



Manual: Operations	Policy #: OPS 3.08
Policy Name: Complaint Resolution	Section: Section 3: Programs Administration
Original Date: April 12, 2017	Revised Date: N/A
Reviewed By: Jeff Harrison	Reviewed Date: February 8, 2022
Approved By: Peter Sproul	Approved Date: February 8, 2022

Policy

Any person who disputes a decision or practice of Community Living Kingston and District may complain to the organization and have that complaint heard in an expeditious manner.

The following procedure may be used by any of the following parties in situations where they may have a dispute, including those related to services and supports provided, with CLKD:

- Persons served, or their family members/advocates
- Students or volunteers, including Family Home Providers
- Members of the community
- Outside organizations or groups
- Bargaining unit employees, where their concern is not otherwise addressed by the Collective Agreement

Procedures

Complainant Assurances

- Any party who registers a complaint against the organization or one of its employees shall be protected against any and all forms of retaliation, both subtle and overt.
- Persons served are assured that complaints will not result in barriers to service.
- Persons served (and any other complainants) are assured that the complaint process shall be free from any forms of coercion, intimidation, and bias.
- Any complainant who believes that the principles note above are not being met have the right to bring this concern directly to the Board of Directors and/or to seek outside advocates to further assist them.

Complaint Procedure

1. Whenever possible, an attempt to resolve complaints or disputes should be made by contacting the supervisor of the program involved. The supervisor will meet or speak with the complainant and will provide a verbal response within ten days. The supervisor receiving and responding to the complaint will document this process utilizing the organization's *Incident Reporting Form* in Nucleus.
2. If speaking to a supervisor is not possible, or does not resolve the complaint, the dispute should be taken to the Program Manager.
3. The Program Manager will meet or speak with the complainant and will provide a written response within ten days of receiving the complaint. The Program Manager receiving



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and responding to the complaint will document the concerns and the outcome utilizing a "Complaint Note" in the Nucleus ECR.

4. If not satisfied, the complainant may formally appeal to the Executive Director. The Executive Director will meet or speak with the complainant and will provide a written response to the appeal within ten days of receiving the complaint.
5. If still not satisfied, the complainant may appeal to the Board of Directors. Where the President of the Board has determined that the complaint is related to a rights violation, a Rights Appeal Committee will be convened, as outlined in Board Policy #12—Rights of Participants. Where there is a question of corporate responsibility, the Board of Directors will respond in a manner consistent with Board Policy # 05 – Ethical Code of Conduct - Corporate Responsibility, Section F – Violations of the Ethical Code of Corporate Responsibility. Timeframes for responding to such complaints will be consistent with those outlined in the respective policies.
6. Notwithstanding the process listed above, the Board of Directors serves as the final arbiter of all disputes and may, at its sole discretion, respond to the complaint or dispute in such manner as the Board considers appropriate, except for Rights Complaints within the terms of Board Policy # 12 - *Rights of Participants*.
7. If still not satisfied, complainants may seek external consultation and review as they see fit.

In all applicable areas noted above, the written response to the complainant shall include any actions taken to address the complaint.

How Complaints May Be Received

- At all steps noted above, a complaint may be made either verbally or in writing.
- The procedure noted herein will be followed regardless of which method was used to deliver the complaint.

Rights and Responsibilities

- Throughout the complaint process, all parties have the *right* to a transparent, honest dialogue about the concern that has been brought forward. Both parties similarly maintain the *responsibility* to ensure that this is provided.
- For Francophone persons reporting a complaint, Community Living Kingston and District will ensure that a French speaking person is available to hear their complaint and be available to participate and provide support throughout the resolution process.



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- All parties responding to a complaint bear the *responsibility* to thoroughly investigate the concern brought forward and to attempt to ensure an outcome satisfactory to both the complainant and to the organization.
- Complainants have the *right* to be free from retaliation or barriers to service and are assured that the act of complaining will not result in either.
- Complainants have the *right* to be free from any coercion, intimidation, or bias, either before, during, or after the review. The organization bears the *responsibility* to ensure this.
- Complainants have the *right* to have all complaints taken seriously and to have review and investigation of all such matters. It is the *responsibility* of the organization to ensure this. However, the organization is not expected to resolve complaints that are determined to be frivolous or vexatious.
- If the concern brought forward by a complainant may constitute an issue that is potentially criminal in nature, CLKD has the *responsibility* to (and will) contact law enforcement authorities accordingly.
- If the concern brought forward meets any criteria to be reported as a Serious Occurrence, CLKD has the responsibility to (and will) report to MCCSS accordingly.

Conflicts of Interest

- In all cases where a staff and/or Board member has a conflict of interest, they must declare the conflict and excuse themselves from all stages of the dispute resolution process (see Operations Policy 3.05—Conflict of Interest, and Board Policy # 3 – Ethical Code of Conflict: Conflict of Interest).
- Where the complainant has a potential conflict of interest, they are required to declare this upon making the complaint.
- The Executive Director may further determine whether any party has a potential conflict of interest.

Support to Persons Served

- A person served or family who disputes a decision or practice of CLKD is entitled to the support of up to two advocates of their choice throughout this procedure.
- Such advocate(s) shall be the one or two individuals that the person served indicates is their advocate(s) and said advocate(s) shall be permitted access to the process if consent is given by the person served.

Review of Formal Complaints



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- CLKD considers a 'formal' complaint to be any that reaches the level of the Executive Director and, as such, will conduct an annual review of all complaints that reach this level.
- This review will determine trends, areas needing performance improvement, and any necessary actions to be taken. This review will include a review of the effectiveness of all applicable policies and procedures, and the revision of those policies and procedures as required.

Acceptance of Other Constructive or Negative Feedback

- CLKD acknowledges that not all feedback is that which requires dispute resolution.
- If any stakeholder has other constructive feedback that they wish to share, they are welcome to direct it to any party noted in the procedure above, with the understanding that doing so will not result in any retaliation or barrier to services.
- Similarly, any stakeholder who wishes to share positive feedback may do so to any party noted in the procedure above.

Alternate Format Availability

- A plain-language version of this policy will be made readily available to anyone who requests it, as well as on the organization's website.
- A copy of the organization's formal Complaint Resolution policy will be made available to anyone who requests it.

Further Reading

- CARF Employment and Community Services Standards Manual.
- Ontario Regulation 299/10, Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.
- Board Policy #12- Rights of Participants
- Board Policy # 05 – Ethical Code of Conduct - Corporate Responsibility, Section F – Violations of the Ethical Code of Corporate Responsibility
- Board Policy # 3 – Ethical Code of Conduct: Conflict of Interest
- Operations Policy 3.05—Conflict of Interest