

SECTION: Services Delivery - General	SUBJECT: Complaints/Feedback Process	REF: SD-01-045 DATE: February 24, 2006 Amended: March 13, 2007 Amended: March 2012 Amended: May 2014 Revised & Renamed: June 2021
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POLICY

Those receiving service from CLNH have the right to speak out about the things that are important to them (Bill of Rights and Responsibilities, CLNH). To facilitate feedback and complaints, people receiving supports and services, their families, guardians and/or advocates and members of the general public must have ways to discuss and bring forth their concerns, complaints and feedback constructively. By providing mechanisms to do this, we can work cooperatively to address and correct issues and/or resolve differences in a timely fashion. It is the policy of CLNH to hear, respond to and learn from complaints from persons supported and their families, advocates, guardians or members of the general public.

For those individuals and families who are accessing the Ontario Autism Program (OAP) supports, the Independent Clinical Review process from the OAP guidelines will be followed once the CLNH internal complaints process has been exhausted.

CLNH will provide information in plain language on the complaints/ feedback process to all people who come into service with the agency, and/or a person acting on their behalf.

CLNH will not respond to complaints that are delivered in a disrespectful, vexatious, or frivolous manner or that contain personal attacks on any employee.

- If the complaint or concern is about abuse or neglect, CLNH’s Policy on Abuse and Neglect (SD-01-20) will be followed.
- If the complaint or concern is about a rights restriction, CLNH’s policy on Individual’s Rights (SD-01-040) will be followed.
- If the complaint is considered a serious occurrence, CLNH’s policy on Serious Occurrences (SD-01-060) will be followed.
- If the complaint or concern is about a serious safety issue, CLNH’s policy on Safety for Individuals (SD-02-030) will be followed.
- If, during the process of investigating a complaint, it is deemed that there is substantive information that supports an allegation of criminal activity, the police will be contacted by a Manager, Director, Executive Director or Designate.

Community Living North Halton (CLNH) is committed to ensuring that individuals supported, advocates including person's acting on their behalf, and members of the general public have access to a formal system of complaint with respect to matters of the Association and its staff. This agency is also committed to ensuring that individuals supported have access to a dispute resolution process with respect to other individuals supported. This process must ensure the fair and unbiased review of any complaint or dispute. The Association must ensure that support is provided to individuals in lodging a complaint/dispute.

CLNH will provide a process to receive feedback and complaints from individuals supported, staff, family/advocates of individuals supported, and the general public.

CLNH may solicit feedback in ways such as online surveys, telephone surveys, parent groups, program participation feedback.

All formal complaints received in writing/email/online submission through agency website will be stored in an organizational database.

In order to promote continuous quality improvement, an annual review and analysis will be conducted by the Data Analyst and Operations Coordinator of the complaints and feedback to evaluate the effectiveness of the agency's policies and procedures and consider the need to revise such policies. Directors will be provided with a summary of the analysis.

PROCEDURE

As part of the intake process for individuals coming into service with CLNH, a plain language version of the Feedback and Complaints Process is to be made available to them and their family/advocate which will be accessible on the agency website.

CLNH will receive feedback and complaints from individuals supported, staff, family/advocates of individuals supported, and the general public through a variety of means: in person, phone, email, letter, and via an online form available through the agency website. Upon request, the agency will assist any individual wanting to provide feedback or make a complaint.

CLNH requires that complaints or concerns are addressed as they arise and be resolved, whenever possible, in a progressive manner. It is recognized that a very serious complaint may go directly to the executive director for review.

FIRST STEP

The complainant is first to speak with or put in writing to the CLNH employee to whom the complaint is directed. An employee who receives a verbal or written complaint must take action within 5 business days by:

- Assisting the complainant in understanding of the review process and that complaints are addressed in a progressive manner, starting with the initial response from the front line staff
- Attempting to resolve the concern to the satisfaction of the complainant

The front line staff will document the complaint in AIMS and state whether it has been resolved or not. When a resolution is not achieved at this level, front line staff will bring the matter to the attention of the coordinator/lead/program manager.

The complainant has the right to submit a written complaint for formal review at the next level.

FORMAL REVIEW PROCESS

1st Level: Manager

Where the complainant believes that a contentious issue was not satisfactorily resolved at the level of the front line staff, a formal written (hard copy or electronic) complaint may be submitted for review and response by the manager for that program. The manager may consult with the program director as part of the process.

The manager receiving the complaint will review the matter, investigate as necessary, and respond to the complainant within 7 business days. The response is to be documented in AIMS. If the response is going to take longer than 7 days, the manager is to inform the complainant of another timeline and the expected date of response.

2ND Level: Director

Where the complainant believes that a contentious issue was not satisfactorily resolved at the level of manager, a formal written (hard copy or electronic) complaint may be submitted for review and response by the director for that program. The director may consult with the executive director as part of the process.

The director receiving the complaint will review the matter, investigate as necessary, and respond to the complainant within 7 business days. The response is to be documented in AIMS. If the response is going to take longer than 7 days, the director is to inform the complainant of another timeline and the expected date of response.

3rd Level: Executive Director

Where the complainant believes that a contentious issue was not satisfactorily resolved at the level of director, a formal written (hard copy or electronic) complaint may be submitted for review and response by the executive director for the agency. The executive director may consult with the Board of Directors.

The executive director receiving the complaint will review the matter, investigate as necessary, and respond to the complainant within 10 business days. The response is to be documented in AIMS. If the response is going to take longer than 10 days, the director is to inform the complainant of another timeline and the expected date of response.

4th Level: Board of Directors

Where the complainant believes that a contentious issue was not satisfactorily resolved at the level of executive director, a formal written (hard copy or electronic) complaint may be submitted for review and response by the executive director for the agency. The executive director may consult with ...

The board of directors receiving the complaint will review the matter, investigate as necessary, and respond to the complainant within 15 business days. If the response is going to take longer than 15 days, the director is to inform the complainant of another timeline and the expected date of response.

5th Level: MCCSS

Where the complainant believes that a contentious issue was not satisfactorily resolved at the level of board of directors, a formal written (hard copy or electronic) complaint may be submitted for review and response by the MCCSS.

REVIEW OF COMPLAINT & INVESTIGATION

A complaint will need to be investigated following an investigative process to gather detailed information about the complaint and the circumstances surrounding it. This may require interviewing staff, individuals receiving service or their advocates; reviewing pertinent documents/records; speaking with stakeholders or community members; consulting with other service providers. All information gathered will be documented.

At all times the agency will make every reasonable attempt to ensure that the complaints process is free of any coercion, conflict of interest, intimidation or bias before, during or after the review. This will be done by: upholding the oath of confidentiality, keeping separate the complainant and persons

who are involved in the review wherever possible, and providing a supportive, non-threatening atmosphere.

Any person submitting a complaint or providing feedback will not be at risk of having services and supports negatively impacted or withdrawn as a consequence of submitting the complaint/feedback.

An outside facilitator may be called in to assist in resolving a complaint.

MAINTENANCE OF RECORDS

All formal complaints received in writing will be documented and recorded in the organizational database. Feedback solicited by the agency will be stored electronically. Complaints and feedback will be reviewed on an annual basis.

The Executive Director will maintain a record of: legal actions, allegations of wrongdoing, malpractice and violation of ethics for a period of 20 years for organizational learning and reference.

DEFINITIONS:

Feedback: is an opinion expressed by a service user, their advocate, or a community member about the services or supports provided by the agency. Feedback may be positive or negative and may be solicited (such as information and comments collected through a satisfaction survey) or unsolicited (such as a verbal comment or a letter from a person or family member). Feedback may be formal or informal. Agency response to feedback is not mandatory.

Complaint: is an expression of dissatisfaction related to the services and/or supports that are provided by the agency. A complaint may be expressed by a person receiving services and supports from the service agency, or a person acting on their behalf, or by the general public. A complaint may be made formally (such as a letter written to the agency) or informally (such as a verbal complaint expressed to a staff person). Agency response to a complaint is required unless the complainant does not want a response.

Feedback is often solicited while a complaint is not. Feedback does not generate an investigation or response but a complaint does.