



Policy Type:	Employment Services
Policy Title:	Client Complaint
Policy Number:	ES 5.5.2
Responsibility:	Management Team
Policy Approved By:	Board of Directors
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POLICY:

STRIDE has a mechanism for dealing with informal and formal complaints about service provision. A complaint can be about a program policy including eligibility criteria, a staffing issue, quantity, quality or availability of service and privacy issues. The process for resolving complaints will be conducted in a timely, fair and respectful manner.

PROCEDURE:

Informal Complaints:

Informal complaints are less serious allegations of misconduct which may be resolved during the complaint process. Resolution may be attempted at any time during an investigation or at the conclusion of an investigation where a complaint is substantiated as less serious.

The appropriate staff member will address the complaint with the complainant to come to a resolution. If this is unsuccessful, the matter could be escalated to the formal complaints procedure.

All informal complaints will be documented in the client's notes in CRMS in a confidential and respectful manner.

Formal Complaints:

A formal complaint is received on the prescribed form and involves:

- Allegations of serious misconduct
- Behaviour which violates any persons human rights
- Behaviour which violates any workplace harassment legislation
- A complaint about the policies/procedures and/or services provided by STRIDE
- A complaint about a staff member, manager or Executive Director
- A complaint about a board member

Steps to Review a Formal Complaint

The following complaint review process will be implemented. It includes, but is not limited to, the following steps:



Confidentiality will be respected at all times.

The initial response to a complaint should occur as soon as possible and not longer than one (1) week from receiving the complaint. Every effort will be made to review and respond to a complaint within thirty (30) days.

1. Discussion - the individual with the complaint or concern should have a discussion with the staff person at STRIDE who is involved in the situation. If the individual is not comfortable discussing the complaint with the staff person involved they may discuss the situation with another staff member.
2. Clarifying the Complaint - the staff person will listen to the complainant's concerns, and ask questions to obtain details on the exact identification of the problem.
3. Complete Complaint Form – the form is available on STRIDE's website for clients to complete independently or a staff member will assist with the completion. The information to be provided on the Complaint Form includes contact information, the date, a description of the complaint and the person's requests to resolve the complaint. If the complainant is a substitute decision maker or other family member the staff member will complete the form with the information gathered.

In cases where the complaint is filed against a Manager, the information will be submitted directly to the Executive Director. If the complaint is against the Executive Director, the Complaint Form will be submitted to the Chair of the Board of Directors. Procedures 5-14 will be followed by the Executive Director/Chair of the Board as applicable in response to complaints against a Manager or the Executive Director.

4. Inform Manager - the staff person who received the complaint will inform the appropriate Manager of the complaint and provide them with a copy of the completed Complaint Form for their review and action. The Manager will notify the Executive Director that a complaint has been received and that they are following up on the complaint.
5. Information Gathering - the Manager will interview staff, clients and the person who initiated the complaint (where appropriate), and review documentation about the situation, such as application forms, client files, daily logs and incident reports. The Manager will also review relevant legislation and agency/government policies.
6. Early Resolution through Information Exchange – it may be possible that a complaint has been made due to one or both parties not clearly understanding a particular situation. In this situation, the Manager may have additional information that may affect the outcome of the complaint. The Manager must attempt to solicit all relevant and appropriate information that may result in the resolution of the complaint.



7. Follow-Up By Manager - the Manager determines whether any follow up/further investigation is required. If follow up is required, the Manager pursues further investigation with the person making the complaint and other parties.
8. Manager Completes Follow-Up - upon completion of the investigation, the Manager completes the Complaint Form follow-up and submits the form to the Executive Director.
9. Review by Executive Director - the Executive Director reviews the information provided.
10. Action by Executive Director - if the complaint requires further action by the Executive Director, the Executive Director follows up with the relevant parties as necessary.
11. Review by Independent Expert - the Executive Director may assess the need for an impartial review of the complaint by an independent expert. If an independent expert is used, he/she will review the written materials, and may meet, separately, with the complainant, if the complainant agrees, and staff. A written report of the findings, with recommendations, will be presented to the Executive Director. Based on this review and recommendations, a decision will be reached regarding the complaint and this will be communicated to the complainant. The Executive Director will be responsible for contact and follow-up with the complainant.
12. Follow-Up Action - if any complaint suggests there is a systemic rather than an individual problem relating to the provision of service by STRIDE, STRIDE must review its policies and procedures and determine whether any changes are necessary. Where system changes are necessary, STRIDE must make the changes and communicate them to staff to prevent reoccurrences and, if required, STRIDE must monitor to ensure that new policies and/or procedures are fully implemented in a timely fashion.
13. Feedback to Client - the Manager must review any complaint relating to quality of service or alleged violation of the Bill of Rights and respond within 30 days to the person who made the complaint. STRIDE will provide the notice or copy of the decision to the person to whom the decision relates or his or her substitute decision-maker.
14. Complaint Log Report - once there is no further investigation required, the complaint is sent to the Administration and Human Resources Assistant and documented in the STRIDE Complaint Log Report, maintained at Head Office. The Executive Director will be responsible for noting all trends identified through the complaint resolution process.

Appeals:

If the person is not satisfied with the outcome, he or she can appeal the decision. An independent arbitrator will consider whether or not due process was followed. This will not necessarily change the decision or final outcome.



Serious Professional Issues:

- a. Following legal advice, the Executive Director will decide how to proceed with further investigation of the allegations.
- b. If sufficient evidence exists to indicate possible professional misconduct, incompetence, or incapacity, the Executive Director and the Manager, if applicable, will inform the staff member of his/her right to legal advice.
- c. In the event the incident calls into question the ability of the staff to function competently, the person may be suspended from work by the Executive Director. Depending on the circumstances this suspension may be with or without restrictions; leave of absence for therapy; provision of therapy while on the job; relocation; or termination. Actions will follow the STRIDE Progressive Discipline Policy.
- d. If the outcome is the termination of employment or placement the Executive Director shall prepare a report and forward to the Board of Directors.

Treatment of Related Documents

STRIDE will ensure that all pertinent information is accessible to individuals investigating the complaint.

Documents in regards to the investigation will be kept in a file separate from the client's file and if relevant the staff member's personnel file.

The complaint form and the progress notes will remain in the client file. The Complaint Form will be copied and sent to the Executive Director.

All documents related to the complaint will be filed in a locked cabinet.

Litigation and Insurance Coverage:

1. When a client provides notice, oral or written, of an intention to commence a lawsuit against STRIDE or any of its staff, the Executive Director shall be informed immediately.
2. Upon receipt of such information, the Executive Director shall as soon as possible provide written notice to the Board of Directors and the agency's insurer of the claim or possible claim.
3. All staff members shall co-operate fully in providing statements and any other information to STRIDE's insurer, its adjusters and its lawyers in respect of a claim.

Reporting Complaints to the Board of Directors

The Executive Director will report all client complaints to the Board of Directors on the following basis:

- All client complaints will be reported to the Board of Directors on an annual basis
- Any complaints about the Executive Director will be sent to the Chair of the Board



- Any complaint that is deemed to be detrimental (harmful, damaging, disadvantageous, unfavorable or injurious) will be reported to the Board of Directors. The Chair will be notified of the initial complaint and the seriousness of the issue immediately. The Board of Directors will be notified of the complaint and the resulting investigation/actions once it is complete; not to exceed 30 days. STRIDE's lawyer and insurer shall be consulted as necessary.

For the purpose of reporting, a complaint is defined as any concern brought forward by a client (or substitute decision-maker) concerning the services provided by STRIDE that is not resolved at the level of the staff member i.e., the complaint by a client or substitute decision-maker is referred to the Manager/Executive Director for follow up.

DOCUMENT REFERENCES:

ES 5.5.2A Client Complaint Form

STRIDE Complaint Form Log

HR 3.3.6 Progressive Discipline Policy