

# QUICK TIPS

## MODEL COMPLAINTS POLICY



OMBUDSPERSON  
BRITISH COLUMBIA

This model complaints policy is intended to provide general guidance to assist public organizations in developing an effective complaints resolution process. It offers suggestions for policy language and a general template for complaints handling; however, it is not intended to be a comprehensive guide. Wording used in the document should be tailored to suit the organization's unique service delivery model and complaints handling procedures and must be compliant with other applicable agency rules and legal requirements. While it is important for organizations to develop standard procedures for complaint handling, they must also demonstrate flexibility and consider individual needs and circumstances when responding to complaints from service users. Please visit [www.bcombudsperson.ca](http://www.bcombudsperson.ca) for our full Complaint Handling Guide.

### PURPOSE

The purpose of this policy is to ensure <Name of Agency> provides a fair, effective and transparent response to complaints and concerns raised by our service users. This policy sets out the procedures for receiving, reviewing, recording and responding to complaints about our service.

### GUIDING PRINCIPLES

<Name of Agency> is committed to high standards of practice in our work. We value feedback and complaints from our service users and continuously strive to improve our services. Our complaints process is guided by the following principles:

<b>ACCESSIBLE</b>	<Name of Agency's> complaints process is publicly available on our website, and service users are informed of their right to complain about our organization. Complaints are accepted in a variety of ways (i.e., webform, phone, mail, email and in-person).
<b>FAIR</b>	All complaints will be handled in a manner that is impartial and fair. Our process provides the opportunity for service users to submit relevant information and have an opportunity to be heard before the review of the complaint is finalized. We thoroughly and objectively review the complaints we receive, and are committed to keeping people informed of the progress of their complaint.
<b>PERSON-FOCUSED</b>	We recognize that service users have different needs, and each person has their own unique history that they bring to the interaction with our agency. We commit to listen to our service users' concerns, treat them with dignity and respect, and maintain confidentiality throughout the complaints process.
<b>RESPONSIVE</b>	We will respond to complaints within XX business days, and will seek to resolve the complaint at the earliest opportunity. Complaints that cannot be resolved at first contact, or those that raise more serious concerns about our organization, will be forwarded for further review/investigation within XX business days. <Name of Agency> is committed to these time frames and will inform our service users of the progress of their complaint and reasons for any delay in the complaint resolution process.

<Other options for Guiding Principles: accountable, transparent, objective, efficient, confidential, continuous improvement, etc.>

## DEFINITIONS

Complaint – state how your organization defines a complaint, for example:

A complaint is an expression of dissatisfaction with an aspect of our programs, services or people. It can include concerns about our staff’s conduct, quality of service, delay in providing a response, or the reasonableness of a decision made or action taken by a member of our staff. It can also include the response provided by a staff member to a complaint or concern raised about our organization.

*<Describe if there are different levels of complaints (for example, formal complaints requiring investigation vs informal complaints that can be resolved at point-of-service)>*

*<State how the agency responds to anonymous or third-party complaints>*

*<Outline any limitations to the complaints process (that is, what is out of scope of this policy, for example complaints about legislation or other concerns about the agency such as public interest disclosures or staff grievances)>*

*<Outline any applicable time limits for filing a complaint (for example, within one year after the incident occurred that gave rise to the concerns)>*

*<Provide definitions for any other feedback that differs from a complaint (for example, a request for service), as well as any other definitions for key terms used within the policy that are specific to your agency or service>*

## ROLES AND RESPONSIBILITIES OF AGENCY STAFF

<b>STEP 1</b>	<i>&lt;Frontline Staff Title&gt; are responsible for receiving, recording and assessing complaints, and will attempt to resolve the matter if possible. At this stage, staff have responsibility for explaining the complaints process to the person reporting the concern. &lt;Frontline Staff&gt; will forward complaints that are not resolved or that require further review/investigation to Stage 2 of the complaints process.</i>
<b>STEP 2</b>	<i>&lt;Manager /Investigator/Quality Assurance Staff Title&gt; are responsible for reviewing and conducting investigations of complaints that are not resolved by &lt;Frontline Staff&gt;. If a complaint is not resolved to the satisfaction of the person raising the concerns following investigation, further internal review may be conducted by &lt;Director/Supervisor&gt; (if applicable). If appropriate, alternative dispute resolution (ADR) will be offered to attempt to resolve the complaint. ADR is provided by &lt;Mediator/Facilitator/Staff Title&gt;.</i>
<b>STEP 3</b>	<i>At any point in the complaints process, a person may choose to seek external review of the matter through the following review options: &lt;List applicable appeal bodies or tribunals. Include reference to the BC Office of the Ombudsperson&gt;</i>

## CONFIDENTIALITY OF COMPLAINTS

<Name of Agency> commits to maintaining confidentiality and protecting privacy throughout the complaints process in accordance with BC's *Freedom of Information and Protection of Privacy Act*. We will only collect and disclose information to those staff who are involved in the review of the complaint. Documents relating to a complaint investigation are securely stored and only accessible to those staff involved in the review of the complaint. Complaint outcomes may be anonymized and shared within our organization to promote continuous quality improvement.

## COMPLAINT HANDLING PROCEDURES

### Stage 1: Frontline resolution

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**Receiving complaints** – Complaints can be submitted to <Name of Agency> in the following ways:

- *Mail: <mailing address>*
- *Email: <email address>*
- *Telephone: <local and toll-free numbers>*
- *In-person: <office location and hours of operation>*
- *Online: <web address for online complaint form>*
- *Translation services are provided through <Name of Service Provider> when requested.*

**Acknowledging complaints** – All complaints will be acknowledged within XX working days by <email, letter, phone>. This acknowledgement will include information about the staff member who has primary responsibility for handling the complaint, as well as information about the complaints process, including applicable timeframes.

**Assessing complaints** – <Frontline Staff> will conduct a preliminary assessment to confirm the issues raised by the complainant fall within the scope of this policy. <Frontline Staff> will attempt to seek early resolution of complaints wherever possible. Issues suitable for early/informal resolution include <list criteria>. Complaints raising issues of a more serious nature are prioritized and responded to within XX business days <list criteria for escalation>.

**Authority to dismiss complaint** – Complaints that are not accepted for review under this complaints policy may be dismissed by <Frontline Staff> for the following reasons:

*List criteria, for example:*

- *the issue is not within the jurisdiction for review by the agency*
- *the concerns raised have previously been investigated by the organization and no new issues have been reported*
- *the issues raised by the complainant are currently before the courts*
- *the complaint appears vexatious*
- *the remedy sought by the complainant is not achievable*

When a complaint is dismissed for any of the reasons above, the complainant will be notified by <email, letter, phone> within XX business days of receiving the complaint, with reasons provided for the decision to dismiss the complaint.

**Recording complaints** – When recording the complaint in the complaint tracking system, the following information will be documented.

*List documentation requirements, for example:*

- *the complainant's name and contact information*
- *when and how the complaint was received (by email, telephone, webform, mail or in-person)*
- *main issues raised in the complaint, including all relevant facts provided by the complainant*
- *any documentation submitted or interview notes taken during interaction with complainant*
- *the outcome sought by the complainant (if known)*
- *any attempts made to resolve the complaint informally, including action taken by the staff member receiving the complaint*
- *any barriers or additional support the person making the complaint may need, such as access to an interpreter*

## Stage 2: Investigation

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**Investigating complaints** – If a complaint is not resolved by *<Frontline Staff>*, the complainant may ask for it to be forwarded for further review by *<Manager /Investigator/Quality Assurance Staff>*. Requests for review should be acknowledged within XX business days, and include information about the staff member responsible for conducting the review and the anticipated timeline for completion of the review.

Complaint investigations will be guided by the principles of administrative fairness and will be conducted in a fair, timely and impartial manner. Before commencing a formal investigation of a complaint, *<Staff Title>* will be responsible for developing an investigation plan that will outline:

*List requirements, for example:*

- *an assessment of the main issues raised in the complaint*
- *what evidence is required and how it will be gathered (including the names of witnesses and order in which they will be interviewed, as well as other records and evidence needed for the review)*
- *how confidentiality will be maintained throughout the complaint investigation*
- *how people who are impacted by the investigation process will be notified of the outcome*
- *the outcome or remedy the person is seeking*
- *the investigation timeline*
- *any other relevant requirements*

All relevant evidence will be considered by the investigator during the review process, and the complainant will be provided an opportunity to be heard and comment on any preliminary findings prior to the agency concluding the review of their complaint.

*Documentation requirements for the investigation file include (for example):*

- *copy of the original complaint*
- *all interviews notes with the date, time and names of those present*

- *copies of all records reviewed in the course of the investigation*
- *a statement about any action taken in response to the complaint, or specific resolution reached on the matter, including clear reasons for decisions made*
- *final report outlining investigative process and outcome*

**Concluding complaints** – A final report/letter is due at the conclusion of a complaint investigation and provided to the complainant within XX business days. This report/letter must be written in clear and accessible language, and include information about (*for example*):

- *the issues raised by the complainant*
- *the evidence considered during the review of the complaint, including the information provided by the complainant. If certain evidence was discounted in the review process, explain why (for example, issues with witness credibility or reliability of evidence)*
- *the analysis of this information in the context of the agency’s rules and standard procedures*
- *what decision was reached (i.e., whether the complaint was substantiated or not)*
- *any action taken by the agency in response to the complaint*
- *information about any appeal or review options*

**Remedies** – If investigation of a complaint reveals that <Name of Agency> has made an error in providing its services to the public, we will take steps to fix the problem. The following remedies may be appropriate for substantiated complaints (*for example*):

- *an acknowledgement and apology for the error*
- *reconsideration of a previous decision*
- *expediting an action*
- *waiving a fee or penalty*
- *issuing a payment or refund*
- *changing our policies and procedures to prevent re-occurrence*

### Stage 3: Appeal and review options

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If the person continues to have concerns at the conclusion of the complaint resolution process, staff must advise them of their right to seek further review of the matter through <Name of Appeal Body/Tribunal/Oversight Body>, including any applicable timelines for appeal.

## CONTINUOUS QUALITY IMPROVEMENT

<Name of Agency> monitors complaint trends and conducts regular reviews to identify any systemic service issues and make necessary improvements in our organization. We are committed to learning from the complaints we receive from our service users.

## DEALING WITH UNREASONABLE CONDUCT

<Name of Agency> commits to respond fairly to complaints and treat people with dignity and respect throughout the complaint resolution process. We expect that people making complaints to our organization will treat our staff reasonably.

In cases where a service user becomes unreasonable in their interactions with our staff such that it creates health, safety, resource or equity issues for our organization, we will take steps to address the behaviour and may limit access to our services as necessary. Acceptable access restrictions include:

- *state how the organization modifies access to service delivery to mitigate health and safety issues for staff, for example providing service only by phone, email/web access, or using a third party administrator*

Access restrictions must be considered as a last resort, and the person who is subject to the restriction must continue to be able to receive services by contacting <Supervisor/Senior Staff Title>. Prior to issuing an access restriction, the person must be informed of:

- *the reason for the restriction, including a description of their concerning behaviour*
- *details of any earlier warnings issued about their conduct*
- *how the person can contact the organization, including the name and contact information for the person they are permitted to contact, and any limits to the frequency of such contact*
- *how long the restriction is in place for*
- *how the person can request a review of the restriction*
- *what is required for the restriction to be lifted*

The Office of the Ombudsperson is an oversight office, independent of government, that investigates complaints about administrative unfairness and makes recommendations for system-wide improvements. The office also offers advice and investigates allegations of serious wrongdoing from BC public servants. Our Consultation and Training Team offers educational webinars, training workshops and individual consultation with public organizations to support fairness and continuous improvement across the public sector. For more information, please contact us at [consult@bcombudsperson.ca](mailto:consult@bcombudsperson.ca).

