



STATEMENT

Complaint Resolution

Policy # OP 3.08

Community Living Kingston
1412 Princess Street
Kingston, Ontario K7M 3E5

SECTION OPERATIONS
Sub-section 3 Program Administration

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External References

1. CARF Employment and Community Services Standards Manual.
2. Ontario Regulation 299/10, Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.
3. Ministry of Community and Social Services Policy Directive, November 15, 2011.

Cross References

1. Board Policy #16-- Rights of Participants
2. Board Policy # 18 – Ethical Code of Corporate Responsibility, Section F –¹Violations of the Ethical Code of Corporate Responsibility
3. Board Policy # 4 – Directors’ Code of Conduct
4. Operations Policy 3.05—Conflict of Interest

Policy

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

A person served 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 also assured that complaints will not result in barriers to service.

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 Community Living Kingston:

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

¹ Replaces: Dispute Resolution, September 27, 2010.

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*.
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.
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 #16—Rights of Participants. Where there is a question of corporate responsibility, the Board of Directors will respond in a manner consistent with Board Policy # 18 – Ethical Code of 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 # 16-- *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.

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.

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.

The organization has the responsibility to bring complaints to the attention of local law enforcement and/or to the Ministry of Community and Social Services, where required by law.

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 # 4 – Directors’ Code of Conduct).

Support to Program Participants

A program participant who disputes a decision or practice of Community Living Kingston is entitled to the support of one or two advocates of his or her choice throughout this procedure. Such advocate(s) shall be the one or two individuals that the program participant says is his or her advocate(s), and said advocate(s) shall be permitted access to the process if consent is given by the participant.

Review of Formal Complaints

The organization will conduct an annual review of all complaints that reach the level of the Executive Director. 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.

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.