



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE AGENDA

Monday, September 17, 2018 at 12:05 p.m.

Chairman: Mayor M. Heyck,
Councillor R. Alty,
Councillor A. Bell,
Councillor L. Bussey,
Councillor N. Konge,
Councillor S. Morgan,
Councillor J. Morse,
Councillor S. Payne, and
Councillor R. Silverio.

<u>Item</u>	<u>Description</u>
1.	Approval of the agenda.
2.	Disclosure of pecuniary interest and the general nature thereof.
ANNEX A	
3.	A memorandum regarding whether to adopt a Public Complaints Policy.
<u>IN CAMERA</u>	
4.	A personnel matter.
5.	Business arising from In Camera Session.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities

DATE: September 17, 2018

DEPARTMENT: Administration

ISSUE: Whether to adopt a Public Complaints Policy.

RECOMMENDATION:

That Council adopt the Public Complaints Policy.

BACKGROUND:

The City of Yellowknife (the “City”) currently receives complaints about programs, facilities, services and employees through various ad hoc avenues. While the City has a number of policies in place to address harassment and workplace behaviour, the City has not yet implemented a clear standard for how to respond to complaints or how to track complaints. The City believes that complaints should be welcomed and affirmed as an opportunity for improvement and enhancement. Developing a standard for responding to complaints will help improve the City’s level of customer service and ensure complaints are assessed on merit and dealt with in a timely manner. The Public Complaints Policy will assist staff by providing citizens with a formal way to address issues.

Public Complaint policies are a best practice with a number of municipal governments, used to standardize the process for residents to raise concerns. Some, such as the City of Toronto, opt to include both compliments and complaints.

COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal#5	Stronger Internal Working Relationships and Accountability
Council Motion#0309-18	That Council direct Administration to (3) Bring forward a Public Complaints Policy for Council consideration.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

CONSIDERATIONS:

The purpose of this policy is to provide a consistent and uniform process to respond to complaints received from members of the public regarding the dissatisfaction of the service, actions or lack of actions by a City employee in connection with the delivery of services. Once adopted, the Public Complaints Policy will be added to the City's website.

By introducing guidelines and standards, the process of managing and resolving complaints will become more efficient allowing staff to respond to complaints in a timely manner and provide an opportunity to improve City programs and services. This policy is intended to enable the City to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist the City in providing excellent service to the public, and contribute to continuous improvement of operations.

ALTERNATIVES TO RECOMMENDATION:

That Council not adopt a Public Complaints Policy.

RATIONALE:

Administration has worked to develop a policy which provides a clearly outlined process to address complaints regarding the dissatisfaction of the service, actions or lack of actions by a City employee in connection with the delivery of services to the public.

The approach laid out in the policy follows best practices in municipalities and also processes that are adopted by professional associations to manage complaints against their members, eg. law societies, engineering associations.

ATTACHMENTS:

Public Complaints Policy (DM #529771).

Prepared: September 13, 2018; KLP/klp



CITY OF YELLOWKNIFE

Policy Title: **PUBLIC COMPLAINT POLICY**
Approved By: **Council Motion #00XX-XX**
Effective Date: **XXXXX XX, 2018**

PURPOSE

The City recognizes the importance of public input and welcomes complaints as valuable forms of feedback. This policy provides the public with an avenue for submitting complaints and provides City Administration with consistent practices for handling complaints about City programs, facilities, services and employees.

The City will endeavor, first and foremost, to resolve complaints informally. In those situations where a member of the public is not satisfied with an informal resolution, they may follow the formal complaints process.

The City also appreciates receiving suggestions and ideas from the public, as well as compliments when City employees deliver above expectations. These are welcomed and can be provided outside of this policy in whatever manner is easiest for the member(s) of the public wanting to share – in person, in writing, by telephone, or by email.

This policy complements the City of Yellowknife's existing suite of policies, which include the Respectful Workplace, Anti-Harassment Policy and Code of Conduct for City Employees Policy.

POLICY

The City of Yellowknife is committed to continuous improvement in its programs and services for residents and as such, welcomes complaints about City programs, facilities, services and employees. The City commits that complaints will be dealt with in a fair, respectful, timely, consistent and transparent manner.

SCOPE

This Policy applies to all City of Yellowknife programs, services, facilities and employees.

This Policy is not meant to address:

- Issues already addressed by legislation, by-law, policy or procedure
- A decision of Council



- Complaints about Members of Council or Council Committees
- Internal employee complaints
- Compliments, feedback, inquiries, requests for service, requests for accommodation, criticisms or anonymous complaints

DEFINITIONS

Complaint	means an expression of dissatisfaction made by a member of the public regarding the service, actions or lack of actions by a City employee in connection with the delivery of services to the public.
Complainant	means a member of the public submitting a Complaint.
Compliment	means an expression of approval for a City program, facility, service, staff member, product or process.
Employee	means any paid employee of the City of Yellowknife including but not limited to full time, part time, casual and seasonal employees. This does not include volunteers or contractors.
Formal Complaint	means a Complaint that has not been successfully resolved through the informal resolution process as outlined in this Policy. As such, the Complainant has chosen to formalize the Complaint by completing a City of Yellowknife Public Complaint Form.
Informal Complaint	means a Complaint that has been received by the City, either by telephone, email, mail or in person which has not been submitted on a Public Complaint Form.
Investigating City Employee	means the employee leading the investigation into a Complaint, typically the Manager or Director of the Department.

PROCEDURE

General

A Complaint may be made in a number of ways:

- Verbal complaints may be made in person or by telephone;
- Written complaints may be filed by hand delivery, mail, or email.



Informal Complaint

It is the responsibility of City employees to attempt to resolve issues or concerns before they become Formal Complaints, and identify opportunities to improve municipal services. For cases where informal resolution is successful, complaint logging is not required.

Complaints must be made within thirty (30) days after the alleged event.

Should an Informal Complaint not be resolved to the satisfaction of the Complainant, the Complainant may file a Formal Complaint.

Formal Complaint

A Formal Complaint shall be in writing and in the prescribed form of the Public Complaint Form, attached hereto as Appendix "A". The Formal Complaint shall be submitted to the City Clerk.

Complaints must be made within thirty (30) days after the alleged event or within seven (7) days of the conclusion of the informal complaint process.

The City Clerk will issue a tracking number to the Complaint and will acknowledge receipt of the Complaint in writing within 5 business days.

A formal complaint shall include the following components:

- Contact information for the Complainant;
- Type of complaint;
- Summary of complaint (Details, location, City employee involved, resolution requested, enclosures, date complaint submitted);
- Signature and date. All Complaints shall be filed within 30 days of the event, incident or interaction that causes the Complaint to arise, or within seven (7) days of the conclusion of the informal complaint process.

When a formal complaint is received, the City Clerk will:

Acknowledge

Contact the Complainant in writing within the respected number of days. The Complaint will be logged and a tracking number will be assigned and referenced within the notice, as well as detailed service standard timelines which will be met during the complaint process.

Assess (If Applicable)

Contact the Complainant in writing to clarify the Complaint, if needed. The Complaint may be terminated at this point if a resolution is possible, if it is a duplicate or if it is not a Complaint.



Confirm Process

Unless otherwise directed by the City Administrator, the Complaint will be assigned as follows to the appropriate Investigating City Employee:

- In the case of a City program, facility or service, the Director of the Department
- In the case of a City employee, the Manager of the Division with the support of Human Resources
- In the case of a Manager, the Director of the Department with the support of Human Resources
- In the case of the Manager of Human Resources, the City Administrator
- In the case of a Director, the City Administrator with the support of Human Resources
- In the case of the City Clerk, the City Administrator with the support of Human Resources
- In the case of the City Administrator, the Mayor.

Investigation

The Investigating City Employee will:

- Document all notes within the Public Complaint Form.
- Provide the employee who is the subject of the Complaint with a copy of the Complaint.
- Notify the Complainant in writing of an approximate length of time if the Investigating City Employee determines the issue may result in a lengthy investigation process.
- Review the issues identified by the Complainant and in doing so may:
 - o Review relevant municipal and territorial legislation;
 - o Review the City's relevant policies and procedures;
 - o Interview employees;
 - o Identify actions that may be taken to address the Complaint or improve municipal operations.

FINAL DECISION

A decision will be prepared by the Investigating City Employee, reviewed by the City Administrator and then provided in writing to the Complainant, and City Employee complained of (if applicable), within 30 days of the Complaint being filed with the City Clerk. If a decision cannot be provided within 30 days, the Investigator shall contact the Complainant to advise of the delay and provide an estimation of time required.

The decision will consist of information including:

- Overview of complaint;
- Details of how the investigation was conducted;
- Summary of the facts;
- Outline of the findings;
- Identification of next steps;



- Suggestions of appropriate resolution along with the rationale supporting the proposed resolution.

MONITORING

The City Clerk shall track the Complaint from its initial receipt to its resolution.

The City Clerk must keep a centralized, up-to-date Public Complaint Tracking register which will clearly track each instance by Complaint number and define what stage the Complaint is at.

In the event of a conflict of interest, the Office of the City Administrator will administer the process.

PRIVACY

The City of Yellowknife will adhere to all applicable legislation regarding privacy in accordance with the *Personal Information Protection and Electronic Documents Act* (PIPEDA). All Complaint records will be kept securely and in accordance with corporate policy requirements and legislative responsibilities.

Personal information contained in the Complaint will be treated as confidential to protect the privacy of the Complainant and City employee, if applicable; however the Complainant should be aware that certain circumstances will identify them during an investigation.



CITY OF YELLOWKNIFE

The City of Yellowknife is committed to continuous organizational improvement in an environment where all complaints are dealt with fairly in a respectful, transparent fashion. Complaints must be made within thirty (30) days after the alleged event.

Are you submitting the complaint on behalf of someone else? Yes No

Please indicate how you would like us to contact you regarding your complaint.

Email Standard Mail Telephone

Please indicate what Department your complaint is related to:

- Administration
- Community Services
- Corporate Services
- Planning & Development
- Policy Communications & Ec Dev
- Public Safety
- Public Works & Engineering.

Please indicate the date of the occurrence: ____ / ____ / ____ _____
Day Month Year Time

Please indicate the location of the problem.

If known, please indicate the staff person(s) involved.

Please indicate the nature of the complaint (include as much detail as possible).

Please attach any additional documents regarding your complaint (pictures, additional written content etc.).

Please provide us with your contact information.

First Name: _____ Last Name: _____

Address Number & Street Name:

Mailing Address if different:

City: _____ Province: _____ Postal Code: _____

Home Phone Number: _____ Cell Phone Number: _____

Email Address:

Date

Signature

Please note that you will be contacted within five (5) business days to confirm receipt of your complaint.

Please return your complaint form to:

Attention: City Clerk
City of Yellowknife
4807 – 52 Street
Box 580
Yellowknife, NT
X1A 2N4

Telephone: (867) 920-5646
Email: cityclerk@yellowknife.ca
Or Online at:
www.yellowknife.ca/complaints