

**KING TOWNSHIP
CORPORATE POLICY
FORMAL COMPLAINT**



POLICY NO.:
COR-POL-128

Clerks & By-law Enforcement Department

Issue Date: 4/29/2019

Issue No.: 1

Next Revision: 4/29/2024

1 PURPOSE STATEMENT

1.1 The purpose of this policy is intended to establish a framework for addressing and responding to public complaints regarding the services provided by the administration of the Township of King.

2 POLICY OBJECTIVE

2.1 The Township will have a consistent and uniform process to respond to formal complaints received from members of the public and will ensure an approach where all complaints are dealt with fairly in a respectful and timely manner. The policy will further assist in contributing to the continuous improvement of Township services and operations.

3 APPLICATION/SCOPE

- 3.1 This policy applies to all Township of King departments, services, operations and employees.
- 3.2 Complaints subject to this policy must be submitted and considered in accordance with this policy prior to being filed with the Ombudsman.

4 DEFINITIONS

- 4.1 **Complainant:** any member of the public who makes a Formal Complaint.
- 4.2 **Complaint:** means an expression of dissatisfaction with any decision or recommendation made or act done or omitted in the course of the administration of the Township of King.
- 4.3 **Department Head:** means an officer or employee of the Township who oversees a Department.
- 4.4 **Formal Complaint:** means a written Complaint submitted on a form prescribed by the Township Clerk (FORM-CLK-109).
- 4.5 **Frivolous or Vexatious Complaint:** means the Complaint is initiated with malicious intent or is part of a pattern of conduct by the Complainant that amounts to an abuse of the Complaint process. For greater clarity “frivolous” means lacking basis or merit; a matter that has little prospect of success; not serious, not reasonably purposeful. For great clarity “vexatious” means without reasonable or probable cause of excuse; harassing; annoying; instituted maliciously or on the basis of improper motives; intended to harass or annoy.
- 4.6 **Ombudsman:** means the individual designated and appointed by the Council of the Township of King as an Ombudsman in accordance with the *Municipal Act*, or an Ombudsman having jurisdiction in accordance with the *Ombudsman Act*.

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5 WHAT IS A COMPLAINT?

- 5.1 A Complaint is an expression of dissatisfaction with any decision or recommendation made or act done or omitted in the course of the administration of the Township of King.
- 5.2 The following examples of Complaints covered by this policy include:
 - 5.2.1 Concern that a matter was not completed or carried out in accordance with Township policies or procedures (i.e., requirement to provide proper public notice in accordance with the approved Public Notice By-law);
 - 5.2.2 Receiving poor customer service (i.e. poor interaction with a Township employee)
 - 5.2.3 The timeliness through which a service was provided (i.e. delay in issuance of a permit or licence beyond standard service timelines); or
 - 5.2.4 The quality of a service provided (i.e. service requested was not the service provided).
- 5.3 A Complaint is distinct from:
 - 5.3.1 a request for service made on behalf of a citizen for a specific service;
 - 5.3.2 a general inquiry or specific request for information regarding a municipal service;
 - 5.3.3 a request to increase service levels or provide a new service;
 - 5.3.4 an opinion or feedback, comment and expression of interest in a program or service;
 - 5.3.5 an expression of approval or compliment for municipal staff member, program, product or process; and,
 - 5.3.6 a suggestion or idea submitted with the aim of improving services, programs, products or processes.
- 5.4 The following Complaints will not be accepted or investigated in accordance with this Policy:
 - 5.4.1 A Frivolous or Vexatious Complaint;
 - 5.4.2 Anonymous Complaints;
 - 5.4.3 Complaints regarding a decision or recommendation of Council or a Committee of Council;
 - 5.4.4 Complaints against a Member of Council, Advisory Committee or Board for matters subject to a Code of Conduct duly approved by Council (subject to review by the Township’s appointed Integrity Commissioner);
 - 5.4.5 Complaints regarding whether a meeting of Council was properly held in accordance with the *Municipal Act* (subject to review by the Township’s Closed Meeting Investigator);
 - 5.4.6 Complaints which involve ongoing litigation;
 - 5.4.7 The outcome of an issuance claim processed by the Township’s insurer;

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5.4.8 Matters pertaining to a Board under the Public Libraries Act;

6 COMPLAINT SUBMISSION AND PROCESSING

- 6.1 Formal Complaints must be submitted to the Township Clerk using the prescribed Formal Complaints Form (FORM-CLK-109).
- 6.2 The Township Clerk shall intake and process complaints by distributing it to the proper department for review and response in accordance with the Formal Complaint Procedure (CLK-PRO-110).

7 COMPLAINT RESOLUTION – GUIDING PRINCIPLES

- 7.1 Any person impacted by any decision or recommendation made or act done or omitted in the course of the administration of the Township of King may submit a Formal Complaint. If a person requires assistance submitting a complaint, an individual acting on the Complainant’s behalf may submit the Complaint and provide evidence that the Complainant has provided their consent for said person to act as their agent.
- 7.2 It is in the interest of all parties that complaints are dealt with promptly and resolved in an expeditious manner. Complaints submitted to the Township Clerk will be referred to the appropriate department for review. A final resolution or response to the Complainant will be provided within 30 business days. An extension may be necessary given the complexity of the review required. Any extensions will be communicated to the Complainant.
- 7.3 Review of complaints shall be impartial and respectful to the parties involved.
- 7.4 Complainants are to be provided with clear and understandable reasons for how decisions on the Complaint were determined.
- 7.5 Complainants shall be provided with the contact information for the Ombudsman in the event that they are dissatisfied with the final Complaint resolution or response by the Township.

8 RELATED DOCUMENTATION

- 8.1 FORM-CLK-109 - Formal Complaint Form
- 8.2 CLK-PRO-110 - Formal Complaint Procedure

9 APPROVAL AUTHORITY

Council Authority	2019-051 By-law	Original Signed Township Clerk	April 29, 2019 Date
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