



**Policy Type:** General Administration  
**Policy #:** GA-100-02  
**Approved by Council:** October 21, 2024  
**Last Reviewed:**

## **Municipal Complaint Policy**

### **Purpose**

The Town of Prescott is committed to a consistent and uniform process to respond to complaints received regarding the dissatisfaction of programs, facilities, municipal services, municipal employees or operational procedures at the point of service delivery.

The purpose of this policy is to enable the municipality to promptly and effectively address service and service delivery complaints raised by members of the public in an approach where all complaints are dealt with in a fair, respectful, transparent manner, and as quickly as possible.

The Town of Prescott strives to reduce customer dissatisfaction by:

- Providing a timely and accurate response to complaints; and,
- Using complaints as an opportunity to improve program and service delivery issues were identified and warranted.

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.

### **Scope**

Complaints are expressions of dissatisfaction about the action or lack of action taken, operations, facilities or the service provided by the Town of Prescott or by a person or body acting on behalf of the Town.

Any written complaint filed will necessitate a response. Anyone who uses or is affected by Town services can make a complaint. This may include:

- Residents
- People who work in or visit the Town
- Local businesses
- Community Groups

The Town of Prescott will deal with all written complaints promptly, courteously, impartially and professionally. All complainants will be treated with respect and will not receive adverse treatment or any form of reprisal.

This policy is not intended to address:

- Issues already addressed by legislation, or an existing municipal By-Law, policy or procedure;



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- A decision of Council or a decision of a local board or committee of Council;
- Internal Complaints from Municipal Staff regarding Municipal Staff (full-time, part-time, contract, casual labourer, firefighters);
- Matters handled by tribunals, courts of law, quasi-judicial boards, etc.;
- Complaints regarding Staff members employed by a service provider contracted by the municipality;
- Complaints about non-municipal services; or,
- Municipal service requests.

## Definitions

**Complainant:** The person who is dissatisfied and is filing the complaint. Anyone who uses or is affected by municipal services can make a complaint.

**Complaint:** Expression of dissatisfaction related to Town of Prescott programs, facilities, services, Town employee or operational procedures, where it is believed that the Town has not provided a service experience to the customer's satisfaction at the point of service delivery.

**"Informal Complaint"** shall mean a Complaint communicated informally to a Municipal Staff of a specific department or division of the municipality

**"Formal Complaint"** shall mean a Complaint that is submitted to the Municipal Clerk's office using the prescribed Municipal Complaint Tracking Form as attached as Appendix 'A'.

**Resolution of Complaint:** The final stage of the complaint process which may include an apology, explanation, reconsideration, reimbursement, compensation and/or change in policy. The complaint is considered "closed" and resolved.

**Responsible Department:** shall mean the Town department which the complaint is categorized under

**Service Request:** A request made to the Town of Prescott for a specific service. Examples include: Requesting that the Town repair a street surface, reporting a burnt out street light, report a bylaw or parking infraction, damage to a municipal facility or park.

**Town:** refers to the Town of Prescott, hereon in referred to as the Town.



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**Unreasonable Behaviour:** shall mean behaviour from a member of the general public that generally meets the criteria and examples defined in General Administration GA-100-01 – Handling Unreasonable Customer Behaviour.

## Responsibility

### Council

Council is responsible for reviewing and approving this policy and any amendment thereto.

### Mayor

The Mayor is responsible for responding to Formal Complaints about the Chief Administrative Officer. In reviewing and responding to a Formal Complaint depending on severity, the Mayor will ensure that there is reasonable investigation conducted in accordance with this policy. Further the Mayor is responsible for completing a report outlining their findings from the investigation in accordance with this policy.

### Chief Administrative Officer

The Chief Administrative Officer is responsible for ensuring that all Municipal Staff adhere to this policy.

### Municipal Clerk

The Municipal Clerk, or designate, is responsible for:

- Implementing and interpreting this policy;
- Creating, approving, and implementing procedures deemed necessary to implement this policy, including but not limited to, procedures:
  - That may establish forms, processes, and timelines; and,
  - That ensure confidentiality is maintained.
- Collecting and maintaining records under this policy;
- Reviewing Formal Complaints, responding to Formal Complaints as directed and/or conducting reasonable investigation in accordance with this policy as directed by the Chief Administrative Officer; and,
- Delivering training to Municipal Staff on this policy once per term of Council.

### Department Heads

Department Heads are responsible for reviewing Formal Complaints, assisting the Municipal Clerk with responses to Formal Complaints and/or conducting reasonable



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investigation in accordance with this policy as and any related procedure created, approved and/or implemented by the Municipal Clerk as directed by the Chief Administrative Officer.

### **Municipal Staff (General)**

Municipal Staff are responsible for responding to requests for service, directing Informal Complaints to their Supervisor where a Complaint is not within their level of authority to address and identifying opportunities to improve municipal services where warranted. Municipal Staff are responsible for cooperating with Department Heads responsible directed by the Chief Administrative Officer to investigate Formal Complaints. Other responsibilities such as documenting interactions with individuals of the public may apply.

### **General Public**

It is the responsibility of the general public to attempt to resolve their Complaints by dealing with the Municipal Staff person(s) directly involved with the Complaint, where appropriate. The general public are responsible for speaking to and treating Municipal Staff courteously and respectfully during requests and submitting Complaints.

## **Complaints**

A formal complaint is generated when an informal resolution cannot be successfully achieved. It is the responsibility of Town employees to attempt to resolve issues or concerns before they become formal complaints. Every effort should be made by Staff to resolve matters informally. However, should the complainant continue to be unsatisfied, the complainant has the option of filing a formal complaint.

Complaints regarding the conduct of municipal employees are to be submitted in writing with contact information.

Complaints regarding the conduct of Members of Council and Local Boards are to be submitted in writing and processed in accordance with the provisions of the Code of Conduct of Council and Local Boards and shall be referred to the Town appointed Integrity Commissioner.

Complaints regarding the conduct of closed meetings are to be submitted in writing and will be referred to the Ombudsman's Office.

Complaints regarding by-law violations are to be submitted in writing and will be investigated by the Town's Property Standards and By-law Enforcement Officer.



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Complaints regarding municipal services or facilities shall be forwarded in writing to the appropriate Department Head.

All attempts will be made by Municipal Staff to gather information on any complaints received that lack sufficient data. Complaints made anonymously may not be investigated.

Frivolous and vexatious complaints, as determined by the CAO (or designate) and the appropriate Department Head, will be dealt with under General Administrative Policy GA-100-01 – Handling Unreasonable Customer Behaviour. Behaviour may be deemed as unreasonable as a result of a repeated pattern of conduct when, on several occasions, a complainant engages in one or more of the identified behaviours or actions identified as unreasonable, frivolous or vexatious.

## **Procedure**

A complaint may be submitted:

- In person at the municipal office, located at 360 Dibble Street West, Prescott
- Online form at [www.prescott.ca](http://www.prescott.ca)
- E-mail
- Mail to: 360 Dibble Street West, P.O. Box 160, Prescott, ON K0E 1T0
- Telephone – (613) 925-2812

A formal complaint received by phone must be documented in writing by the Staff member receiving the complaint.

Some individuals may require assistance to make a complaint, and complaints can be made on their behalf provided that the complainant has given their consent in writing and provides the required information, including their name and contact information.

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. For cases where informal resolution is successful, complaint logging is not required.

## **Formal Complaint Process**

Formal complaints must be in writing and include information such as:

- Details of what happened.
- Where the event happened. Is it within the Town's area of responsibility?
- When the event happened.
- Who was involved?



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- What was said or done?
- What kind of resolution is being sought?
- Contact details of the Complainant

A formal complaint is generated when an informal resolution could not be successfully achieved. Formal complaints shall be submitted to the Clerk's Department on the Municipal Complaint Form attached as Appendix "A". All formal complaints must be dated and acknowledged by the Clerk's Department within 5 business days of receipt.

The Clerk's Department will:

Acknowledgement & Assessment

Contact the Complainant in writing or by documented telephone call, within the respected number of days, to clarify the complaint if needed and acknowledge the receipt. The complaint may be terminated at this point if a resolution is possible, if it is a duplicate or if it is not a complaint. The Complaint will be logged and tracked throughout the complaint process.

Transfer of Complaint

Upon review of the complaint, the Clerk's Department shall assign the complaint to the appropriate Department to conduct an investigation.

If the complaint is in reference to a municipal employee the complaint shall be transferred as follows:

- In the case of Town employee, the Supervisor of the Department and Human Resources Department;
- In the case of a Supervisor, the Director of the Department and Human Resources Department;
- In the case of a Director, the Chief Administrative Officer and Human Resources Department;
- In the case of the Chief Administrative Officer, Mayor.

Investigation

The Responsible Department will:

- Document all notes within the Municipal Complaint Tracking Form.
- Contact the Complainant where a quick resolve is possible.
- Notify the Complainant in writing or documented phone call of an approximate length of time if the responsible department determines the issue may result in a lengthy investigation process.



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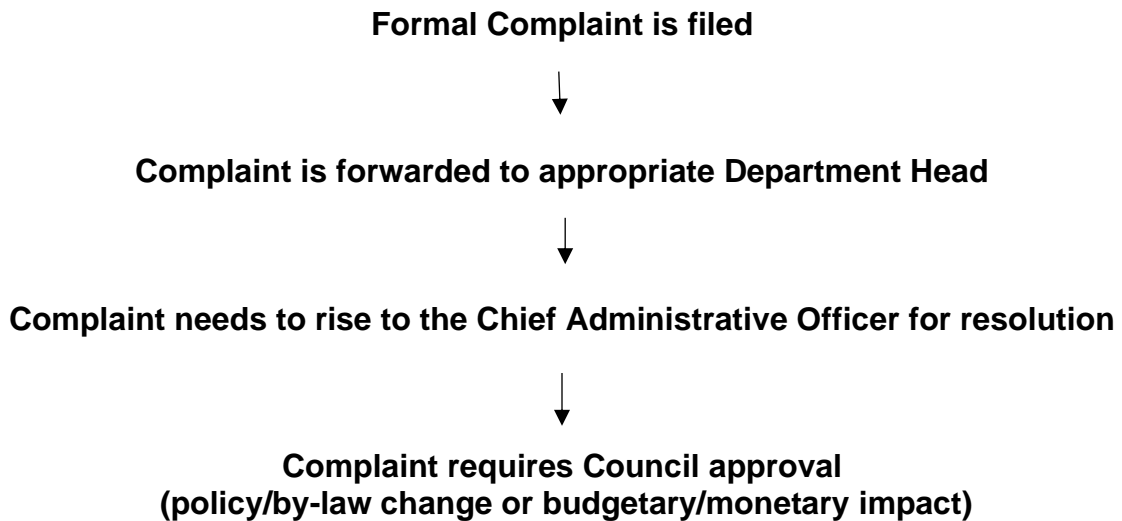
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- Review the issues identified by the Complainant and in doing so may:
  - o Review relevant municipal and provincial legislation;
  - o Review the municipality’s relevant policies and procedures;
  - o Interview employees
  - o Identify actions that may be taken to address the complaint or improve municipal operations.

At the discretion of the Chief Administrative Officer, Council may be notified of an open complaint for information purposes.

Solution Development

When a formal complaint is submitted it is reviewed and forwarded to the appropriate Department Head. If the Department Head is unable to resolve the complaint, it then rises to the Chief Administrative Officer. If the resolution requires further consideration of policy, bylaws, or may have a budgetary or monetary impact, the possible solution(s) would rise to Council. If brought to Council, the report would identify the issue, review the possible solutions and provide Council with the opportunity to give Staff direction on the suggested solution. The flowchart below outlines the escalation process for formal complaints.



Decision

A decision will be provided to the Complainant and documented by the responsible department within thirty (30) days upon receipt of the complaint. If a decision cannot be



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provided within thirty (30) days, the responsible department shall contact the Complainant of the delay and provide an estimation of time.

The decision will consist of information such as:

- Overview of complaint;
- Details 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.

Possible resolutions may include:

- An explanation
- An Apology
- Reconsideration
- Reimbursement
- Restitution
- Change in policy

All of the above are possible remedies. Note that the *Apology Act* provides that apologies are not admissible as evidence of fault or liability.

Communication of the decision may include:

- Providing the Complainant the response
- Identifying next steps/appeal
- If the complainant is satisfied, the complaint is closed.

Complaints that cannot be resolved through the Town's complaint process may be submitted to the Provincial Ombudsman's office in accordance with the provisions *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014*.

## **Appeal**

In the event complaints cannot be resolved through the Municipal Complaint Policy, they may be submitted to the Ombudsman in accordance with the provisions of *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014*. Appeals for decisions of unreasonable behavior and/or Frivolous or Vexatious Requests are handled under General Administrative Policy GA-100-01.





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## Tracking

Complaints will be tracked from the initial receipt to the resolution. All complaints records will be kept securely and in accordance with corporate policy and legislative responsibilities. The complaint records shall be made available internally for future review and analysis so as to capture recurring issues and improve customer service and satisfaction.

The responsible department must keep a centralized, up-to-date Municipal Complaint Tracking Form which will clearly track each instance by complaint number and define what stage the complaint is at.

If action is taken on a complaint by telephone/voicemail, ensure that a record of this action is saved in case of escalation to the Chief Administrative Officer or to the Ombudsman.

The trends, areas of concern and opportunities for improvement outlined shall be discussed by the Senior Management Team on a periodic basis in effort to proactively address and/or resolve trends and areas of concerns.

## Privacy

Municipal Staff will adhere to all applicable legislation regarding privacy in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

All complaint records will be kept securely and in accordance with corporate policy requirements and legislative responsibilities. Personal information on the complaint is treated as confidential to protect the privacy of the Complainant; however, the Complainant should be aware that certain circumstances may indirectly identify them during an investigation.

## Records Management

Upon delivery of decision, the complaint shall be deemed resolved/closed and the responsible department will transfer all physical and electronic documents pertaining to the complaint to the Clerk's Department who will maintain the records according to the Town's Records Retention Schedule.



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## **Policy Administration and Review**

This policy shall be administered by the Municipal Clerk and will be reviewed each term of Council or as required based on revisions to incorporate practices or Provincial legislation.

## **Appendices**

Appendix A – Municipal Complaint Form (for public use)



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**Municipal Complaint Form  
Appendix A**

# Municipal Complaint Form

The Town of Prescott is committed to a consistent and uniform process to respond to complaints received regarding the dissatisfaction of programs, facilities, municipal services, municipal employees or operational procedures at the point of service delivery.

Municipal Complaints do not address:

- Issues already addressed by legislation, or an existing municipal By-Law, policy or procedure;
- A decision of Council or a decision of a local board or committee of Council;
- Internal Complaints from Municipal Staff regarding Municipal Staff (full-time, part-time, contract, casual labourer, firefighters);
- Matters handled by tribunals, courts of law, quasi-judicial boards, etc.;
- Complaints regarding Staff members employed by a service provider contracted by the municipality;
- Complaints about non-municipal services; or,
- Municipal service requests.

A complaint may be submitted:

- In person at the municipal office, located at 360 Dibble Street West, Prescott
- Online form at [prescott.ca](http://prescott.ca)
- E-mail
- Mail to: 360 Dibble Street West, P.O. Box 160, Prescott, ON K0E 1T0
- Telephone – (613) 925-2812

**Last Name: \***

**First Name: \***

**Phone Number: \***

**Home address \***

**Email: \***

**Formal Complaints:** A formal complaint is a complaint that has been previous submitted with no resolution.

**Is this a formal complaint (based on the definition provided above) \***

- Yes  
 No

**Please provide details regarding the previous informal complaints submitted (if applicable). \***

**Where did the event take place? \***

**Who was involved? \***

**What was said or done? \***

**Please provide additional details of the complaint. \***

**Please attached any photos to be included in your submission.**

**Please provide your suggested resolution. \***

**NOTICE OF COLLECTION:**

Personal information, as defined by *the Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) is collected under the authority of the *Municipal Act, 2011*, and in accordance with the provisions of the MFIPPA. Personal information on this form will be used to assess the applicant's eligibility for volunteer positions or qualifications for appointment to one of the various committees or boards. At no time will your personal information be disclosed without your express written consent. Questions regarding the collection, use and disclosure of this personal information may be directed to the Freedom of Information Coordinator, Clerk's Office, 360 Dibble Street West, Prescott, ON K0E 1T0, 613-925-2812.

# Thank you.

Your form has been submitted. A Staff member will reach out to confirm your complaint has been received.