

THE CORPORATION OF THE TOWNSHIP OF LAIRD

By-law Number 2004-23

BEING A BY-LAW to adopt a policy for municipal Complaint Reporting.

WHEREAS Section 8 of the *Municipal Act, R.S.O. 2001*, provides broad authority to enable municipalities to govern their affairs as considered appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS Bill 8, the Public Sector and MPP Accountability and Transparency Act, amended the Ombudsman Act, to expand the jurisdiction of the Provincial Ombudsman, in regard to receiving complaints about municipalities; and

WHEREAS it is necessary to have a clearly established complaint management and resolution process when handling and resolving complaints brought forward by members of the public; and

WHEREAS the Council of the Corporation of the Township of Laird deems it advisable and necessary to establish a Complaint Reporting Policy for the municipality, to promptly and effectively address concerns raised by members of the public.

**THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LAIRD
HEREBY ENACTS AS FOLLOWS:**

1. **THAT** Council adopt the Complaint Reporting Policy, attached hereto as Schedule "A".
2. **THAT** this By-law shall come into force and effect on the day of its passing.

READ and passed on Open Council this 21st day of December 2023.

Mayor _____
Shawn Evoy

Seal

Clerk _____
Jennifer Errington

Complaint Reporting Policy

Schedule A to By-law 2004-23

Purpose

The purpose of this policy is to provide direction for Council, staff, and the public as to the acceptable methods for reporting a complaint to the Township of Laird and to distinguish actual complaints from by-law violations, requests for service, and suggestions.

Historically the Township of Laird has received complaints, by-law violations, requests for service, and suggestions that have been made verbally to Staff and/or directly to individual members of Council. It should be understood that while it is acceptable to forward these issues to an individual member of Council, the Mayor or Councillor will refer all issues back to the Clerk for resolution by staff, as Council can and must act only as a whole.

If a complaint is not satisfactorily resolved it can be escalated to Council as a whole for resolution.

Acceptable Methods for Making Complaints:

- 1) Online at www.lairdtownship.ca under the "Contact Us" tab, using the Registered Concern/Information form.
- 2) By email to info@lairdtownship.ca
- 3) By telephone at (705) 248-2395
- 4) By mail to Township of Laird, 3 Pumpkin Point Road West, Echo Bay, ON, P0S 1C0
- 5) In person at the Township of Laird municipal office 3 Pumpkin Point Road West, Echo Bay, ON P0S 1C0
- 6) Verbally or in writing to members of Council.

Distinction Should be Made as to Whether the Issue is one of the Following:

- 1) A complaint regarding the actions of an individual, or a policy, process or procedure.
- 2) A by-law violation (yard maintenance, zoning infringements, dogs at large, etc.)
- 3) Request for service (potholes, washouts, flooding, snow removal, tree trimming, road obstructions, burnt-out street lights, etc.)
- 4) Suggestion or idea

Where Possible Complaints or Reports Should Include:

- a) Complainant's name
- b) Address
- c) Phone number
- d) Address of concern
- e) Information regarding the complaint/suggestion

Complaint Reporting Policy

Schedule A to By-law 2004-23

Anonymous complaints will not be accepted or acted upon.

Complaint Investigation Process

Investigations of complaints will take place internally. The appropriate investigating manager will:

- Document all investigation notes.
- Contact the complainant as soon as practicable, where a quick resolve is possible.
- Notify the complainant of an estimated timeframe, if the manager feels the investigation may result in a lengthy process.
- Review the issues identified by the complainant by:
 - Reviewing relevant legislation, where applicable;
 - Reviewing the relevant municipal policies and procedures;
 - Interviewing any employees who may have knowledge of the complaint, where applicable;
 - Identifying actions that may be taken to address the complaint to improve municipal operations;
- Consult with Council where appropriate to do so depending on the severity of the issues.
- Determine if a complaint is considered to be frivolous/vexatious.
 - In circumstances, where a complaint is considered frivolous/vexatious, the complainant will be notified of this decision, noting that no further action will be taken.

Decisions of an Investigation will be provided to the complainant and will consist of information such as:

- Overview of the complaint;
- Details of how the investigation was conducted;
- Summary of the facts;
- Outline the findings;
- Identification of next steps;
- Suggestions of an appropriate resolution along with the rationale supporting the proposed resolution.

How to Receive an Update on a Complaint or Reported Issue:

In most circumstances, the individual will be able to identify that the complaint has been resolved when the situation is visibly resolved (snow removal, road obstructions, ditching, etc.).

Should the complainant like an update on what action has been taken with your complaint please contact the office (705) 248-2395. Staff will provide you with an update or have the By-law Enforcement Officer return your call. For complaints that require an investigation, a decision of the investigation will be provided to the complainant once the investigation is completed.

Complaint Reporting Policy

Schedule A to By-law 2004-23

Monitoring

Complaints, requests for service, and other forms of feedback will be monitored by the Clerk's Office to ensure timely resolution, appropriate documentation and overall compliance with this policy. Records of all complaints, by-law violations, requests for service and suggestions will be recorded, including the results and outcomes and presented to Council for review. Consideration of trends may be factored into changes in policy and/or service delivery.

Privacy

All complaints, brought forward to the Township of Laird will be dealt with in a confidential manner according to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Information will be collected, used and disclosed in accordance with MFIPPA. Personal Information on the complaint/customer is treated as confidential information to protect their privacy, however, the complainant/customer should be aware that certain circumstances may indirectly identify them during an investigation.

Complaint Appeal Process

Once the municipality has communicated its final decision to the complainant, there is no additional appeal process at the municipal level.

Complaints shall be provided the contact information for the Ontario Ombudsman (see below) and any other options available to them, in the event that they are dissatisfied with the process or outcome of a complaint. The Ontario Ombudsman has the authority to look at how the issue was handled at the local level, the steps taken, and the outcome. The Ombudsman has the authority to consider whether the process was fair, transparent, and in accordance with the applicable policies and by-laws of the municipality.

The Ontario Ombudsman is an independent officer of the Legislature who investigates complaints from the public about Ontario government services, recommending improvements for governance and resolving individual issues. Contact Information: Phone: 1-800-263-1830; E-mail: info@ombudsman.on.ca