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| SAVIS of Halton | |  |
| Complaints Resolution Policy | Policy Type: Governance | |
| Date Approved: May 22, 2024 | Date Approved: May 22, 2024 | |

Purpose

This policy is designed to encourage employees, students, volunteers and service users to share and resolve their complaints openly, transparently and constructively.

Scope

This policy applies to all Employees, Volunteers, Students and Service Users.

Definitions

1. **SAVIS of Halton:** is also called ‘the Organization’
2. **Complainant:** refers to the individual making a complaint
3. **Respondent:** refers to the individual who is the subject of a complaint

Policy Statement

SAVIS of Halton strives to provide Employees, Volunteers, Students and Service Users with a safe, welcoming, and comfortable work environment. The Organization desires that complaints be resolved promptly and effectively. To that end, it is expected that individuals will first attempt to resolve interpersonal issues among themselves by addressing concerns directly in a non-confrontational and constructive manner.

This policy must only be used when the concerns do not include harassment, discrimination, or workplace violence. In those instances, the Whistleblower Policy must be followed to make a report of misconduct.

Mediation as a Less Formal Approach to Resolve Conflict

Where appropriate, and with the agreement of both the Respondent and the Complainant, a mediation process can be used as a less formal approach to resolving conflict. Mediation is a voluntary process in which both parties must agree to participate. To begin a mediation process, either the Complainant or Respondent may make a request in writing to the Executive Director (or designate) that an independent Mediator be hired to help with conflict resolution. The decision to retain the services of an independent Mediator, whether volunteer or paid, will be at the sole discretion of the Executive Director (or designate) or the Chair of the Board of Directors. Where an agreement is reached through mediation, the parties involved shall prepare a written statement.

Formal Complaints Process

If the informal approaches above prove unsuccessful and/or the offending or problematic behaviour continues (as long as it does not escalate to harassment, discrimination or violence, in which case the Whistleblower policy applies), Employees, Volunteers, Students or Service Users may make a formal complaint about an Employee or Volunteer using the procedures outlined in this policy.

Complaints must be reported within 30 working days of the incident taking place, except in circumstances where this was not possible (to be determined on a case-by-case basis).

The resolution of the complaint should be timely to avoid delaying appropriate action for the Complainant and causing undue stress for the Respondent or other Employees involved.

1. Procedures

Complaints Process

Employees, Volunteers, Students or Service Users wishing to make a complaint about another Employee or Volunteer will provide a written statement to the Manager or Board member, where appropriate, that contains sufficient detail surrounding the incident(s) in question and identifies any witnesses.

The following chart explains the reporting requirements and the responsibilities for handling various types of hypothetical formal complaints (in some cases, using a hypothetical Team A and Team B scenario).

| Complainant | Respondent | Manager Responsible for Handling the Complaint |
|---|--------------------------------------|---|
| Complainant is an Employee on Team A | Respondent is an Employee on Team A | Manager of Team A |
| Complainant is an Employee on Team A | Respondent is an Employee on Team B | Manager of Team B |
| Complainant is an Employee on Team A | Respondent is the Manager of Team A | Executive Director |
| Complainant is any Employee, Volunteer, Student or Service User | Respondent is the Executive Director | Board Chair |
| Complainant is a Volunteer | Respondent is an Employee | Manager of Employee |
| Complainant is a Board Volunteer | Respondent is a Board Volunteer | Board Chair |
| Complainant is a Board Volunteer | Respondent is the Board Chair | Board Complaints Committee |
| Complainant is a Student | Respondent is a Manager | Executive Director |
| Complainant is a Service User | Respondent is an Employee | Manager of Employee |
| Complainant is a Service User | Respondent is a Manager | Executive Director |

The Respondent's Manager, the Executive Director or the Board Chair/Board Complaints Committee will investigate complaints. The investigation will include a meeting with each of the Complainant and the Respondent and may consist of interviews with others who can provide information that assists the investigation. A written response from the ED is then composed and agreed upon by all parties.

Complaints Investigation Findings

If the complaint is substantiated, the Manager will meet with the Respondent and discuss expectations for future performance and behaviour and disciplinary action (if any) arising from the complaint. The Complainant will be informed whether or not the complaint was substantiated. No information on disciplinary action will be communicated to the Complainant.

If the complaint is not substantiated, the Respondent and the Complainant will be informed that based on the evidence provided, the complaint could not be substantiated.

Resolving the Complaint Through Mediation:

Where appropriate and with the agreement of both the Respondent and the Complainant, a mediation process may also be used to resolve a formal complaint. For more detail on the mediation process please see the description under Mediation as an Informal Approach to Resolve Conflict section.

Unsatisfactory Complaints Resolution

If the Complaint is not resolved to the satisfaction of the Complainant, they may complain directly to the Executive Director (or Board Chair, as applicable), who will review the investigation's findings and decisions.

If the complaint involves the Executive Director and the Complainant is not satisfied with the complaint resolution, the Complainant may approach the Board Complaints Committee which will initiate an investigation of the complaint.

If the investigation findings and decisions are satisfactory, the Complainant will be informed that no further action is warranted.

If the investigation findings and decisions are found to be unsatisfactory, the Executive Director (or Board Member) will conduct another investigation. The investigation decisions will be provided to the Complainants and Respondents in writing.

No Retaliation or Reprisal:

Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Complainant(s) or any witness(es) are strictly prohibited and will result in disciplinary action. Prohibited acts of retaliation include (but are not limited to) interference, coercion, threats, and restraint.

Confidentiality:

SAVIS of Halton will do everything it can to protect the privacy of the individuals involved and to ensure that Complainants and Respondents are treated fairly and respectfully. The Organization will protect their confidentiality provided that doing so remains consistent with the enforcement of this policy and adherence to the law.

Responsibilities:

- **Executive Director:** The Executive Director (or designate) is responsible for overseeing the complaints process, including ensuring that Employees, Volunteers, Students and Service Users are aware of it and for resolving all formal complaints from Employees.
- **Management:** Managers are responsible for ensuring that all participants are aware of their right to complain and for supporting Employees through the complaints process
- **Employees:** Employees are responsible for ensuring they are following the Organization's complaints policies and for participating in complaints investigations as required.

- **Board:** Board Members are responsible for ensuring they are following the Organization's complaints policies and for following-up on complaints escalated to the Board in accordance with this policy.

Questions: Please contact the Executive Director if you have any questions or concerns about the contents of this policy.

Cross References:

- Whistleblower Policy
- The Relationship Between Board and Employees Policy
- Anti-Harassment and Non-Discrimination Policy
- Anti-Racism and Anti-Oppression Policy
- Workplace Violence Policy and Program