



Customer Complaints Policy-DRAFT

Purpose:

The purpose of this policy is to outline the principles and processes for the disposition of complaints related to services delivered by the Library, ensuring and supporting transparency and accountability. This policy attempts to ensure that any response and review of complaints is fair, impartial and respectful of all parties involved.

Principles:

This policy and its procedures is based on the following complaint management principles:

- Ease of comprehension & access
 - The process should be easy to understand and accessible to customers;
- Accountability
 - The process should be well understood by staff and include routine monitoring of complaints by senior management to ensure matters resulting from repeated complaints are addressed;
- Confidence
 - Customers should have confidence in the reliability of the process;
- Confidentiality
 - Customer complaints will remain confidential in accordance with applicable policies;
- Fairness & independence
 - The process should be fair and include an independent review process;
- Impartiality
 - The process should be impartial and filing complaints will not adversely affect the quality of future Library services delivered to complainants;
- Effectiveness
 - Staff should address issues within their authority and capacity. Customers should be advised of options to resolve the complaint;
- Flexibility
 - Staff should have the discretion to adjust and adapt their response based on the nature of the complaint; and,
- Timeliness
 - Timelines should be established by staff in responding to complaints filed.

Definitions:

Complainant means a customer making a complaint under this policy.

Complaint means a written or oral expression of dissatisfaction about services, actions, or lack of actions by an employee, contractor or volunteer of the Library by a customer. Examples include but are not limited to perceptions of:

- A failure to do something agreed to do;
- A failure to observe policy or procedures;
- An error made by an employee, contractor, or volunteer of the Town;
- Unfair or discourteous actions/statements made by an employee, contractor, or volunteer of the Town;
- Access to services;
- Timeliness of service; and,
- Quality of service.

This policy does not apply to complaints made by employees, contractors, or volunteers working on behalf of the Library.

Cyberbullying means the use of communication technologies to engage in deliberate, repeated or hostile behaviour intended to harm embarrass, Harass or slander someone deliberately, including, but not limited to: social media outlets (e.g. Facebook, Instagram, Twitter, YouTube), personal blogs, web pages, discussion groups or online media/newspaper articles;

Frivolous means a Complaint that is reasonably perceived by Town staff to be (a) without reasonable or probable cause, (b) without merit or substance, or (c) trivial;

Harassment or **Harass** involves engaging in a course of behaviour, comment or conduct, whether it occurs inside or outside the work environment, that is or ought reasonably to be known to be unwelcome. It includes but is not limited to any behaviour, conduct or comment that is directed at or is offensive to another person:

- (a) on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status, as well as any other grounds under the provisions of the Human Rights Code; or
- (b) which is reasonably perceived by the recipient as an intention to bully, embarrass, intimidate or ridicule the recipient.

Intimidation means unwarranted conduct, including, but not limited to: Cyberbullying, discrimination, Harassment, violence or threats of violence, profanity, personal insults or communication that is deemed threatening;

Ombudsman means the Ombudsman of Ontario in accordance with Section 223.13 (1) of the Municipal Act, 1996, as amended where applicable;

Library means the Newmarket Public Library;

Vexatious means a Complaint that is Frivolous and which is pursued in a manner that is reasonably perceived by Library staff to be (a) malicious, (b) intended to embarrass or Harass the recipient, or (c) intended to be a nuisance.

Procedures:

1. Anyone personally affected or their representative can submit a complaint and it will be reviewed in accordance with this procedure. The Library reserves the right not to respond to anonymous complaints.
2. Complaints should be made in person, by phone, by e-mail, by letter, or via a written or electronic feedback form provided by the Library.

Step 1: Senior Staff Review

3. Complaints will be reviewed and responded to in the following escalating authority order until the Complainant believes his/her Complaint has been adequately addressed. Any of these steps may be omitted as appropriate. This list does not preclude other staff with sufficient capacity to respond from satisfying the Complaint on an immediate basis.
 - a. A Manager on duty during Library opening hours;
 - b. The Manager responsible for the area subject to the Complaint;
 - c. Chief Executive Officer or designate.
4. The responding staff member will advise the Complainant of the following, as applicable:
 - a. His or her name and contact information;
 - b. His or her opinion of the merits of the Complaint;
 - c. If the Complaint has merit:
 - i. An outline of actions the Library will take with the intent of resolving the Complaint;
 - ii. Any required actions to be taken on the part of the Complainant;
 - iii. Estimated timeframes associated with the actions to resolve the Complaint.

Step 2: Library Board Review

5. If after a response from the C.E.O. or designate the Complainant does not believe the Complaint has been adequately resolved, the Complainant may refer the Complaint to the Library Board at a future regular meeting, subject to the Procedure for Making a Deputation or Presentation to the Newmarket Public Library Board, including the provision of a minimum of 14 days' notice prior to the meeting.
6. The Board as a body will hear the Complaint and review the response of the C.E.O. or designate for the following purposes:
 - a. Opportunities to make recommendations to the C.E.O. or designate on the matter;
 - b. Opportunities for amendments to Board policy;
 - c. Opportunities for further refinement of customer Complaints management.
7. The Board's review will be presented verbally to the Complainant at the meeting and recorded in minutes. Should further review or investigation be deemed necessary, the Board will advise the Complainant and ensure that he/she is informed of any future Board meetings or actions on the matter.

8. The Board's review is considered the final appeal of the Complaint. Should the Complainant believe that the Board's review was inadequate, he/she may refer the Complaint to the Ombudsman if the matter is deemed to be subject to review in accordance with applicable legislation.

Threats, Intimidation

9. Staff should report to a Manager or the C.E.O. immediately:
 - a. Any implied or explicit threats made against the safety of the staff member or the safety of others in the course of handling the Complaint;
 - b. Any Intimidation behaviour in the course of handling the Complaint, which may be established by a variety of circumstances that may include:
 - i. the content, tone and language of a person's correspondence, especially if the language used is insulting, offensive or abusive; or,
 - ii. unsubstantiated, derogatory or inflammatory allegations against Library staff.
10. Harassment, discrimination, threats or matters of a similar nature will be dealt with through the Code of Conduct Policy, Workplace Harassment Policy, and/or Workplace Violence Policy.

Potentially Frivolous or Vexatious Complaints

11. Where the Complaint may be considered Frivolous or Vexatious or there appears to be a pattern of Frivolous or Vexatious Complaints, the C.E.O. or designate may seek advice from the Library Board and/or give direction to staff to ensure valid Complaints are heard and addressed in a professional and mutually respectful manner, while ensuring efficient use of Library resources.
12. Despite any Step in this Policy, in the case of a Frivolous or Vexatious Complaint, the C.E.O. or designate may deem or recommend the Library Board deem a Complaint file closed.

Responsibilities of Employees

13. Staff will treat all Complaints as confidential and protect the Complainant's privacy according to the Freedom of Information and Protection of Privacy Policy.
14. The Library will fully cooperate with the Ombudsman in executing his or her statutory duties.
15. Library management will routinely review Complaint trends for the purpose of continuous service and process improvements.

Related Policies

Freedom of Information and Protection of Privacy Policy
Code of Conduct Policy
Workplace Violence Policy
Workplace Harassment Policy
Newmarket Public Library Board Governance Policy