of complaints will be conducted to identify issues, trends, areas of concern and opportunities for improvement.
- Board Members' concerns are a standing agenda item for information and discussion at Board meetings.
- Based on monitoring and review of the complaints registry, a report will be provided to the Applegrove Board for information and action at least quarterly.

15. Time Limits

The time limit for the filing of complaints under this policy is six months from the time of the incident. Consideration will be given on a case by case basis as to whether the time limit should be waived in extenuating circumstances.

16. Frivolous, Vexatious or Persistent Complaints

- A frivolous complaint is one found upon investigation to have no reasonable grounds or to make no sense or to be not serious.
- A vexatious complaint is one made only to annoy others.
- Because all complaints are treated seriously, frivolous and vexatious complaints and inappropriate use of the escalation process use resources that could be put to better use. Applegrove will not conduct additional follow-up on or investigate frivolous or vexatious complaints.
- Persistent complainants are those who tend to have an obsessive and excessive preoccupation with the complaint. Strategies when dealing with these types of complaints may include involving the Executive Director to assist throughout the resolution process.
- When dealing with individuals who frequently contact the centre, it is important that their complaint is not dismissed and that the process is followed.
- If Applegrove receives a complaint it has already dealt with, the complainant will be informed verbally and/or in writing that Applegrove will not conduct further follow up on the issue unless the complainant provides new information.

17. Other Complaint Processes

a. Applegrove Conflict Mediation Process (see Appendix A)
b. Applegrove's Complaint Process regarding Fundraising Ethics (see Appendix B)
c. Grievance Procedure under the Collective Agreement.

d. Human Rights and Anti-Harassment Complaint Procedure for issues of discrimination and harassment.
e. City of Toronto Integrity Commissioner for complaints about the Board of Management
f. City of Toronto Ombuds Office when other processes have not resolved the issue. http://ombudstoronto.ca/

Appendix A – Applegrove Conflict Resolution Policy

Every person has a right to equal treatment with respect to Applegrove services and facilities, without discrimination or harassment because of race, ancestry, place or origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, age, marital status, family status, income level, receipt of public assistance, political affiliation, disability or level of literacy.

1) Stage 1
   In the event of any dispute, complaint, question or disagreement, the persons involved will use their best efforts to settle the dispute, question or disagreement. They shall consult and negotiate with each other in good faith and, recognizing their mutual interest, attempt to reach a fair and equitable solution satisfactory to both persons.

2) Stage 2
   If the parties in a dispute, question or disagreement are unable to reach a mutually satisfactory compromise, the following process is available.

   a) A meeting between both parties and the Program Director will be arranged. At least one week prior to the meeting, both parties will provide, in writing, an outline of their issues and concerns.

   b) Each party may meet separately with the Program Director prior to the mediation meeting.

   c) During the mediation meeting the following will occur:
      i) All members present will be given a chance to verbally describe the nature of the conflict in an opening statement that focuses on positive ends. During the discussion all parties will:
         - refrain from any stereotyping or name-calling;
         - get to the heart of the matter and avoid discussing side issues;
         - respect the other member's need and values;
         - describe the proposed and desired outcome;
         - clear up misconceptions and answer questions politely.

      ii) Program Director will:
         (1) act as mediator, set the ground rules and keep the discussion focused on relevant issues.
         (2) assist parties in identifying common interests, needs, goals and motivations;
         (3) assist parties in identifying and defining those issues which cannot be altered or compromised in relation to the program
         (4) assist the parties in identifying and discussing options for a positive outcome
         (5) assist the parties in making a mutually beneficial agreement that creates a lasting solution to the conflict.

   d) Potential Outcomes
      i) Satisfaction – this is the ideal end state of the mediation where both parties reach a state of acceptance and the dispute ends.
      ii) Compromise – this is the typical goal of mediation. It is generally a "give and take" or synthesis of the two positions that both parties can abide.

iii) Resolution – outcome is clearly more acceptable to one side than the other. This is not the normal goal of mediation. However, in some cases where the existing laws, contracts, policies or rules govern the situation, this may be the outcome of mediation.

e) In cases where the conflict is unresolved, the Program Director will render a decision to settle the conflict issue. A written decision will be presented to all parties involved, as well as the Executive Director and, in some cases the Board.

3) Stage 3 -- Appeal Process
   a) In a case where the final decision is unsatisfactory, the matter can be taken to the Executive Director.
   b) If the outcome is still unsatisfactory, the matter can be taken to the Board. The final decision will be made at this level.

Appendix B – Complaints about Fundraising Ethics

Endorsed by Board on May 31, 2010

1. Introduction

At a Board meeting on April 26, 2010, Applegrove adopted Imagine Canada's Ethical Fundraising and Financial Accountability Code as its policy. In so doing, members of the board made commitments to be responsible custodians of donated funds, to exercise due care concerning the governance of fundraising and financial reporting, and to ensure to the best of their ability that the organization adheres to the provisions of the Code.

The code's requirements include having a mechanism in place to deal with complaints relating to matters covered by the Ethical Code. This policy outlines that mechanism.

2. If you think Applegrove is not following the Ethical Code

a. If appropriate, discuss your concern in private with the person(s) involved.

b. If unresolved or if it is inappropriate or irrelevant to discuss the concern with the person involved, contact the Executive Director to discuss the problem.

c. If the concern involves the Executive Director, send an e-mail to the Board of Directors' confidential e-mail at www.ApplegroveBoard@hotmail.com.

d. If these processes do not resolve the complaint, or if the concern involves the Board, the City of Toronto's accountability mechanisms may be relevant. These include:

   i) The Auditor General: responsible for assisting City Council in holding itself and its administration accountable for the quality of stewardship over public funds and for the achievement of value for money in City operations.

   ii) The Integrity Commissioner: responsible for providing advice, complaint resolution and education to Members of City Council and Members of local boards on the application of the City's Codes of Conduct, and other by-laws, policies and legislation governing ethical behaviour.

   iii) The Ombudsman: responsible for addressing concerns about City services and investigating complaints about administrative unfairness.

   iv) www.Toronto.ca/city_council/accountability.htm

e. Imagine Canada's Ethical Code Committee (ECC) can adjudicate complaints that arise under the Code. In general, complaints should go through the internal process first. In exceptional circumstances, the ECC may deal with complaints before an internal process is completed, however, this will only be done where the complaint is very serious and a quick response is crucial.

f. If Applegrove's mechanisms cannot resolve a complaint, Applegrove will refer the issue to the ECC.

3. Timing

a. The code's requirements include ensuring that complaints are addressed in a timely manner.

b. Applegrove's interpretation suggests that people who complain should receive a response within 4 weeks, to allow time for investigation and analysis.

c. If a complaint is not addressed within 8 weeks, the complainant can send an e-mail to the Board of Directors' confidential e-mail at www.ApplegroveBoard@hotmail.com.

4. For information about the Ethical Code

a. Visit www.imaginecanada.ca/en/ethicalcode

b. Ask Applegrove's Office for a copy of the Ethical Code handbook.

Complaint Form – Applegrove Community Complex

Tracking Number _____ _____

Name of staff making report:	**Do you think that this is a "serious occurrence"? If so, report it to the designated person immediately; do <u>not</u> complete this report first.**
Location of incident:	
Date and time of incident:	
Program (if relevant):	Date and time of this report:

Complainant Contact Data Name:
Address including Postal Code
Phone (day) (evening)
E-mail
What happened? Describe the incident, using the given name and last initial of anyone injured or involved, the details of any complaint, etc. Continue on the back or a separate sheet if there is not enough room.

Other persons involved Given name and full surname:	Age:	Address:
Reason for the incident (if known):		

Attachments, documentation, etc.
Resolution Requested:
Action recommended:

Complete this section only if you reported the incident externally, e.g. to a funder, police, maintenance, etc. Do not complete it if you reported the incident to the Executive Director or Program Coordinator.		
Reported to (name):	Reported to (position):	Date and time of notification:
For Executive Director/designated person only: Was "Serious Occurrence Preliminary Report" completed?		

Please familiarize yourself with the Ministry of Child and Youth Services and Toronto Children's Services "Serious Occurrence Reporting Procedures" to be used for all programs funded by Children's Services.

Tracking Data

Complaint type	☐ Verbal	☐ Written	☐ Anonymous	☐ Formal Review	☐ Duplicate

- ○ Access to service.
- ○ Timeliness of Service
- ○ Outcomes
- ○ Quality of service
- ○ Standards of service
- ○ Fees
- ○ Other: (specify)

Draft Complaint Log

Number	Date Received	Complainant Contact Info	Summary	Type	Who received complaint	Who addressed complaint	Outcome	Date Resolved

Applegrove Complaints Process

Applegrove Community Complex is a neighbourhood partnership fostering community through social and informative programs for individuals and families. Applegrove is committed to providing the highest quality of programs and services.

Sometimes mistakes happen. Applegrove believes that acknowledging and correcting mistakes shows strength rather than weakness. Correcting mistakes provides opportunities to identify improvements in services and systems.

A complaint might be

- failure to do something;
- failure to follow policy or procedures;
- error; or
- unfair or discourteous treatment.

A complaint is different from an inquiry, feedback, compliment or a suggestion.

When staff receive complaints, they should try to resolve the issue/concern whenever possible within the Centre's policies and procedures.

All staff should explain the complaints process, help resolve conflict, include participants in developing solutions, and provide referrals if necessary.

When necessary, the Executive Director or the Board will investigate or undertake a formal review.

Applegrove tracks complaints to identify issues, trends, areas of concern and opportunities for improvement.

For more details, please refer to the Applegrove Complaints Procedure.

For complaints about other City of Toronto services or agencies, please call 311.