



EXECUTIVE DIRECTIVE SERVICE COMPLAINT PROCEDURES

APPLICABLE TO:	Community members and MCA employees
EFFECTIVE DATE:	
AUTHORIZED BY:	
Executive Director	Date

The following Service Complaint Procedures set out the steps to be followed when preparing, submitting, and handling a Service Complaint. These procedures enable the Service Complaint Policy to be implemented.

Section 1: PREPARING A SERVICE COMPLAINT

- 1.1 A community member wishing to submit a Service Complaint must fill out a Service Complaint Form. The person submitting a Service Complaint is referred to as the **complainant**.
- 1.2 The Service Complaint Form requires complainants to:
 - a) provide their contact information;
 - b) indicate what their Service Complaint is in reference to;
 - c) give occurrence dates;
 - d) provide detailed information about what caused them to be dissatisfied;
 - e) explain how they are being affected;
 - f) describe what actions they have taken to deal with the issue;
 - g) describe what they hope will happen as a result of the Service Complaint; and
 - h) sign a declaration.

NOTE: It is recommended that steps seeking early resolution be attempted by a complainant prior to submitting a Service Complaint, but not through a Council member. Council members do not participate in the Service Complaint process.

- 1.3 Accurate, truthful, and respectful language should be used in a Service Complaint. Service Complaints containing discriminatory, violent, intimidating, or abusive language will not be acted upon and will be returned to the complainant.

Section 2: SUBMITTING A SERVICE COMPLAINT

- 2.1 The **complainant** must submit the completed Service Complaint Form to the **Service Complaints Processing Officer (SCPO)** **within ninety (90) calendar days** of the date the incident, which is the subject of the Service Complaint, occurred.

Section 3: RECEIVING A SERVICE COMPLAINT

- 3.1 The **SCPO** will determine who is responsible to handle the Service Complaint based on the subject of the Service Complaint, the service that was provided, and/or the employee who is the subject of the Service Complaint. The employee who is responsible to handle the Service Complaint is referred to as the **recipient**. The employee who is the subject of the Service Complaint is referred to as the **respondent**.
- 3.2 The **SCPO** will open an electronic file to keep a record of the Service Complaint. This file is referred to as the **Service Complaint file** and the following information must be included:
- a) original Service Complaint;
 - b) date the Service Complaint was received;
 - c) complainant's name;
 - d) respondent's name;
 - e) subject of the Service Complaint;
 - f) department and/or program associated with the service provided; and
 - g) deadline for SCPO to send acknowledgement/notification letters to the complainant, respondent, and recipient.
- 3.3 In the event that the **recipient** has a conflict of interest due to their relation to either the **complainant** or the **respondent**, the **recipient** must inform the **SCPO** that a conflict exists. The **SCPO** will discuss the matter with the Executive Director to designate an **alternate recipient**.
- 3.4 **Within 5 business days of receiving the Service Complaint**, the **SCPO** or alternate will:
- a) send an acknowledgement letter to the **complainant** to:
 - i. state that the Service Complaint was received;
 - ii. provide the date the Service Complaint was received;
 - iii. provide the name and contact information of the recipient who is responsible to handle the Service Complaint;
 - iv. inform them that the recipient's first step will be to determine whether or not the Service Complaint has merit;
 - v. provide the date the Service Complaint was sent to the recipient; and
 - vi. provide the deadline for the recipient to send a response on merit to the complainant.
 - b) send a copy of the original Service Complaint along with a notification letter to the **recipient** to:
 - i. state that the Service Complaint was received;
 - ii. provide the date the Service Complaint was received;
 - iii. inform them that they are responsible to handle the Service Complaint;

- iv. state that their first step is to determine whether or not the Service Complaint has merit;
 - v. state that they must send a response to the complainant and the respondent on the determination of merit, with a reason for their decision included, and what the next step will be (where applicable); and
 - vi. provide the deadline for the recipient to send a response on merit to the complainant and the respondent.
- c) send a copy of the Service Complaint along with a notification letter to the **respondent** to:
- i. inform them that a Service Complaint has been received against them;
 - ii. provide the date the Service Complaint was received;
 - iii. provide the name and contact information of the recipient who is responsible to handle the Service Complaint;
 - iv. inform them that the recipient's first step will be to determine whether or not the Service Complaint has merit;
 - v. provide the date the Service Complaint was sent to the recipient; and
 - vi. provide the deadline for the recipient to send a response on merit to the respondent.

3.5 The **SCPO** will include the name of the recipient, the date the Service Complaint was sent to the recipient, and the deadline for the recipient to send a response on merit to the complainant and the respondent in the **Service Complaint file**.

Section 4: DETERMINING MERIT

- 4.1 The **recipient** will conduct a preliminary review of the Service Complaint to determine whether or not the Service Complaint has merit based on the following factors, at a minimum:
- a) Does the subject matter fit into the scope of the Service Complaint Policy?
 - b) Does the Service Complaint appear to be made in good faith?
 - c) Have submission deadlines been met?
 - d) Does the subject matter compel further inquiry?
 - e) Is there potential for improved services to be delivered?

NOTE: For 4.1 (b), made in good faith means submitted with honest intentions to have a Service Complaint resolved. Submitted in bad faith would include, but is not limited to, the main intent being to cause distress or harass (vexatious), or lacking seriousness (frivolous).

- 4.2 If the Service Complaint has been deemed to have merit, a review is warranted.
- 4.3 If the Service Complaint has been deemed to not have merit there is no need to resolve the Service Complaint.

- 4.4 **Within 5 business days of receiving the Service Complaint**, the **recipient** must:
- a) determine whether or not the Service Complaint has merit;
 - b) send separate letters to the **complainant** and the **respondent** to inform each of them whether or not the Service Complaint has been deemed to have merit with a reason for their decision included and
 - i. if there is merit: the letter will need to include what the next steps will be; or
 - ii. if there is not merit: the letter will need to include the results of the complaint; and
 - c) forward a copy of the letters produced in accordance with Section 4.4 (b) to the **SCPO**, solely for the purpose of including this information in the **Service Complaint file**.
- 4.5 If a Service Complaint is deemed to not have merit there will be no documentation related to the Service Complaint placed in the **respondent's** personnel file at Human Resources.
- 4.6 If a Service Complaint is deemed to not have merit, the **SCPO** will close the **Service Complaint file** after receiving a copy of the letter produced in accordance with Section 4.4 (b).

Section 5: REVIEWING A SERVICE COMPLAINT WITH MERIT

- 5.1 For a Service Complaint that has merit, MCA will determine the appropriate method of review and may exercise discretion in determining whether the Service Complaint should be reviewed by a management employee from a MCA department that is not involved or implicated in the Service Complaint, or alternatively, by an external reviewer.
- 5.2 After the determination has been made that a Service Complaint has merit, a **reviewer** will be appointed by the **Executive Director or SCPO** **as soon as practicable**.
- 5.3 In the event that the **reviewer** has a conflict of interest due to their relation to either the **complainant** or the **respondent**, the **reviewer** must inform the **SCPO** that a conflict exists. The **SCPO** will discuss the matter with the Executive Director to appoint a different **reviewer**.
- 5.4 A management employee who has been appointed as a **reviewer** of a Service Complaint may not delegate this responsibility.
- 5.5 Once appointed, the **reviewer** will start the review **as soon as reasonably possible** and work toward completing the review without delay.
- 5.6 Reviews of a Service Complaint by a management employee must be conducted in accordance with the Service Complaint Review Procedures.

- 5.7 The Service Complaint Review Procedures are authorized by the **Executive Director**, available to community members on the MCA website, available to employees on the MCA intranet, and may also be obtained from the **SCPO**.
- 5.8 To conclude a review, the **reviewer** will finalize a written report summarizing each allegation along with the corresponding findings of each allegation. The review should be concluded without delay.
- 5.9 The **reviewer** must complete and submit the review report **within 90 calendar days of being appointed**. The extent of this timeframe should only be used in limited circumstances. Most reviews can and should be completed much sooner than 90 calendar days.
- 5.10 The **reviewer** must submit the completed original review report to the **recipient** and submit a copy of the review report to the **SCPO**, solely for the purpose of including this information in the **Service Complaint file**.

Section 6: REVIEW FINDINGS

- 6.1 The **reviewer**'s report will include the findings of the review that either:
 - a) the allegation(s) contained in the Service Complaint are justified; or
 - b) the allegation(s) contained in the Service Complaint are unjustified.
- 6.2 If the findings are that the allegation(s) contained in the Service Complaint was justified, the **recipient** must take the following steps **within 5 business days after receiving the review report**:
 - a) meet with the **respondent** to inform them of the findings;
 - b) communicate to and/or with the **respondent** to identify remedies/redress to resolve the Service Complaint;
 - c) document the findings of the review (Service Complaint is justified) and the results of the Service Complaint (resolution) to the **complainant** and the **respondent**, in separate letters to each of them;
 - d) copy the **SCPO** on the letters described in 6.2 (c), solely for the purpose of including this information in the **Service Complaint file**; and

NOTE: The letter to the complainant, described in Section 6.2 (c), must be worded in a general manner. Personnel matters, including discipline, are not to be disclosed.

- 6.3 If the findings are that the allegation(s) contained in the Service Complaint were unjustified, the **recipient** must take the following steps **within 5 business days after receiving the review report**:

- a) document the findings of the review (Service Complaint is unjustified) and the result of the Service Complaint (that no further action will be taken) to the **complainant** and the **respondent**, in a separate letter to each of them; and
 - b) copy the **SCPO** on the letters described in 6.3 (a), solely for the purpose of including this information in the **Service Complaint file**.
- 6.4 If the findings are that the allegation(s) were unjustified, the **SCPO** will close the **Service Complaint file** after receiving a copy of the letter produced in accordance with Section 6.3 (a).

Section 7: RESOLVING A JUSTIFIED SERVICE COMPLAINT

- 7.1 To best resolve a justified Service Complaint, the intent of the communication between the **recipient** and the **respondent**, as referenced in Section 6.2 (b), is to:
- a) identify the issue and overall cause of the Service Complaint (i.e. lack of information being shared; incorrect information received; lack of understanding of policies; disagreement over application of policies; policy or procedure not followed; poor customer service skills demonstrated; not meeting service standards of MCA; etc.); and
 - b) identify appropriate remedies and redress to resolve the Service Complaint based on the identified issue and overall cause of the Service Complaint; what is believed to be fair and reasonable in the circumstances having taken into account the policies, procedures, and best practices in place at the time the incident occurred; and how the quality of services provided to community members might be improved.
- 7.2 The remedy and redress may include, but is not limited to:
- a) providing sufficient, accurate information relevant to the issue(s);
 - b) providing clarification on responsibilities and reasonable expectations;
 - c) promoting improved communication between MCA employees, programs, departments, and community members to increase the understanding of services that community members can reasonably expect MCA programs to provide;
 - d) offering an apology; and/or
 - e) improving processes, procedures, and/or policies as deemed necessary, to increase success in delivering quality customer service and in meeting the service standards of MCA.
- 7.3 If it has been determined that there was no wrongdoing on the part of the **respondent**, there will be no documentation related to the Service Complaint placed in the respondent's personnel file at Human Resources.
- 7.4 If it has been determined that there was wrongdoing on the part of the **respondent**, documentation related to the wrongdoing will be placed in the respondent's personnel file at Human Resources by the **recipient**.

NOTE: The **recipient** and/or **respondent** may contact Human Resources for advice and/or guidance. At this point, it is an employee/employer situation and the General Personnel Policy will apply.

Section 8: PREVENTING RECURRENCE

- 8.1 The **recipient** is responsible to determine what reasonable actions should be taken to prevent the recurrence of the incident that was the subject of the Service Complaint.
- 8.2 The **recipient** will take action to prevent the recurrence of the incident that was the subject of the Service Complaint. This **action must be initiated within 30 calendar days** and **must be completed within 90 calendar days** of the date the Service Complaint is resolved.
- 8.3 In the event that extenuating circumstances exist which have the potential to make meeting the completion time frame provided in Section 8.2 impossible, the **recipient** is required to send an e-mail to the Executive Director to request approval and provide justification for an extension to the completion deadline.
- 8.4 The **recipient** will document the action taken and will send this information to the **SCPO within 10 business days of completion** to close the file.

Section 9: TRACKING & ACCOUNTABILITY

- 9.1 Service Complaint files must be kept, tracked, and monitored by the **SCPO** to ensure that status reports are readily available.
- 9.2 Responsibility and accountability for Service Complaint processing is clearly established and Service Complaints and responses to them will be monitored and reported. Parties who are responsible to take action during any stage of the Service Complaint process will be held accountable for their activity or lack thereof.

Section 10: REPORTING & EVALUATION

- 10.1 The **SCPO** is responsible to produce annual reports on Service Complaints.
- 10.2 The **SCPO** is responsible to evaluate Service Complaint files on an annual basis.
- 10.3 The **Executive Director** will meet with Directors and Program Managers, as needed, to review Service Complaints related to their areas.
- 10.4 Ongoing tracking, resolution, evaluation, and proper prevention of the recurrence of any incident that was the subject of a Service Complaint will serve to improve the overall quality of service provided to community members.

Section 11: APPEALS

- 11.1 The review of a Service Complaint with merit is conducted by an appointed **reviewer** and is not subject to appeal. Decisions made prior to or after the review of a Service Complaint are appealable.

- 11.2 **Complainants** who wish to appeal a decision made by a **recipient**, in response to a Service Complaint submitted by the complainant, may do so in accordance with the Administrative Appeal Panel Terms of Reference & Procedures.
- 11.3 The Administrative Appeal Panel Terms of Reference & Procedures are authorized by the **Executive Director**, available to community members on the MCA website, available to employees on the MCA intranet, and may also be obtained from the **SCPO**.

Section 12: AMENDMENTS

- 12.1 These procedures will be reviewed by the **Executive Director** or his/her designate every three (3) years, or as otherwise determined by the **Executive Director**, from time to time.
- 12.2 These procedures may be amended under the authority of the **Executive Director** with an effective date specified and, once authorized, an amended version shall replace the prior version.
- 12.3 Amended procedures authorized by the **Executive Director** must be made available to community members on the MCA website, made available to MCA employees on the MCA intranet, and must be available from the **SCPO**.