

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Public Complaint Resolution

AUTHORITY: Board Resolution dated November 19, 2020

POLICY STATEMENT

The Regional District shall provide a timely and fair response to complaints. Complaints shall be viewed as an opportunity to improve program service delivery. Any person making a complaint shall be provided the opportunity to do so, free from actual or threatened negative consequences regardless of what the complaint is regarding, who it is direct to, or the eventual outcome.

PURPOSE

The purpose of the Public Complaint Resolution Policy is to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist to provide excellent service to the public and contribute to the continuous improvement of Regional District operations. The Regional District of Okanagan-Similkameen strives to increase customer satisfaction by:

- providing a fair complaint procedure which is clear and easy to use for anyone wishing to make a complaint;
- providing a timely and reasonable response to complaints; and
- using complaints as an opportunity to improve program and service delivery issues.

This policy does not address complaints regarding non-Regional District services, issues addressed by legislation, a decision of the Board, internal employee complaints or matters that are handled by tribunals, courts of law, and quasi-judicial boards.

DEFINITIONS

“Board” means the Board of the Regional District of Okanagan-Similkameen

“CAO” means Chief Administrative Officer of the Regional District of Okanagan-Similkameen

“Chair” means the person elected as Chairperson of the Board of Directors for the Regional District of Okanagan-Similkameen

“Director” means an elected or appointed Director of the Regional District of Okanagan-Similkameen, an appointee to a board, committee, commission, plan, task force or other body of the Regional District of Okanagan-Similkameen

“Investigator” means the CAO or designated department manager tasked with conducting an investigation into the complaint

“Regional District” means the Regional District of Okanagan-Similkameen

COMPLAINT DEFINITION

A complaint is an expression of dissatisfaction with respect to a contradiction in policies or procedures related to Regional District programs, services, facilities or staff members, where a member of the public believes that the Regional District 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.

A complaint is distinct from:

- A request for service made on behalf of a citizen for a specific service,
- A general enquiry or specific request for information regarding Regional District services
- An opinion or feedback, comment, or expression of interest in a program or service processes
- A suggestion or idea submitted by a customer with the aim of improving services, programs or processes

In order to resolve a complaint, the Regional District requires the complainant's personal information including name and contact information. Therefore, anonymous complaints cannot be addressed.

APPLICATION

All employees, Directors and committee members should have a clear understanding the Complaint Administration Procedure.

COMPLAINT ADMINISTRATION PROCEDURE

A. Frontline Resolution

The complainant should attempt to resolve concerns by dealing with the applicable Regional District employee or immediate supervisor directly involved with the issue, where appropriate.

Regional District employees have a responsibility to attempt to resolve an issue or concern before it becomes a complaint and to identify opportunities to improve Regional District services where deficiencies are noted.

B. Complaints

If a complainant does not consider their matter was not resolved through a frontline resolution, a formal complaint may be submitted to the CAO on the Regional District of Okanagan-Similkameen Complaint Form (Appendix A). All information, including name and contact information, must be complete to initiate an internal investigation.

Administration

The CAO, or designate, shall log the complaint within the 'Complaint Registry', assign a tracking number and acknowledge receipt of the complaint within 4 business days.

During this phase, the CAO or designate shall:

- a. Contact the complainant, acknowledging receipt of the complaint, and provide a tracking number for reference purposes.
- b. If needed, clarify the complaint with the complainant obtaining additional detail.
- c. If appropriate, transfer complaint to the Manager of the appropriate department. In the case of a complaint regarding the CAO, the complaint shall be transferred to the Chair.

Investigation

The Manager, or designate, of the applicable department and CAO, or designate, shall conduct an investigation into the nature of the complaint.

If a complaint is made against the CAO, the Chair shall conduct the investigation or designate a solicitor, or other qualified individual at arms-length of the regional district.

The designated investigator shall review the issues identified by the complainant, and in so doing they may:

- Review relevant regional, provincial or federal legislation
- Review Regional District policies, procedures and any existing file documents
- Interview employees or members of the public involved in the issue(s)
- Identify actions that may be taken to address the complaint or to improve Regional District operations
- Provide a resolution report to the CAO or Chair

Decision

Within thirty (30) calendar days of receipt of the complaint, the designated investigator shall make a determination as to the validity of the complaint (determine that the complaint was valid, not valid, valid in part, vexatious, or unfounded). The designated investigator shall recommend an appropriate resolution which may include initiating changes to procedure, initiating the progressive disciplinary process or any other suitable resolution as may be appropriate in the circumstances.

A written response shall be provided to the complainant and shall include whether or not the complaint was substantiated with reasons for the decision and any actions the regional district has or will take as a result. Details of the information provided may include the following where appropriate:

- Overview of complaint
- Detail of how the investigation was conducted
- Summary of the facts
- Outline of the findings
- Identification of next steps
- Suggestions of appropriate resolution along with the rationale supporting the proposed resolution

If the complaint is complex, the response provided may identify a need for additional time. Justification and an estimated timeline will be provided within this correspondence.

The decision shall be considered final. There are no appeal mechanisms at the Regional District level. If the complainant is dissatisfied with the response, they are invited to contact the Ombudsperson's office.

C. Records Management & Personal Information

A copy of the complaint and response shall be maintained in accordance with the Records Retention Policy.

The Regional District will adhere to all applicable legislation regarding privacy in accordance with the *Freedom of Information and Protection of Privacy Act*. All complaint records will be kept securely and in accordance with corporate policy and legislative responsibilities.

Personal information on the complaint is treated as confidential to protect the privacy of the complainant. However, complainants should be aware that certain circumstances may indirectly identify them during an investigation.

RETRIBUTION

Allegations of retribution or threat of retribution against a complainant or anyone cooperating with an investigation under this policy shall be investigated in accordance with current Code of Ethics, Code of Conduct, and Harassment and Bullying and Discrimination policies.

REFERENCE

Ombudsperson Act, RSBC 1996

Freedom of Information and Protection of Privacy Act, RSBC 1996

Records Management Policy

Code of Conduct Policy

Code of Ethics Policy

Harassment and Bullying Policy

Discrimination Policy



COMPLAINT FORM

Confidential

Date:	
Name: (Please Print)	
Contact Information: (Phone number and email address)	
Date of Incident:	
Name of RDOS Representative or Department you were dealing with (if known and if applicable)	
Complaint:	
Signature:	

Please return completed form either in person or mail to 101 Martin Street, Penticton, BC V2A 5J9 or via email to cmalden@rdos.bc.ca

As per the Public Complaint Resolution Policy, a Decision is anticipated to be completed within 30 calendar days.
<https://www.rdos.bc.ca/assets/LEGISLATIVE-SERVICES/Policies/Public-Complaint-Resolution-Policy.pdf>