

Policy Section: Customer Service	Policy No:
Subject: Service Complaint and Appeals Policy	Effective Date: June 5, 2006
Approved by: Board of Directors	Revision Date:

**CENTRE FOR INDEPENDENT LIVING IN TORONTO (C.I.L.T.), INC.
SERVICE COMPLAINTS & APPEALS POLICY**

PURPOSE AND APPLICATION OF POLICY

Purpose and Application of Policy: CILT would prefer that our services run smoothly all the time. However, sometimes things do go wrong. The purpose of this Policy, then, is to set out clearly how complaints can be made about the services that CILT provides, and how CILT will deal with such complaints.

This Policy provides a way in which complaints can be dealt with positively and appropriately. The objectives of the complaints procedure are:

- To provide a simple way to register a comment or complaint about CILT and the behaviour of CILT's staff, or if it is felt that there has not been an acceptable standard of service.
- To provide an explanation of what happened, why an incident giving rise to a complaint happened, and how it may be avoided in the future, together with an apology if one is appropriate in the circumstances.
- To protect both clients and staff from unnecessary confrontational incidents.
- To use the information gained to improve the delivery of services by CILT and help with the long-term planning of CILT's programs and services.

What this Policy Does Not Cover: This Policy does **not** cover complaints or requests for a review of a CILT decision with respect to the following programs and services:

- Decisions to terminate the participation of a person in the Direct Funding Program, which is covered by the "Protocol for Termination of Self-Managed Attendant Services - Direct Funding Program Agreement"; and
- Complaints concerning CILT's handling of personal health information, which is covered by the "Policy Regarding Privacy and Protection of Personal Health Information."

This Policy also does **not** cover complaints about discrimination or harassment. For these types of complaints, please see *CILT Human Rights Policy, March 1999*.

I. COMPLAINT POLICY

1. Who can make a complaint?

- a. All consumers of any services provided by CILT have the right to make a complaint.
- b. For the purpose of this Policy, a “consumer” is:
 - i. any person who receives a service, or is an applicant for a service, from CILT, and it may include a person who is also an employee of CILT, a member of the board of directors of CILT, a volunteer at CILT, or a member of CILT. For greater certainty, however, it is in the person’s capacity as the recipient of a service from CILT or an applicant for a service from CILT that a person is a “consumer” for the purpose of this Policy, and in no other capacity or relationship to CILT; or
 - ii. any person, other than a person mentioned in the immediately preceding sub-paragraph i., who is affected by CILT’s activities and who is a contractor, a supplier or another organization with which CILT works.
- c. If a friend or relative wishes to complain on behalf of a consumer, then the consumer must provide written consent for CILT staff to discuss the matter with such friend or relative.

2. What is a complaint?

- a. A complaint is any oral, written or electronic communication to CILT from a consumer in which the consumer expresses his or her or its dissatisfaction with a service provided by CILT or an activity of CILT or a failure on the part of CILT to provide a service or do something.

3. How is a complaint to be made?

- a. A complaint can be made by telephone, in person, by e-mail or in writing.
- b. A complaint can be made to the person designated from time to

time by CILT to receive complaints, or to any staff of CILT.

II. COMPLAINT RESOLUTION PROCEDURE

1. Overview of the Complaint Procedure

- a. There are four stages to the complaint procedure:
 - i. informal resolution;
 - ii. first review of the complaint, by the manager or other CILT staff member who is responsible for the service or CILT activity with which the consumer is dissatisfied;
 - iii. second review of the complaint, by the director of the service; and
 - iv. appeal to complaints panel.

2. Stage 1: Informal Resolution

- a. In the first instance it is hoped that if a consumer brings a complaint to the attention of CILT, then the member of the staff with whom the consumer normally deals will be able to resolve the complaint to the satisfaction of the consumer.

3. Stage 2: First Review of Complaint

- a. If a complaint is not resolved satisfactorily at Stage 1, then a consumer may ask for a review of his or her complaint. The consumer will be required to put the complaint in writing and addressed to the manager or other CILT staff member who is responsible for the service or CILT activity with which the consumer is dissatisfied.
- b. Once CILT has received the written complaint, the consumer shall be given a reply within 15 days after the date when the written complaint was submitted to CILT. If CILT needs more time to investigate the complaint, then the consumer shall be informed of this and of the date when he or she can expect to receive a reply from CILT.
- c. CILT's reply to a consumer under this Stage 2 shall be in writing.

4. Stage 3: Second Review of Complaint

- a. If a consumer is not satisfied with the reply from the manager or other CILT staff member who is responsible for the service or CILT activity with which the consumer is dissatisfied, as set out in Stage

2, then the consumer may complain in writing to the director of the service.

- b. Once CILT has received a consumer's letter in accordance with the immediately preceding paragraph, the director will reply to the consumer within 25 days. If CILT needs more time to investigate the complaint, then the consumer shall be informed of this and of the date when he or she can expect to receive a reply from CILT.
- c. CILT's reply to a consumer under this Stage 3 shall be in writing.

5. Stage 4: Appeal to a Complaints Panel

- a. If a consumer is still dissatisfied, after receiving the director's response, he or she may appeal to a Complaints Panel. A Complaints Panel shall consist of the Executive Director of CILT and two members of CILT's Board of Directors. If the Executive Director is the subject of the complaint, then he or she will be replaced on the Complaints Panel by a third member of the Board of Directors.
- b. If a consumer wishes his or her complaint to go to a Complaints Panel, then the consumer must make the request in writing, set out the reasons for appeal to the Complaints Panel and provide the Complaints Panel with such other information and documentation that the consumer considers relevant to his or her appeal and complaint.
- c. If CILT does not receive a request for an appeal from a consumer before the end of 45 days after the date when the consumer received the reply from the director (see Stage 3), then the Complaints Panel may, in its discretion, decide not to hear the consumer's appeal.
- d. A Complaints Panel that is going to consider an appeal from a consumer shall do so and provide the consumer with a decision no later than 60 days after the date that the request for the appeal is received by CILT at the CILT office.
- e. The Complaints Panel's decision is final and cannot be further appealed.

III. OTHER MATTERS

1. Confidentiality

- a. CILT understands that it may be difficult to come forward with a complaint and recognizes a consumer's interest in keeping the complaint confidential. To protect the interests of the consumer and, if applicable, any other person of whom a complaint is made, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.
- b. The maintenance of a written record, which details the complaint and the outcome of the investigation, serves several purposes. It serves as a form of precedent for CILT, to ensure that complaints of a similar nature are treated similarly; as a reference should any questions arise concerning the specific complaint; and as a record of prior complaints, which may assist in identifying repeat offenders or systemic deficiencies that require attention. The maintenance of a written record may also be important in cases where progressive discipline is imposed on employees of CILT. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by CILT, except where disclosure is required by a disciplinary or other remedial process or by criminal law.
- c. Because of the commitment to confidentiality, records related to a complaint, the investigation and the appeal shall be stored separately and securely from the consumer's other files and/or records.

2. Representation / Support

- a. A consumer who makes a complaint and a CILT employee or volunteer about whom a complaint is made each has the right to be accompanied by a representative or support person of their choice in any meetings that occur during the complaint procedure and that are intended to resolve the complaint, provided that such representative or support-person agrees to observe confidentiality.

3. Protection from Reprisal

- a. The consumer, as well as anyone else who is involved (i.e., witnesses, representatives, supervisor/program manager, members of Complaints Panel) have a right not to be penalized for making the complaint/appeal or participating in the process.

4. Accessible formats

- a. All consumers involved in the complaint process have the right to

present and receive information in formats that make the information easily accessible to them (e.g., in large print, in Braille, with the assistance of a translator or interpreter, etc.).

5. Access to Information

- a. All consumers will receive program specific information at the outset of their participation in a CILT program or receipt of a service from CILT, and in the case of the Project Information Centre and/or Direct Funding this information is provided in writing.

6. Quality Improvement System

- a. The supervisor/program manager will maintain a process of tracking all complaints and appeals and make strategic recommendations for the quality improvement system.

7. Other Complaint Mechanism

- a. Depending on the nature of a consumer's complaint, the consumer may, if still dissatisfied after completing the various Stages of the procedure set out in this Policy, be able to make a further complaint to the Health Services Appeal and Review Board. The consumer will have to make contact directly with the Health Services Appeal and Review Board in order to find out whether the Health Services Appeal and Review Board will deal with the complaint.
- b. The Health Services Appeal and Review Board may be contact at the following:

Health Services Appeal and Review Board
151 Bloor Street West, 9th Floor
Toronto, Ontario M5S 2T5
Telephone: 416-327-8512
1-866-282-2179
Facsimile: 416-327-8524
Email: hsarb@moh.gov.on.ca