



## COMPLAINTS PROCEDURES

Version Date: June 30, 2023

Date Revised: N/A

Department: Quality Assurance

Approved by: Interim Leadership Circle

### PROCEDURES OVERVIEW

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#### Category 1: Point-of-Relationship or “Informal” Complaints

These types of complaints usually result from community members’ interactions with program staff or supervisors and are suitable for review through an Informal Process. They are typically less serious, are more straightforward, and are simpler to address. Issues suitable for resolution in this way include matters like a failure to provide a service or return a phone call, disrespectful or unhelpful treatment by a staff member, or the service provided falls below the normal standard expected from the organization.

1. Community members experiencing conflict at this level and who wish to make a complaint are encouraged to communicate, whether by phone or email or in person, with the appropriate department manager.
2. Once contacted, the head of the department or team will respond within 4 working days. They should ask for the complainant’s contact information, details about the complaint, if they tried to resolve the matter directly on their own, and what kind of outcome would satisfy them.
3. The manager will give the community member a brief outline of the process they intend to follow regarding the complaint, how it will be investigated, what the possible outcomes could be, the anticipated length of time needed to resolve the matter (usually less than 1 moon-time or 28 days), information about when the community member will be contacted next, and their contact information in case the community member has follow-up questions regarding their complaint.
4. Alternatively, the community member can approach the Complaints Officer directly. The Complaints Officer will assist the complainant and connect them to the proper department head, who will then follow the process as outlined in step 2 above.

The goal is to resolve a Point-of-Relationship Complaint quickly and to everyone’s satisfaction so that good relations can be restored. Unfortunately, that is not always possible. A manager may determine that the organization acted well, and that the complaint is not substantiated. In this case, the manager will tell the community member why and may offer further cultural support if warranted.

Sometimes, depending on the nature of the complaint, a manager may feel that they cannot resolve the matter themselves and so they will refer the complaint for internal review. If this is the case, the manager will advise the community member of this.

Likewise, if a community member is not satisfied with how their complaint was handled or its outcome, they may have their complaint referred for Formal Review by contacting the Complaints Officer.



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Finally, a community member is not obligated to have their Point-of-Relationship complaint heard through this Informal Process. By contacting the Complaints Officer, they may ask to make use of the Formal Review process instead.

### Category 2: Complaints Needing Formal Review

Not all complaints can be handled, or should be handled, at the Point-of-Relationship by way of an Informal Process. Sometimes complaint resolution requires the use of a Formal Process. Examples of complaints in this category include repeated failure to provide a service or return a phone call or repeated disrespectful or unhelpful treatment by a staff member despite the matter having been previously addressed by way of a Point-of-Relationship complaint. Other examples might include problems with a Foster Placement, disagreements over decisions made, issues with case management, or experiences of harassment or discrimination or violence (whether physical, mental, emotional, or spiritual) by a community member. If the nature of an Informal Complaint is deemed to be serious by the department manager receiving it, they will refer it for a formal Internal Review.

In addition, community members not satisfied with the result of an Informal Review of their complaint or who do not wish to participate in the Informal Review process may request a Formal Review of their case.

Lastly, a complaint about the violation of the rights of children or young persons in care or a violation of the rights of children or young persons receiving services are much more serious in nature. On account of this, these types of complaints must always be received and reviewed as part of the Formal Process.

Reviews at this level will involve the use of an Internal Complaints Review Panel (ICRP).

### **Direct Complaints Process**

For Point-of-Relationship complaints identified for referral to the Formal Process by a department manager, community members will be referred to the Complaints Officer.

1. Once referred, the Complaints Officer will respond within 1 day, and will ask the community member to provide a verbal summary of their complaint.
2. Once the verbal summary is completed, the Complaints Officer will discuss the matter with the relevant department manager. The Complaints Officer will determine, within 7 days, whether or not the referred Complaint rises to the level of a Formal Complaint. If it does not, it will be returned to the department manager who made the referral instructing them to handle the complaint themselves through the "Informal" process.



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3. If it does rise to the level meriting a Formal Complaint, the Complaints Officer will ask the community member to provide a written summary of their complaint using the Application for an ICRP Form. Assistance in completing this form, if needed, will be provided.
4. Once the Application for an ICRP Form has been returned, the Complaints Officer will immediately convene an ICRP by selecting one senior manager from NCFST, other society staff as required, and at least one person who is external to the society but who may be a Board member from NCFST. None of these individuals must have been involved in the community member's case. Complainants may bring a support person with them to the ICRP meeting. In addition, a representative from the Complainant's FNIM community may attend as well.
5. The Complaints Officer will also ask the relevant department manager to respond in writing to the contents of the Application for an ICRP Form.
6. Within ½ of a moon-time (14 days) of having convened an ICRP, a meeting will be held where discussion and mediation will occur. It is hoped that the end result will be mutual understanding, conflict resolution, and relationship reconciliation.
7. No later than ½ of a moon-time (14 days) after the meeting, the ICRP will prepare a comprehensive written summary of the discussion along with a decision clearly outlining the "next steps" that all parties should follow. A copy of this report will be provided to the Complainant and to the Complaints Officer. The Complaints Officer will immediately forward the report to the relevant department manager and to NCFST's Interim Leadership Circle.
8. All parties are then honour-bound to accept and abide by the ICRP's determinations and recommendations.
9. A copy of the Complaint and ICRP report will be attached to the Complainant's record at NCFST by the Complaints Officer.
10. Within 7 days of the ICRP report being issued, the relevant department manager must offer to debrief separately with the Complainant, with any witnesses, and with the person about whom the complaint was made. At least 4 tries to schedule a debrief must be attempted.
11. A comprehensive written summary of the debrief, or of efforts to schedule a debrief, must be prepared by the relevant department manager. A copy of this document will be attached to the Complainant's record at NCFST by the Complaints Officer.
12. If the matter has now been resolved to everyone's satisfaction, written confirmation to this effect must be issued by the Complaints Officer and sent to the Complainant.

If a community member's complaint handled at the Point-of Relationship was not resolved to their satisfaction, they can request a review by way of the Formal Complaints process by contacting the Complaints Officer.

1. Once contacted, the Complaints Officer will respond within 1 day, and will ask the community member to provide a written summary of their complaint using the



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Application for an ICRP Form. Assistance in completing this form, if needed, will be provided.

2. Once completed and returned, the Complaints Officer will then ask the department manager who originally handled the Point-of-Service complaint by way of the “Informal” Process to provide a written summary of their response to the community member’s concerns within 7 days. The Complaints Officer, having received the Application for an ICRP Form and the agency’s statement regarding actions taken through the “Informal” Process, will conduct an analysis of the situation.
3. Within ½ of a moon-time (14 days), the Complaints Officer will determine if the complaint is eligible for review as a Formal Complaint. If it is not, the community member will be advised to that effect and the matter will be considered resolved. Further cultural supports may be offered if warranted.
4. If it is eligible for review as a Formal Complaint, the Complaints Officer will immediately convene an ICRP by selecting one senior manager from NCFST, other society staff as required, and at least one person who is external to the society but who may be a Board member from NCFST. None of these individuals must have been involved in the community member’s case. Complainants may bring a support person with them to the ICRP meeting. In addition, a representative from the Complainant’s FNIM community may attend as well.
5. The pathway should then continue to unfold much like that of a complaint referred by a department manager for review by way of this Formal Process, as outlined in Step 6 above in the previous section.

If a community member does not want their Point-of Relationship complaint to be reviewed through the Informal Process, they can request a review by way of this Formal Process instead by contacting the Complaints Officer.

1. Once contacted, the Complaints Officer will respond within 1 day, and will ask the community member to provide a written summary of their complaint using the Application for an ICRP Form. Assistance in completing this form, if needed, will be provided.
2. Once completed and returned, the Complaints Officer will confirm within 7 days that the referred Complaint is eligible for review as a Formal Complaint. If it is not, the community member will be advised to that effect, and they will be encouraged to pursue their complaint through the “Informal” process.
3. If it is eligible for review as a Formal Complaint, the Complaints Officer will immediately convene an ICRP by selecting one senior manager from NCFST, other society staff as required, and at least one person who is external to the society but who may be a Board member from NCFST. None of these individuals must have



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been involved in the community member's case. Complainants may bring a support person with them to the ICRP meeting. In addition, a representative from the Complainant's FNIM community may attend as well.

4. The Complaints Officer will also ask the relevant department manager to respond in writing to the contents of the Application for an ICRP Form.
5. The pathway should then continue to unfold much like that of a complaint referred by a department manager for review by way of this Formal Process, as outlined in Step 6 above in the prior section.

For complaints about the violation of the rights of children or young persons receiving services or a violation of the rights of children or young persons in care, the complainant may contact or must immediately be referred to the Complaints Officer so that a review by way of this Formal Process may begin.

1. Once contacted, the Complaints Officer will respond within 1 day, and will ask the community member to provide a written summary of their complaint using the Application for an ICRP Form. Assistance in completing this form, if needed, will be provided.
2. Given the seriousness of this type of complaint, the Complaints Officer will immediately advise the appropriate department manager of the allegations. Without judging the merits of the complaint, the department manager needs to determine what (if any) immediate actions should be taken in response to the complaint.
3. Once the Application for an ICRP Form is completed and returned, the Complaints Officer will then ask the appropriate department manager to provide a written response to the community member's concerns within 7 days.
4. The Complaints Officer will immediately convene an ICRP by selecting one senior manager from NCFST, other society staff as required, and at least one person who is external to the society but who may be a Board member from NCFST. None of these individuals must have been involved in the community member's case. Complainants may bring a support person with them to the ICRP meeting. In addition, a representative from the Complainant's FNIM community may attend as well.
5. The pathway should then continue to unfold much like that of a complaint referred by a department manager for review by way of this Formal Process, as outlined in Step 6 above in the prior section.

### **Anonymous Complaints Process**

While direct complaints by community members are preferred, it is acknowledged that not everyone is comfortable doing so. With that in mind, NCFST allows the placing of anonymous complaints for an alleged violation of the rights of children or young persons receiving services or a violation of the rights of children or young persons in care.



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Given the nature of this type of complaint though, the scope and depth of any investigation will be more limited.

1. Once a complaint is received through a completed Anonymous Complaints Form, within 1 day the Complaints Officer will advise the appropriate department manager of the allegations. Without judging the merits of the complaint, the department manager needs to determine what (if any) immediate actions should be taken in response to the complaint.
2. The Complaints Officer will then ask the appropriate department manager to provide a written response to the anonymous concerns within 7 days.
3. The Complaints Officer will immediately convene an ICRP by selecting one senior manager from NCFST, other society staff as required, and at least one person who is external to the society but who may be a Board member from NCFST. None of these individuals must have been involved in the anonymous case.
4. Within  $\frac{1}{2}$  of a moon-time (14 days) of having convened an ICRP, a meeting will be held where discussion and mediation will occur. If deemed appropriate by NCFST, any child or young person who might have been impacted by the violations alleged in the Anonymous Complaint may participate in the meeting. It is hoped that the end result will be mutual understanding, conflict resolution, and relationship reconciliation.
5. No later than  $\frac{1}{2}$  of a moon-time (14 days) after the meeting, the ICRP will prepare a comprehensive written summary of the discussion along with a decision clearly outlining the “next steps” that all parties should follow. A copy of this report will be provided to the Complaints Officer. The Complaints Officer will immediately forward the report to the appropriate department manager and to NCFST’s Interim Leadership Circle.
6. NCFST is then honour-bound to accept and abide by the ICRP’s determinations and recommendations.
7. A copy of the Anonymous Complaint and of the report will be attached to the record of the child or young person who was the subject of the anonymous Complaint by the Complaints Officer.
8. Within 7 days of the written report being issued, the appropriate department manager must offer to debrief separately with the child or young person who was the subject of the Anonymous Complaint, with any witnesses, and with the person about whom the anonymous complaint was made if they participated in the meeting. At least 4 tries to schedule a debrief must be attempted.
9. A comprehensive written summary of the debrief, or of efforts to schedule a debrief, must be prepared by the relevant department manager. A copy of this document will be attached to the record of the child or young person who was the subject of the Anonymous Complaint by the Complaints Officer.



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### Category 3: Complaints Needing Systemic Review

Sometimes, complaints reveal systemic problems that affect or could affect other community members. When concluding the review of a complaint, whether they be done informally at the Point-of-Service or formally through an Internal Review, it is important to consider this possibility.

As part of this exercise, department managers and ICRP's should consider questions such as these when reviewing any complaint:

- What caused the problem for the community member who made the complaint, could it have been prevented, and could others be similarly affected?
- Are there policies or processes that need to be created or improved?
- Do staff need additional training or support, for instance, so they can provide more helpful services or accurate information to community members?
- Does the organization need to update or improve publicly available information about its programs, services, or policies?

If the answer to any of these or similar questions is “yes”, then the department manager should prepare a written report and discuss their findings with the Complaints Officer. ICRP's should make a note of their findings in the written report that is a product of their meeting and which is sent to the Complaints Officer. The Complaints Officer will integrate the findings and recommendations presented to them into an anonymized monthly report, and into an anonymized annual report as described below in the section titled “Ongoing Reporting of Complaints”.

### Category 4: Complaints Needing External Review

These Procedures have been designed so that conflicts between a community member and the organization manifesting themselves as a complaint can be handled in a good way. To protect the community and the integrity of this Policy, a community member who believes their complaint has not been handled in a good way by NCFST can make a Complaint by way of External Review through the Child and Family Services Review Board of Ontario (CFSRB). Note that while it is suggested that a complainant first use the other methods of making a Complaint as outlined in this Policy before making a complaint to the CFSRB, they are not obligated to do so. In addition, a complainant may file a Complaint with the CFSRB even if they have an open and active Complaint underway with NCFST under this policy.



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The CFSRB will consider hearing a Complaint by way of External Review if the organization:

- did not give community members a chance to be heard when they raised their concerns
- did not give community members a chance to be heard when decisions that affected their interests were made
- did not give community members reasons for its decisions that affect their interests
- refused to proceed with a complaint
- did not follow its complaint review process or timelines

Also, if a Complaint with NCFST was heard and the review process is now complete, a community member can appeal to the CFRSB and ask them to review the decision made by the agency's ICRP.

If the CFSRB hears the complaint or appeal, some of the possible remedies include:

- Granting the application
- Dismissing the application
- Ordering NCFST to respond to the complaint
- Ordering NCFST to provide detailed written reasons for a decision they made
- Ordering NCFST to hear the complaint through its internal complaints process

As the complaint process through the CFSRB is independent and separate from NCFST, community members are encouraged to contact the CFSRB directly for further information on how to file a complaint.

## **ANNUAL REVIEW OF THESE PROCEDURES**

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At the end each fiscal year, with the assistance of the Complaints Officer, management will conduct a review of these Complaints Procedures and will adjust as necessary.

## **PRIVACY AND CONFIDENTIALITY**

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The Agency shall ensure that all information collected pursuant to these Procedures is used only for the purposes of these Procedures as described, stored securely, and securely deleted when no longer required.





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### **BREACH OF THE PROCEDURES**

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Except as otherwise indicated, an Employee who violates these Procedures may be subject to progressive performance management, up to and including termination of employment.

### **FORMS**

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Formal Complaints (ICRP) Form – [Click Here](#)

Anonymous Complaints (ICRP) Form – [Click Here](#)

Formal Complaints (ICRP) Meeting Results Report Form – [Click Here](#)

Anonymous Complaints (ICRP) Meeting Results Report Form – [Click Here](#)

Formal Complaints (ICRP) Debriefing Form – [Click Here](#)

Anonymous Complaints (ICRP) Debriefing Form – [Click Here](#)

MCCSS Monthly Complaints Report Form – [Click Here](#)

MCCSS Annual Complaints Report Form – [Click Here](#)

### **RELATED POLICIES**

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Accessibility for Ontarians with Disabilities Act (AODA) Customer Service Standards Policy – [Click Here](#)

Privacy Policy – [Click Here](#)