



*Citizen Complaints
Management
Policy*

Citizens Complaint Management Policy

1. PURPOSE

The Citizen Complaints Management Policy aim is to ensure procedural fairness in handling complaints.

2. SCOPE

The definition of a complaint is: “*An expression of dissatisfaction or concern regarding the provision of a service, policy, decision or action by the Huu-ay-aht First Nations Government.*”

3. ROLES AND RESPONSIBILITIES

Complainant:

The individual making the complaint. This may include: a citizen, contractor or employee.

Executive Director:

The Executive Director handles the complaint or appoints the appropriate Director, who is then responsible for the investigation of the complaint. The Executive Director or Director will:

- a) assess, record, monitor and track the complaint;
- b) ensure that sufficient detail is recorded;
- c) ensure anyone involved in the complaint has an opportunity to be heard;
- d) ensure that complaints are resolved within the specified timeframe; and
- e) provide written notification of outcomes to complainants, including the reason/s for those outcomes.

Frontline Employees:

Wherever possible, front-line employees receiving verbal complaints should attempt to resolve a verbal complaint at that time.

4. RECEIVING A COMPLAINT

Complaints must be submitted in writing and cannot be made anonymously. All complaints are received by the Executive Director.

5. DETERMINING THE COMPLAINTS MANAGEMENT TIMEFRAME

All complaints must be acknowledged in writing, by email or a Canada Post-marked letter, within **5 working days** of the complaint being received.

Complainants must receive written acknowledgement and advice about the outcome of their complaint within **30 working days**.

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6. INVESTIGATIVE APPROACH

A standard approach to investigating a complaint may include:

- a) a review of any relevant legislation or internal policies and procedures;
- b) gathering of necessary information, consultation with relevant persons and assurance of a thorough understanding of the issues;
- c) establishment of facts, including analysis of any evidence for quality, corroboration or contradiction;

7. DOCUMENTATION

For complaints, the Executive Director or assigned Director must detail in a memorandum how his or her conclusion was determined. This should include reference to:

- a) the documents used to inform the decision (these should be attached); and
- b) detailed background information

This will provide a record of the process applied in reaching the decision. All documentation shall be filed with the Executive Director.

8. APPEALING A DECISION OR OUTCOME

If a complainant considers their complaint to be unresolved or remains dissatisfied with the outcome reached by the Executive Director or Director, they may refer their complaint to the Tribunal. The Tribunal will determine whether or not it has jurisdiction to hear the complaint.

9. OUTCOME AND SYSTEMS IMPROVEMENT

Following completion of the investigation into the complaint, the review findings are to be documented and a response to the complainant forwarded by the Executive Director or assigned Director.

The response to the complainant should detail the findings of the review. It should clearly document each point of the complaint, the details of issues identified during the review, and whether or not the complaint has been substantiated.

If the complaint has been found to be substantiated, details of any remedial actions that are to be taken should be provided. If the complaint has not been upheld, justification for this decision must be provided to the complainant.

A copy of the response should be retained on the complaint file, and relevant details recorded in the Complaints Management File.

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Where possible the complainant can be advised of the outcome via telephone, if possible. Telephone contact however does not eliminate the requirement to provide a written outcome.

If the complainant has advised they do not wish to receive further correspondence, the outcomes should be documented in the Complaints Management File, however an outcome letter is not required to be sent the complainant.

10. REMEDIES

During the review process, consideration should be given to what remedy and systems improvement may be required.

Remedial action that may be appropriate and reasonable to remedy errors and deficiencies in service include (for example):

- a) an explanation
- b) a change of decision
- c) formal or informal dispute resolution
- d) an apology
- e) correction of misleading or incorrect records
- f) protection of complainants and whistleblowers.

11. POLICY REVIEW

This Citizen Complaints Management Policy will be reviewed by Executive Council after one year in February 2014.