

Complaints Resolution

PURPOSE: To ensure Nelson CARES Society provides a fair, effective and transparent response to complaints and concerns raised by persons served, community members and interagency partners. This policy outlines the procedures for receiving, reviewing, recording and responding to complaints.

POLICY: Nelson CARES Society is committed to maintaining good relationships with persons served, neighbours, and the community. The Society receives feedback, concerns, and complaints through informal and formal processes and responds with fairness and consistency. Every complaint will be received and dealt with respectfully and responded to in a timely manner. Complaints will not result in retaliation, consequences or barriers to service for the complainant. The human rights of all parties will be respected throughout the complaints process.

Note: The Complaints policy in the Board Governance manual references this policy. Any changes to this policy must be reflected in the Board policy.

GUIDING PRINCIPLES FOR DEALING WITH COMPLAINTS:

- **Complaints do not necessarily signal crisis** - Complaints are a natural outcome of providing services and offer an opportunity for positive change and improving services.
- **Wherever possible, complaints should be resolved by the affected parties** - Parties affected by a complaint should, wherever possible, participate in addressing and resolving the complaint among themselves.
- **Organizations and people act in good faith** - The Society will approach complaints with the assumption that all parties are acting in good faith to address situations affecting the quality of services provided.
- **Complaints will be treated with fairness and consistency** - Not all complaints will be alike. However, complaints that are similar in nature will be approached in the same or similar manner. The actions of the Society will be guided by what is fair and reasonable, and the validity of complaints will not be prejudged.
- **Issues of power will be acknowledged** - Every effort will be made to recognize the power inequity that exists in the situation.
- **The response to complaints will be timely** - Investigation of a complaint will begin as soon as

possible after it has been received, and complaints will be addressed in a timely manner.

- **The action of the complainant will not result in retaliation or barriers to service** - Complainants' efforts to resolve complaints and concerns are seen as a positive expression of their rights and will not be treated as a reason or opportunity for restricting their access to services.
- **Complaints will be treated confidentially** - Subject to applicable legal requirements, all complaints will be treated as confidential.

COMPLAINTS FROM PERSONS SERVED

DEFINITIONS:

Complaint: a complaint is an expression of dissatisfaction or concern with an aspect of our programs or services. It can include concerns about our staff's conduct, quality of service, delay in providing a response, or the reasonableness of a decision made or action taken by a staff member.

Informal complaint or feedback: persons served may express dissatisfaction or feedback at any time during service delivery and staff will listen openly to their concerns. Staff will attempt to resolve the concern in accordance with relevant policies and procedures, with support from the Program Manager / Director as needed. If the person served is not satisfied with how their issue was addressed, they will be invited to make a formal complaint.

Formal complaint: When an individual's complaint cannot be resolved informally, they are invited to put their complaint in writing. Formal complaints involve an internal investigation and results of the process are shared with the person served in writing.

PROCEDURE:

1. When a person served (or the individual's family member) wishes to complain about the Society's services, and the complaint cannot be resolved informally, they will be provided with a copy of this policy, including the **Complaint Form** (at the end of this policy).
2. The following process will be followed for formal complaints:

Step 1: **Make a formal complaint** – Staff will ask the complainant to put the complaint in writing using the *Complaint Form* and submit it to the Program Manager / Director within 6 months of the last occurrence. If the complainant is unable to express the complaint in writing, the staff will receive the complaint verbally and document it on the complaint form for the complainant, or support the individual to access an advocate to support them to express their complaint. Receipt of complaints received by email will be acknowledged within 2 business days along with notifying other relevant parties.

- Step 2: **Investigation** – The Program Manager / Director will investigate the complaint. This may involve gathering more information about the complaint and referencing applicable policies and procedures.
- Step 3: **Response and notification** – The Program Manager or Director will confirm that a complaint has been received within 2 days. In the case of a life safety issue the response will be immediate. The response will involve the result of the investigation and actions that will be taken to address the complaint and must be sent within 30 days of the complaint being received.
- Step 4: **Appeal** – If the complainant is not satisfied with the resolution, they may appeal the resolution by sending a request for appeal in writing to the society's Executive Director, who will investigate the matter and provide a written conclusion within 20 working days.
3. **External review** – If complainants are unsatisfied with the Society's response to their concerns, they may file a complaint to an external body.
- If a complaint involves allegations of discrimination based on a protected characteristic within the BC Human Rights Code, the complainant may file a complaint with the [BC Human Rights Tribunal](#).
 - Services for Community Living (SCL) is a licensed program. If a complainant is not comfortable bringing forward a complaint to the Program Manager or Executive Director or is not satisfied with the results of an internal response to a complaint, they may contact Licensing Direct. (Phone: 1-877-980-5118, Email: LicensingDirect@interiorhealth.ca, Fax: 1-250-868-7760)
 - SCL and Custom Fit Inclusion and Employment Services are funded by Community Living British Columbia (CLBC) and complaints can be made on the [CLBC website](#) or by calling their Quality Assurance Office (1-855-664-7972).
4. **Rights and responsibilities of complainants**
- Individuals making complaints have the right to:
 - Request a review of an action or decision affecting them or their family member
 - Access accessible information about the complaints process
 - Access an advocate or support person during the complaints process
 - Receive a response to their complaint in writing
 - Have their perspectives and experiences heard, respected, and considered
 - Individuals making complaints have the responsibility to:
 - File a complaint as promptly as possible after the decision or action they are concerned about has occurred
 - Provide information to support their complaint, including any new or additional information they become aware of
 - Act in good faith during the process
5. **Rights and responsibilities of the Society**

- a. The Society has the right to refuse and redirect complaints that are outside the scope of our services or legal authority (e.g. complaints about external eligibility criteria or legal requirements)
- b. The Society has the responsibility to
 - i. Respond in a timely manner to complaints
 - ii. Respect the confidentiality of persons served
 - iii. Treat complaints with openness, respect, fairness and transparency
 - iv. Ensure that there is no retaliation or barriers to service for complainants as a result of the complaint

6. **Complaints regarding leadership**

- a. Where a complaint involves the actions of the Program Manager / Director, the written complaint shall be referred directly to the Executive Director for investigation.
- b. Where a complaint involves the actions of the Executive Director, the written complaint shall be referred directly to the Board Chair. The Board Chair or designate will acknowledge receipt of the complaint within 2 business days. They will conduct an investigation following the procedure above and provide a written conclusion within 20 working days.

7. **Documentation and review** – All complaints and their outcomes shall be documented in the complainant’s person served record and a copy of the complaint resolution will be placed in a confidential “Complaints” file maintained by the Executive Director. The “Complaints” file will be reviewed annually for performance improvement.

COMPLAINTS FROM COMMUNITY MEMBERS AND INTERAGENCY PARTNERS

- 1. **Verbal complaints** – Nelson CARES Society encourages community members who have concerns/complaints about the society’s services or delivery of services to contact the appropriate Program Manager or Director either in person or via telephone to discuss their concerns/complaint. All concerns/complaints will be heard and responded to in a timely manner. Resolution of verbal complaints will be recorded and submitted to the Program Manager / Director for review and processing.
- 2. **Written complaints** – If their complaint remains unresolved, complainants are advised to submit a written complaint directly to the Program Manager or Director. Complainants may be provided the society’s Complaint Form. Written complaints may also come in the form of a letter and should, at a minimum, include the following:
 - a. The date(s), time(s) and location that the incident occurred;
 - b. A brief description of the nature of the incident;
 - c. The names of all employees and clients involved;
 - d. Other details relevant to the complaint.

3. **Acceptance of complaints** – Nelson CARES Society will only accept complaints related to the operations of its programs and services within 6 months of the last occurrence. Nelson CARES Society will not respond on behalf of a person served to complaints made against the individual. Any complaint of a legal nature made against a person served will be forwarded to the individual and/or (if applicable) the individual's Alternate Decision Maker and to any authority designated to act on the individual's behalf with respect to complaints of a legal nature. The person served will be told about all legal and advocacy services available to them.
4. **Investigation** – The Program Manager or Director will conduct a thorough investigation of the complaint. The investigation will include interviews with the person making the complaint, employees and individual's involved. The investigation will also take into consideration all policies, standards and regulations related to the incident. When the Program Manager's / Director's investigation is completed, they will determine whether or not the complaint is valid.
 - a. A complaint is deemed valid if:
 - i. A neighbour or community member suffered damage to their property or assets; or
 - ii. The rights of the person making the complaint are unreasonably violated; and
 - iii. The complaint is related to the program and its operation.
5. **Response and notification** – The Program Manager or Director will respond in writing to the complainant. Responses to complaints will respect the confidentiality of persons served and not contain personal information to which the complainant is not entitled.
 - a. The Program Manager or Director will acknowledge receipt of all complaints within 2 business days and ensure a response within 30 business days of receipt of the written complaint.
 - b. Responses to invalid complaints will include:
 - i. The reason the complaint has been deemed invalid;
 - ii. Reference to all applicable policies, standards and regulations used to make the decision;
 - iii. The contact information for the Nelson CARES Society's Executive Director to whom an appeal may be made.
 - iv. If the appeal remains unresolved from the complainant's perspective, the names and addresses of external resources to further their complaint will be provided.
 - c. Responses to valid complaints will include:
 - i. Reference to all applicable policies, standards and regulations used to make the decision;
 - ii. An apology and/or offer of compensation (if appropriate);
 - iii. A description of all steps that will be taken to address the complaint and avoid another occurrence of the incident.

- d. The Program Manager or Director will meet with the complainant(s), at the complainant's request.
- 6. **Appeal** – If not satisfied with the resolution, the complainant may appeal the resolution by sending a request for appeal in writing to the society's Executive Director who will investigate the matter and provide a written conclusion within 20 working days.
- 7. **Complaints regarding the Executive Director** – Where a complaint involves the actions of the Executive Director, the written complaint shall be referred directly to the Board Chair. The Board Chair or designate will investigate the matter and provide a written conclusion within 20 working days.
- 8. **Potential liability** – If a complaint may result in a potential liability to the program or the society, the Program Manager / Director will notify the Executive Director immediately to seek consultation as to how to proceed with the investigation.

All complaints that may result in legal action against, or potential liability to, the program or the Society may be reviewed by legal counsel, prior to any response being made to the complainant.

**Nelson CARES Society
ALL PROGRAMS**

COMPLAINT FORM

COMPLAINTS POLICY: Persons served by Nelson CARES Society have the right to make formal complaints about service delivery. Every complaint will be received and dealt with respectfully and responded to in a timely manner. Complaints will not result in retaliation, consequences or barriers to service for the complainant. The human rights of all parties will be respected throughout the complaints process.

Please use the following form to outline your complaint. Submit it to the appropriate Program Supervisor/Coordinator/Manager/Director.

1. What is the nature of your concern/complaint?

2. What are the facts surrounding the circumstance, situation or incident?

3. What steps have you taken so far to resolve this complaint or concern?

4. What policy or procedure has not been followed or what decision process has failed you?

5. What outcome are you hoping for by laying this complaint?

Complainant's Name (Please print) Signature

Date

Note: If there is not enough space provided, please use the other side of this sheet.