

THE CORPORATION OF THE CITY OF SARNIA
People Serving People

CITY CLERK'S DEPARTMENT

OPEN SESSION REPORT

TO: Members of Sarnia City Council
FROM: Dianne Gould-Brown, City Clerk
DATE: February 6, 2017
SUBJECT: Approval of the Public Complaint Policy

Recommendation:

It is recommended:

That Sarnia City Council approves the Public Complaint Policy.

Background:

At its meeting held on December 12, 2016, Council was presented with the draft Public Complaint Policy. A copy of the December 12, 2016 report to Council has been attached to provide Council with the appropriate background on the proposed policy. Staff is recommending that the policy, as presented in December, be approved.

Comments:

In accordance with the City's Notice Policy, public notice of the proposed policy was published in the Sarnia Observer. No public input was received relating to the policy.

Consultation:

Consultation has occurred with the City Manager's Office, Customer Service Manager and Clerk's Department. Public notice was provided, and no comments were received.

Financial Implications:

There are no financial implications resulting from the request.

Reviewed by:



Dianne Gould-Brown
City Clerk

Approved by:



J.P. André Morin
Acting City Manager

This report was prepared by Amy Burkhart, Secretary, City Clerk.

Attachment(s): December 12, 2016 Report

THE CORPORATION OF THE CITY OF SARNIA
People Serving People

CLERK'S DEPARTMENT

OPEN SESSION REPORT

TO: Members of Sarnia City Council

FROM: Dianne Gould-Brown, Acting City Clerk

DATE: December 12, 2016

SUBJECT: Approval of the Public Complaint Policy

Recommendation:

For Council's Information

Background:

Section 270(1)5 of the *Municipal Act, 2001*, as amended, and Bill 8, *Public Sector and MPP Accountability and Transparency Act, 2014*, require a municipality to be accountable to the public for its actions. This policy supports the municipality's commitment to the accountability and transparency of the operations of the municipality.

A report to Council dated January 18, 2016, outlining Bill 8 was provided to Council. Bill 8 allows for complaints about municipalities to be made to the Office of the Ombudsman as of January 1, 2016. The Ombudsman is an office of last resort; Citizens first need to contact their municipality and access any available complaint mechanisms or appeals before the Ombudsman can deal with a complaint.

As a result of Bill 8, municipalities need to update and adopt formal public complaint procedures to ensure a consistent approach by administration as well as necessary documentation. Complaints need to be thoroughly documented in the event that there is a complaint lodged with the Ombudsman's Office.

The City of Sarnia currently receives complaints through various avenues; however, has not yet implemented a standard for how to respond to complaints or how to track complaints. Developing a standard for responding to complaints will help improve City of Sarnia customer service and ensure complaints are addressed in a timely manner. Tracking

complaints will help determine recurring issues that may provide an opportunity to improve City programs and services.

The Public Complaint Policy will assist staff by providing citizens with a formal way to address issues. The Public Complaint Policy requires detailed information to be included when reporting a complaint that will help staff thoroughly understand the nature of the complaint. Additionally, staff will be able to accept a complaint without requiring the immediate interruption of a manager.

Comments:

The Public Complaint Policy will be added to the City of Sarnia website and will be available in paper form at Customer Service in City Hall and available electronically for City Staff to access.

This policy does not address feedback, general inquiry, general comments, or suggestions. A Corporate Customer Service Standard Operating Procedure is currently in draft form, developed by the Customer Service Manager, and addresses these forms of communication.

Consultation:

Consultation has occurred with the City Manager's Office, Customer Service Manager and Clerk's Department. The proposed policy is subject to the City's Notice Policy and such notice will be provided following the December 12 meeting. The policy will be returned to council for final approval in the New Year.

Financial Implications:

There are no financial implications.

Reviewed by:



Dianne Gould-Brown
Acting City Clerk

Approved by:



Margaret Misiek-Evans
City Manager

This report was prepared by Christy Timmers, Records Management Coordinator and Katarina Ovens, Communications Coordinator.

Attachment: Public Complaint Policy



Public Complaint Policy

Department: City Clerk

Approved By:

Section: Administration

Approval Date:

Subject: Public Complaints

Effective Date:

PURPOSE

The purpose of this policy is to provide a consistent and uniform process to respond to complaints received from members of the public regarding the dissatisfaction of programs, facilities, services, employees or operational procedures of the City of Sarnia.

By introducing guidelines and standards, the process of managing and resolving complaints will become more efficient allowing staff to respond to complaints in a timely manner and provide an opportunity to improve City programs and services.

LEGISLATIVE AUTHORITY

Section 270(1)5 of the *Municipal Act, 2001*, as amended, and the *Public Sector and MPP Accountability and Transparency Act, 2014*, require a municipality to be accountable to the public for its actions. This policy supports the City of Sarnia's commitment to the accountability and transparency of the operations of the municipality.

DEFINITIONS

A **complaint** is defined as an expression of dissatisfaction related to a municipal program, service, facility or staff member, where a citizen believes that the municipality has not provided a service experience to the customer's satisfaction at the point of service delivery and a response or resolution is expected.

Complaints may be received online, in person, by phone, by e-mail or by mail. As per the City's current practice, anonymous complaints will not be addressed.

POLICY SCOPE

This policy applies to all complaints received by staff from members of the public regarding all administrative actions and functions of the City of Sarnia.

This policy does not apply to:

- A decision of Council or of a Committee of Council;
- Internal employee complaints;
- Matters addressed by legislation or an existing municipal by-law;
- Matters that are handled by tribunals, courts of law, quasi-judicial boards, etcetera.

This policy does not address:

- Inquiries;
- Requests for service;
- Feedback;
- Compliments;
- Criticisms or anonymous complaints.

PROCEDURE

A complaint may be made in a number of ways:

- Online through the City of Sarnia website (www.sarnia.ca) using the Public Complaint Form;
- Verbal complaints are made in person or by telephone directly to City staff or through a member of Sarnia City Council;
- Written complaints may be filed by hand delivery, mail or e-mail directly to City staff or through a member of Sarnia City Council.

A formal complaint shall include the following components:

- a) Contact details of the complainant;
- b) Type of complaint;
- c) Summary of complaint (details, location, City employee involved, resolution requested, enclosures, date complaint submitted);
- d) Date.

All complaints should be filed as soon as possible.

Informal Complaint

It is the responsibility of City employees 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

A formal complaint is generated when an informal resolution could not be successfully achieved. Formal complaints shall be submitted to the City on the Public Complaint Form. The complaint will be acknowledged within 5 business days upon receipt.

PUBLIC COMPLAINT PROCESS:

Acknowledge

City staff will contact the complainant within 5 business days. If the complainant has requested a response or resolution to a matter, then the acknowledgement of receipt should indicate an estimated timeline for further follow-up and an indication of what next steps may be expected.

Assess (if Applicable)

Contact the complainant to clarify the complaint, if needed. The complaint may be terminated at this point if a resolution is possible, if it is a duplicate or if it does not fit the definition of a complaint.

Assign

The complaint is then forwarded to the staff member responsible in the appropriate department.

Investigate

The responsible staff member will:

- Document all notes;
- Contact the complainant where a quick resolve is possible;
- Notify the complainant in writing of an approximate length of time if it is determined that the issue may result in a lengthy investigation process;
- Review the issues identified by the complainant and in doing so may:
 - Review relevant municipal and provincial legislation;
 - Review the municipality's relevant policies and procedures;
 - Interview employees;
 - Identify actions that may be taken to address the complaint or improve municipal operations.

Resolve

A resolution will be provided to the complainant in writing by the responsible staff member within 30 days upon receipt of the complaint. If a resolution cannot be provided within 30 days, staff shall contact the complainant about 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.

The Director of the appropriate department and/or City Manager will get involved where necessary to assist staff, where matters require discretion, or when other corporate policies are involved.

TRACKING AND REPORTING

The complaint must be tracked from its initial receipt to its resolution. Complaint records will be needed for regular review and analysis to identify recurring issues and to improve customer service and satisfaction. Annually, the number of complaints, type of complaints, and number of resolved complaints shall undergo review by the City Manager's Office and Clerk's Department, with an annual presentation to the Senior Management Team. All personal information collected in carrying out this policy will be dealt with in a confidential manner in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.