

HUMAN RESOURCE POLICIES
CLIENT & COMMUNITY COMPLAINTS POLICY*

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Approved by: Chief Operating Officer

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CCA Accreditation Standards: ORG-COM-5.1, ORG-COM-5.2, ORG-COM-5.3, ORG-COM-5.4

Cross Reference: *Client Records Policy, Client Privacy & Confidentiality Policy, Employee Code of Conduct Policy, Progressive Discipline Policy, Resignation, Retirement & Termination Policy, Protection, Secure Transfer & Retention of Client Records Policy*

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.

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.

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

*Formerly the *Complaints Policy*

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* 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.

COMMUNICATION TO CLIENTS AND COMMUNITY STAKEHOLDERS

General feedback, comments and/or questions can be made through the Boost CYAC website, by accessing the About Us tab, and clicking the "Contact Us/Feedback" tab. Clients and/or community members are directed to fill out the online form or contact the appropriate Boost office via telephone and/or email. Online feedback submissions are monitored by the Office Assistant, who will forward feedback, comments and questions to the appropriate program/department manager/director or the President & CEO.

Information on how to make a formal complaint can be found on the Boost CYAC website, by accessing the *What you need to know before coming to Boost CYAC* section and clicking on "Making A Complaint". Clients and Community members can click on a link to access the *Client and Community Complains Policy* and *Complaint Form*.

Completed forms can be submitted:

- in person or by mail at: 245 Eglinton Avenue East, Suite 200, Toronto ON M4P 3B7;
- by email to the program/department Manager/Director at info@boostforkids.org; or
- by fax: 416-515-1227.

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.

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 President & CEO, 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
- President & CEO
- Board of Directors

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 Chief Operating Officer.
2. **Client & Community Complaint Form (Appendix A):** 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. A standalone copy of this form can also be found in the Common Drive under the folder entitled Human Resources Policies and Procedures and in BambooHR.
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.

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.

PROCEDURES

A. 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, 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.

B. 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 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 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 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/COO 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.

PROFESSIONAL MISCONDUCT, INCOMPETENCE OR INCAPACITY

If on assessment the client's concerns suggest professional misconduct, incompetence, or incapacity, the Program/Department Manager/Director/COO responsible, 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/COO 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/COO and President & CEO will inform involved employees of their rights to obtain independent legal advice.

The Program/Department Manager/Director/COO and/or the President & CEO 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. If it has been determined that an employee has indeed demonstrated professional misconduct, incompetence, or incapacity, disciplinary action will be taken.

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 the Ontario College of Social Workers and Social Service Workers (OCSWSSW) 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.

ACCOUNTABILITY

The President & CEO shall report complaints of a serious nature that may put the organization at risk to the Board of Directors either immediately or on a bi-monthly basis.

Complaints of a serious nature that put the organization at risk may include but are not limited to:

- Complaints of violence, harassment and/or discrimination of clients/community members by a member of Boost CYAC staff;
- Complaints with respect to breaches of client confidentiality and privacy;
- Complaints where legal action has been initiated or is imminent; and
- Complaints where media involvement has occurred or is imminent.

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

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 carry out 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"/> 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?

Printed Name

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, 10th 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

Office of the Ombudsman of Ontario - Child & Youth Unit

438 Bay Street, South Tower, 10th Floor
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

Accessibility Directorate of Ontario

777 Bay Street, 6th Floor, Suite 601
Toronto, Ontario M7A 2J4
Service Ontario Contact Centre
Telephone: 416-849-8276
Toll-free: 1-866-515-2025
TTY: 416-325-3408
Fax: 416-325-3407
Email: accessibility@ccs.gov.on.ca

Ontario Ministry of Health

Address: 777 Bay Street, 5th Floor
Toronto ON M5G 2C8
Telephone: 416-327-4300
Toll free: 1-800-268-1153
Fax: 416-327-8497
Teletypewriter: 1-800-387-5559

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
Fax: 416-326-4007
E-mail: attorneygeneral@ontario.ca

Department of Justice Canada

284 Wellington Street,
Ottawa, Ontario K1A 0H8
Email: webadmin@justice.gc.ca
Telephone: 613-957-4222
TDD/TTY: 1-800-465-7735

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
Toronto, Ontario M5H 2N2
Telephone: 311
TTY: 416-338-0TTY (0889)
Fax: 416-338-0685
Email: 311@toronto.ca