

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NUMBER 2023-06

BEING A BY-LAW TO ADOPT A MUNICIPAL COMPLAINT RESOLUTION POLICY FOR THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

WHEREAS Section 8 of the Municipal Act, R.S.O. 2001, c.25 as amended, provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to Municipal issues;

AND WHEREAS the Council of The Corporation of The Township of Papineau-Cameron deems it expedient to enact such a By-Law, approved by Resolution 2023-62 passed by Council on March 28, 2023.

NOW THEREFORE, the Council of The Corporation of The Township of Papineau-Cameron hereby enacts the following:

1. THAT the Municipal Complaint Resolution Policy shall be attached hereto as Schedule "A" (together with its schedules) as incorporated herein forms a part hereof of this By-law.

2. That all previous By-Laws with respect to a Municipal Resolution Handling Policy be and are hereby rescinded.

3. THAT this By-Law shall become ratified upon the signing thereof.

READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED BEFORE AN OPEN COUNCIL, THIS 28th DAY OF MARCH, 2023.


MAYOR


CAO / CLERK-TREASURER

Schedule "A" to By-Law 2023-06

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON **MUNICIPAL COMPLAINT RESOLUTION POLICY**

1. PURPOSE

The Municipal Complaint Resolution Policy is intended to provide a consistent and uniform process to respond to program and service delivery concerns raised by members of the public. The policy will assist the Municipality in continuing to provide excellent service to the public and will contribute to the continuous improvement of operations.

The following policy establishes guidelines and standards for the efficient handling and resolution of complaints made toward the Municipality in order to address concerns raised and improve services.

2. SCOPE

Under this policy, a complaint is an expression of dissatisfaction regarding administrative actions and functions related to the Township of Papineau-Cameron.

This policy does not address:

- Inquiries
- Feedback
- Request for accommodation
- Spite, Frivolous and Vexatious Complaints
- A decision by Council or a Board/Committee
- Issues addressed by legislation, or an existing municipal by-law, policy or procedure
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.
- Request for service
- Compliments
- Criticisms or Anonymous Complaints
- Internal employee complaints

This policy does not apply to outside boards, closed meeting investigations, complaints made by employees, contractors, or volunteers working on behalf of the Municipality.

Anonymous complaints will not be accepted. The Municipality shall only accept complaints received from a complainant who resides, owns land, or operates a business within the geographic limits of the Municipality unless the nature of such complaint poses an immediate threat to health or safety.

3. TYPES OF COMPLAINTS

a. Informal Complaint

It is encouraged that individuals and municipal staff work to resolve issues or concerns before they become formal complaints. Informal complaints may be made in person, by phone, letter, email or fax. It is the responsibility of municipal staff to attempt to resolve issues or concerns before they become formal complaints and identify opportunities to improve municipal services.

b. Formal Complaints

A formal complaint is generated when an informal resolution cannot be successfully achieved. This will result in a file generated, investigation, and decision.

The Municipality shall only respond to complaints received from a complainant who provides their full name, telephone number, address and nature of the complaint in writing.

c. Spite, Frivolous or Vexatious Complaints

Spite, Frivolous and Vexatious Complaints will not be addressed.

A spite complaint means a complaint submitted with ill will or with intention of malice towards another person and may include retaliatory complaints and civil disputes and is part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process.

A frivolous complaint means a complaint that has no serious purpose or value or may have little merit and be trivial and is part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process or is made in bad faith.

A vexatious complaint means a complaint without merit, that is pursued in a manner that is malicious, intended to inconvenience, embarrass or is a pattern of conduct by the complainant that amounts to an abuse of the complaint process.

4. FORMAL COMPLAINT and FILING A FORMAL COMPLAINT

The Municipality is committed to the thorough, prompt and courteous receipt, processing of complaints. The Municipality encourages resolutions of complaints at the lowest level by involving the appropriate departments to initially address and attempt to resolve accepted complaints, however, when that is not possible the following formal complaint procedure will be used.

a. Filing a Formal Complaint

The complainant must fill out a formal complaint form (attached as Appendix A) which shall include the following information:

- Contact details of the complainant
- Complainant signature and date
- Details of the complaint

b. Acknowledgement

Formal complaints shall be forwarded to the appropriate Department Head or designate to investigate.

The Department Head or designate shall acknowledge receipt of the complaint in writing within seven (7) business days.

Formal complaints forms (Appendix A) can be submitted:

In person or by mail to the Municipality's Administration Office located at
4861 Highway 17, P.O. Box 630, Mattawa, ON P0H 1V0,
by Fax: 705-744-0434, or
by Email: admin@papineaucameron.ca

c. Investigation

The Department Head or designate will assess if the complaint falls within this policy and review the nature of the complaint described by the complainant.

As part of the investigation, the Department Head or designate may:

- Interview all involved parties (complainant, employee, etc.).
- Review all relevant information and documents (legislation, by-laws, policies, procedures).
- Identify actions that may be taken to address the complaint or improve Municipal operations.
- Contact the complainant to clarify the complaint.

d. Decision

A decision will be made within fifteen (15) business days from acknowledgement of the complaint. The Department Head or designate will provide a written response outlining the results of the investigation into the complaint.

If relevant, the response will include any recommended actions that may be taken to address the complaint or improve municipal operations.

If a response cannot be provided within fifteen (15) business days, the complaint shall be notified of the delay.

Once the Municipality has communicated the decision, there is no appeal process at the Municipal level.

5. RECORDS

All records relating to the complaint shall be maintained in accordance with the Municipality's record retention schedule.

During the complaints process, all municipal employees shall adhere to all applicable legislation regarding privacy in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Complainants should be aware that certain circumstances may identify them during an investigation.

6. ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA)

Please refer to the Municipality's website or administration office for the Municipal Accessibility Policy that is in accordance with the Accessibility for Ontarians with Disabilities Act (AODA).

7. APPLICATION

This policy shall come into full force and effect on the day it is adopted by the Council of The Corporation of The Township of Papineau-Cameron.

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON
MUNICIPAL FORMAL COMPLAINT FORM (Appendix A)

Please provide us with the following information (*mandatory for the complaint to be accepted):

Full Name*: _____ **Phone*:** _____

Address*: _____

Email: _____

What is the nature of your complaint?

Complainant Signature*: _____ **Date*:** _____

Thank you for taking the time to explain your concern. We will assess your complaint in light of the Municipal Complaint Resolution Policy and be in touch soon.

Please submit your completed form:
 In person or by mail to the Municipality's Administration Office located at:
 4861 Highway 17, P.O. Box 630, Mattawa, ON P0H 1V0,
 by Fax: 705-744-0434, or
 by Email: admin@papineaucameron.ca

For Office Use Only
 Complaint received by: _____ Date: _____

Category: _____