

HUMAN RESOURCE POLICIES  
**CLIENT & COMMUNITY COMPLAINTS POLICY\***

**Approval Date:** June 6, 2013

**Approved by:** President & CEO

**Revision Dates:** March 1, 2018, August 30, 2019

**CCA Accreditation Standards:** ORG-RS-5.1, ORG-RS-5.2, ORG-RS-5.3

**Cross Reference:** *Client Records Policy, Client Privacy & Confidentiality Policy, Protection, Secure Transfer & Retention of Client Records Policy*

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## POLICY

Boost CYAC is committed to working together with clients, community partners and agencies to provide the highest quality services possible to children, youth and their families. We believe in a client's right to voice their concern when dissatisfied with a service and view this as an opportunity to learn and improve for the future, as well as a chance to put things right for the person that has made the complaint.

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## PURPOSE

The purpose of the *Client & Community Complaints Policy* is to:

1. instill confidence in clients, community partners, and agencies that Boost CYAC provides a process whereby they can voice concerns or complaints;
2. emphasize that Boost CYAC's goal is to resolve concerns/complaints quickly, fairly and without reprisal, particularly with respect to access to services;
3. improve communication and understanding between clients, community partners, other agencies and Boost CYAC's employees, as well as understanding of the scope and limitations of Boost CYAC'S services; and
4. identify aspects of Boost CYAC's services that may need to be modified.

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## SCOPE

Boost CYAC can review concerns/complaints with respect to:

- a. Boost CYAC services sought and/or received, both at Boost CYAC offices and in the community;
- b. a client's records; and
- c. a breach of confidentiality.

Boost CYAC cannot review concerns/complaints with respect to:

- a. services sought and/or received from other agencies, including Partner Agencies;
- b. situations that are before a court, or have been decided by a court; and
- c. issues that are exclusively subject to legislative and/or related decision-making processes (e.g., under the *Child, Youth and Family Services Act*; the *Labour Relations Act*).

If the complaint falls under the definition of a serious occurrence, then the *Incident & Accident Reporting Policy*

\*Formerly the *Complaints Policy*

must be followed.

All concerns/complaints brought forward must be taken seriously. Any employee who attempts to disregard a concern/complaint, or who engages in any retaliatory behaviour will be subject to disciplinary action up to and including termination.

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## CONFIDENTIALITY

The complaint process is confidential. The issue that has been brought forward is not to be openly discussed. Information considered confidential may only be released without consent if it appears that someone may be at risk of serious harm, or if required by law.

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## ESCALATION PROCESS

Complaints are usually addressed by front-line staff first, though a complaint can go directly to the Program/Department Manager/Director or the Director of Operations, if preferred.

Clients have the right to take their complaint or appeals to higher levels within Boost CYAC if they feel the issue has not been satisfactorily resolved. The succession levels are:

- Program/Department Manager/Director
- Director of Operations
- President & CEO
- Board of Directors

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## DOCUMENTATION REQUIREMENTS

The following documentation is required for complaints and appeals:

1. **Complaint Tracking** – All formal complaints must be recorded in the *Complaint Tracking* spreadsheet, which contains information about the complainant's name, the date and subject matter of the complaint, process in investigating and responding to the complaint and the outcome/resolution. This spreadsheet is saved in the Executive Directory, which is accessible only to the President & CEO and the Director of Operations.
2. **Client & Community Complaint Form** – The *Client & Community Complaint Form* documents the complainant's name and contact information, date and time of complaint and who else was involved. When a *Client & Community Complaint Form* is filled out, it usually means management needs to be involved in the issue. The completed *Client & Community Complaint Form* is saved in the Executive Directory.
3. **Letter from the Board** – Whenever a complaint or appeal is escalated to the Board, the Board will send a letter informing the complainant/appellant of the final decision in the matter.
4. **Other Letters** – Management may follow up with complainants with letters prior to issues reaching the Board. Management may issue a letter to a complainant for the following reasons:
  - to acknowledge serious complaints;
  - to inform complainants/appellants of follow up management is taking for certain issues;
  - to inform complainants/appellants of follow up they should be taking;

- to inform complainants/appellants of management's position on an issue; and
- to document when a complaint has been found to be frivolous or vexatious.

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## FRIVOLOUS & VEXATIOUS COMPLAINTS

A frivolous complaint is one found upon investigation to have no reasonable grounds or to make no sense or to not be serious. A vexatious complaint is one made only to annoy others/pertains to negative feelings between two (2) parties.

Because all complaints are treated seriously, frivolous and vexatious complaints and inappropriate use of the escalation process use resources that could be put to better use. For this reason, making frivolous or vexatious complaints and repeatedly using the escalation process inappropriately will lead to further investigation by management.

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## PROCEDURES

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### INFORMAL COMPLAINT PROCESS

1. Employees must immediately notify their direct supervisor of all complaints.
2. Telephone, email or mailed complaints must be responded to within three (3) business days.
3. An employee who receives a concern/complaint from a client, community partner or another agency staff person, must inform the individual that Boost CYAC has a formal complaint process. It is up to the complainant whether or not they want to proceed informally or initiate the formal complaint resolution process.
4. If the complainant chooses to proceed informally, the employee must make every effort to schedule a meeting with the complainant within ten (10) business days.
5. In some situations, the employee may suggest to the complainant that the Program/Department Manager/Director, the Director of Operations and/or President & CEO participate in any scheduled meetings.
6. If the complainant is not satisfied with the informal resolution of the problem, they may proceed with the formal complaint resolution process outlined below.

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### FORMAL COMPLAINT RESOLUTION PROCESS

1. A client, community partner or agency staff person who wishes to initiate the formal complaint resolution process must outline the issue in writing, including the name(s) of any employee(s) connected to the complaint. The documentation must be signed by the complainant, dated and submitted to the Program/Department Manager/Director. The Program/Department Manager/Director must notify the Director of Operations and/or President & CEO of all formal complaints, who will update the *Complaint Tracking spreadsheet*.

If the Program/Department Manager/Director is the subject of the complaint, then the written documentation is to be submitted to the Director of Operations and/or the President & CEO. If the President & CEO is the subject of the complaint, then the written documentation is to be submitted to the Chair of Boost CYAC's Board of Directors. The person who has received the complaint will investigate the merits of the complaint resolution request. If necessary, consultation will occur with the President & CEO,

Board Chair, Manager of Human Resources & Administration and any other relevant individuals.

2. Within ten (10) business days, the person who has received the complaint resolution request will complete the investigation and prepare a written response, which will include: the complaint resolution request; relevant factual information; analysis of the information and conclusion; the recommended resolution; and the date and signature. Any written responses completed by a Program/Department Manager/Director and/or the Director of Operations must be reviewed by the President & CEO or Board Chair before a copy is forwarded to the complainant.
3. A copy of the signed response to the complainant must be kept in a confidential file at Boost CYAC.
4. If the complainant is not satisfied with the resolution, they can request that the complaint be investigated by the Boost CYAC Board of Directors. The decision and recommendation(s) made by the Board of Directors will be final.
5. If the complainant is not satisfied with the outcome, they will be reminded of the right to file a complaint with the appropriate funding body and the Ontario Ombudsman.

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## **PROFESSIONAL MISCONDUCT, INCOMPETENCE OR INCAPACITY**

If on assessment the client's concerns suggest professional misconduct, incompetence, or incapacity, the Program/Department Manager/Director responsible, the Director of Operations and the President & CEO will determine what actions, if any, are immediately required to ensure the safety of clients.

Such actions may include suspension of the involved employee from work, with or without restrictions, pending further investigation of allegations made; leave of absence for therapy; provision of therapy while working; relocation; or termination.

The Program/Department Manager/Director, Director of Operations and/or the President & CEO will ask the involved employee to prepare a written response to the issues raised. Since allegations of professional misconduct, incompetence or incapacity may result in a complaint to a professional regulatory body, the Manager/Director, Director of Operations & President & CEO will inform involved employees of their rights to obtain independent legal advice.

The Program/Department Manager/Director, Director of Operations and/or the President & CE will write to the client within two (2) business days of the complaint being made, stating planned action to be taken to investigate allegations, and will obtain legal advice. In the event that it has been determined that an employee has indeed demonstrated professional misconduct, incompetence, or incapacity, disciplinary action will be taken.

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## **LITIGATION AND INSURANCE COVERAGE**

When a client provides notice (written or verbal), of an intention to take legal action against Boost CYAC or any of its employees, the President & CEO must be informed immediately. Upon receipt of such information, the President & CEO will provide written notice to Boost CYAC's insurer of the claim or possible claim, and will seek legal advice. Clinical therapists may contact the legal department of Ontario Association of Social Workers & Social Service Workers or other professional governing bodies.

All employees will co-operate fully in providing statements and any other information required by Boost CYAC's insurer, its adjusters and its lawyers with respect to a claim.

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## **ACCOUNTABILITY**

The President & CEO will provide an annual report to the Board of Directors, which summarizes the number and type of any complaints and/or allegations received and the manner in which the issues were resolve



## CLIENT & COMMUNITY COMPLAINT FORM

At Boost CYAC, we are committed to offering the best service possible. Your thoughts and suggestions are important to us. We encourage you to comment on our performance at any time, even if you have a complaint. You can do this in writing or by speaking with your worker or the Program Director/Manager. If you would like to make a formal complaint in writing, you may use the form below and return it to us in person, or by mail, email or fax. Anonymous complaints cannot be accepted or investigated.

We will acknowledge receipt of your complaint within three (3) business days, and notify you of the results of the investigation within thirty (30) business days of receiving the complaint.

While investigating your complaint, Boost CYAC will only disclose your personal information to staff who require the information to perform the investigation or if compelled by law to do so. Some or all of the information may be shared with the person who is the subject of your complaint.

Contact Information	
Date:	
Name:	
Address:	
Home Telephone No.:	Mobile No:
Email:	

Complaint Information				
Location	<input type="checkbox"/> Toronto	<input type="checkbox"/> Barrie	<input type="checkbox"/> Peterborough	<input type="checkbox"/> Offsite Location
Name(s) of Staff Person(s)/Program/Service you are complaining about:				
Complaint Type: (Please indicate all that apply)				
<input type="checkbox"/> Staff Conduct <input type="checkbox"/> Service Received <input type="checkbox"/> Records <input type="checkbox"/> Access <input type="checkbox"/> Confidentiality/Privacy				
<input type="checkbox"/> Other (please specify)				

### Summary of Complaint

Please include detailed information of what happened, who was involved, dates and times. If there is not enough space to describe the complaint, attach extra paper. Please attach any documents, such as letters or reports that relate to the complaint.

### Desired Outcome

What do you hope will happen because of your complaint?

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**Printed Name**

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**Signature**

**Date**

**If you feel that your complaint has not been adequately addressed by Boost Child & Youth Advocacy Centre, you may also contact:**

**Office of the Ombudsman of Ontario**

Bell Trinity Square  
438 Bay Street, South Tower, 10<sup>th</sup> Floor  
Toronto, Ontario M5G 2C9  
Complaints Line: 1-800-263-1830  
TTY: 1-866-411-4211  
Fax: 416-586-3485  
Email: [info@ombudsman.on.ca](mailto:info@ombudsman.on.ca)

**Child & Youth Unit**

401 Bay Street, Suite 2200  
Toronto, ON M7A 0A6  
Toll-free (inside Ontario only): 1-800-263-2841  
Telephone: 416-325-5669  
TTY (teletypewriter): 416-325-2648  
Fax: 416-325-5681  
Email: [cy-ej@ombudsman.on.ca](mailto:cy-ej@ombudsman.on.ca)

**Accessibility Directorate of Ontario**

777 Bay Street, 6<sup>th</sup> Floor, Suite 601  
Toronto, Ontario M7A 2J4  
Service Ontario Contact Centre  
Toll-free: 1-866-515-2025  
TTY: 416-325-3408  
Fax: 416-325-3407  
Email: [accessibility@ccs.gov.on.ca](mailto:accessibility@ccs.gov.on.ca)

**Ministry of Health**

Telephone: 613-957-2991  
Toll free: 1-866-225-0709  
Fax: 613-941-5366  
Teletypewriter: 1-800-465-7735 (Service Canada)  
Email: [Info@hc-sc.gc.ca](mailto:Info@hc-sc.gc.ca)

**Ministry of the Attorney General**

McMurtry-Scott Building  
720 Bay Street, 11th Floor  
Toronto, Ontario M7A 2S9



Toll-free: 1-800-518-7901  
Telephone Toronto: 416-326-2220  
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E-mail: [attorneygeneral@ontario.ca](mailto:attorneygeneral@ontario.ca)

**Department of Justice Canada**  
284 Wellington Street,  
Ottawa, Ontario K1A 0H8

**Public Health Agency of Canada**  
130 Colonnade Road  
A.L. 6501H  
Ottawa, Ontario K1A 0K9  
Toll-free: 1-844-280-5020

**City of Toronto**  
100 Queen Street West  
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