

# SERVICE USER AND COMMUNITY MEMBER COMPLAINTS

## Preamble

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Family Service Toronto (FST) values and encourages the feedback of service users and community members about the programs and practices of the organization. Feedback can include suggestions, requests, recommendations or complaints. Feedback along this continuum and problem solving with clients are encouraged. Feedback, including complaints, can provide important opportunities for improving service.

A complaint may be defined as an expression of dissatisfaction or unmet expectation. If clients and community members continue to be dissatisfied after a staff member has tried to address their concern, they shall be asked whether they wish to make a formal complaint and the complaint process shall be explained to them. A complaint can be made by the service user or community member with support if necessary. The complaint can relate to any aspect of the organization's programs and services.

A service user or community member who believes they have experienced discrimination at FST contrary to the [Ontario Human Rights Code](#) can file a claim with the Human Rights Tribunal of Ontario. Information about the complaint process is available at [www.hrto.ca](http://www.hrto.ca)

## Policy

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FST is committed to listening to service user and community member feedback including suggestions, requests, recommendations and complaints and responding in a fair, timely and respectful manner. All complaints will be given due consideration without reprisal or discrimination. FST staff will not interfere with any individual who wishes to file a complaint. Language support for non-English speaking service users or community members will be provided. This policy describes the framework through which service users and community members can register complaints about programs, service delivery or treatment from other program participants, staff, students or volunteers.

FST actively informs service users and community members of their right to register complaints (verbal or written) and seek resolution. This information is accessible and publicized in FST's *Client Rights and Responsibilities Statement*. Service users or community members who speak languages other than those covered by the latter documents or who have reading difficulties are encouraged to have this policy explained to them by an FST staff person or the counsellor at the beginning of service. FST will assist persons with disabilities to register their complaints and seek resolution.

All aspects of a complaint will be handled in confidence. However, if the complaint involves allegations of illegal or unethical behavior, information may need to be shared with external authorities.

All complaints are documented. The maintenance of complaint files is the responsibility of department Directors.

In select programs, complaints of a serious nature may be required to be reported to the funder (e.g., serious occurrence reporting required by the Ministry of Community and Social Services; Ministry of the

Attorney General). Supervisors will be knowledgeable about such requirements and Directors will inform the funders as required.

Complaints deemed a risk to the organization are brought forward to the board of directors by the Executive Director. Complaints related to the violation of board governance policies are reviewed by the board. Directors (senior management) will provide information about complaints to the Executive Director's office so that a summary report can be created and submitted to the board annually.

Clients with questions, comments or complaints about FST privacy policies and procedures or about the collection, use or disclosure of their personal information will be directed to the Privacy Officer.

## Scope

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The *Service User and Community Member Complaint* policy applies to all FST programs and services. Exceptions include Passport as user complaints for this program are facilitated by external authorities.

## Procedures

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As the goal of FST is to give sufficient local authority to meet service user needs, complainants will be encouraged, but not required to work through the lines of authority within the organization.

To provide maximum support to the staff-service user and community member relationship, the complaint resolution process begins with the involvement of the staff person who provided service, unless this is not in the best interests of the service user or community member.

### STEP 1: Receiving a Complaint

- a. If the person providing service receives the complaint the service user or community member should be offered the earliest opportunity to discuss their concern(s).
- b. If the complaint is received by any staff member or volunteer of the organization other than the person providing service the service user or community member should be directed to the person providing service with an explanation of FST's policy. If the complainant is reluctant to speak directly to the person providing service they should be referred to that person's immediate supervisor. The person providing service should be alerted to the existence of the complaint.
- c. In hearing a complaint the person providing service may decide to involve or consult their supervisor at any stage. This option should be taken if the service user brings a friend or advisor. If the complaint is of a serious nature<sup>1</sup>, where reporting to the funder may be required (e.g., serious occurrence reporting for the Ministry of Community and Social Services; Ministry of the Attorney General), the person providing service will inform their supervisor who will involve the

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<sup>1</sup> Complaints of a serious nature may include complaints about the operational, physical or safety standards of the service; complaints made by or about a client including complaints related to assaults committed by a client, complaints that involve media attention, etc. See MCSS Serious Occurrence Reporting Guidelines and Serious Occurrence Reporting Tip Sheet for more information.

relevant Director so that a determination can be made about whether reporting to the funder is required in the particular situation.

- d. If the complaint is handled to the mutual satisfaction of the complainant and the person providing service, the complaint and resolution is documented on the *Complaint Form* and a copy is forwarded to the supervisor of the person providing service and the department director.

## STEP 2: Discussion with the Supervisor

- a. If the person providing service is unable to resolve a complaint, the complainant is offered the opportunity to speak with the supervisor. The supervisor should be alerted by the staff member that a complaint is anticipated.
- b. The preferred method is to have the supervisor call the service user or community member. This affords the staff person the opportunity to discuss the matter with the supervisor prior to any further action or outreach to the complainant.
- c. The supervisor calls the service user or community member as soon as possible after consulting with the person who provided the service.
- d. If a service user or community member calls a supervisor to complain about the person providing the service or about the service provided, the supervisor should hear the complaint, but offer no action without discussing the matter with the staff person involved.
- e. From the point a supervisor takes a call from a service user or community member or calls a complainant about a complaint, a meeting between the supervisor and complainant should be offered within five working days.
- f. The staff person(s) and supervisor should jointly plan the response to the service user's or community member's complaint. Whenever possible the plan should support the integrity of the service user/community member-staff relationship and unless clearly contraindicated, the staff person will be present at any meeting between the supervisor and complainant.
- g. The role of the supervisor is to resolve the matter to the satisfaction of the service user or community member and staff person(s) or, failing this, to inform the complainant of their right to seek resolution through a meeting with the Director.
- h. A letter must be sent to the service user or community member within two weeks of the meeting outlining the resolution, if any, and an explanation of any further appeal, right or recourse. The Director of the department within which the complaint was made is informed of the complaint and the resolution or lack of resolution.

### STEP 3: Meeting the Department Director

- a. If the service user or community member is not satisfied with the response from the supervisor the initiative for carrying the complaint to the Director rests with the complainant.
- b. The service user or community member should be informed of the name and phone number of the Director if she/he wishes to pursue the complaint. The Director is alerted immediately if a call is anticipated and a copy of the completed *Complaint Form* is provided.
- c. If requested, the Director will meet with the service user or community member within two weeks of receiving the request.
- d. Prior to this the Director will contact the supervisor and the staff person and seek any necessary consultation. Whenever possible the Director will attempt to involve the staff and supervisor in the planning process and may invite one or both to the meeting.
- e. The Director will attempt to resolve the problem with the service user or community member. Whatever the outcome the Director will inform the complainant by mail not more than two weeks after the meeting outlining the resolution, if any, and an explanation of any further appeal right or recourse
- f. The Director will inform the Executive Director of the meeting with the service user or community member and the outcome.

### STEP 4: Meeting the Executive Director

- a. If the service user or community member is not satisfied with the response from the Director the complainant may take the complaint to the Executive Director and should be informed of the name and phone number of the Executive Director.
- b. The Executive Director should be alerted immediately if a call is anticipated and a copy of the completed *Complaint Form* should be provided.
- c. If requested, the Executive Director or her or his designate will meet with the service user or community member within two weeks and attempt to resolve the matter.
- d. Prior to this, the Executive Director will inform the Director, supervisor and the staff person(s) of the approach and seek any necessary consultation.
- e. Whenever possible the Executive Director will involve the staff person(s) and supervisor in the planning process and may invite one or all of them to the meeting.

- f. Prior to the meeting the Director will ensure that a letter bearing his/her signature is sent to both the service user or community member and the Executive Director outlining the complaint and all the steps taken to resolve the complaint.
- g. Within two weeks of meeting the service user or community member, the Executive Director or her/his designate will send a letter to the complainant setting out any agreement reached, or failing this, the Executive Director's decision regarding the complaint.

The person(s) providing the service and those at the first level of authority will be kept informed throughout all attempts to resolve complaints. In instances where there is an allegation of criminal or serious ethical breach of conduct by FST personnel, the Executive Director may waive the requirement to inform personnel until legal and/or police advice is sought and may continue to refrain from informing the person during the course of an investigation providing there is no breach of a legal or contractual standard.

While every attempt should be made to achieve a positive resolution with the complainant, the integrity of FST policies and the integrity and safety of FST personnel and other service users or community members must be maintained.

## Documentation

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All complaints received from a service user or community member are initially documented by the staff person who received the complaint in the client record (where applicable) and also on the *Complaint Form*. A flag noting that a complaint has been received is placed in the client or community member's record. A copy of the complaint is forwarded to the staff person's supervisor.

The complaint file (includes all documentation, correspondence, resolution and follow up) is maintained separately from the service user's client record or the community member's file in the appropriate director's office.

A record of the complaint will be made available to the complainant on request except in the case where the confidentiality of another service user or community member may be breached. These records will be retained for the same period of time as the client or community member record (currently this period is 10 years).