



COMMUNITY LIVING
BRITISH COLUMBIA

Policy Number: QA7.013	Policy Section: Quality Assurance	Effective: April 2008 Amended: November 10, 2016
Title: Complaints Resolution Policy	Executive Sponsor: Director, Quality Assurance	

1. PURPOSE

This policy sets out direction for Community Living British Columbia (CLBC) staff receiving and responding to complaints. It applies to complaints about CLBC responses or services, received from individuals, youth, families, support network members, or others.

The *Complaints Resolution Policy* is a formal safeguard established in part to reduce the vulnerability of CLBC supported individuals. It reflects the CLBC culture of openness, respect, responsiveness, and learning. The policy forms one element of a comprehensive organizational approach to quality assurance – as such it is related to and complemented by policies on external reviews; abuse and neglect investigations; privacy; theft, fraud and corruption; service provider contract language; and linkages to external provincial processes.

2. DEFINITIONS

Complaint: A concern about CLBC services or responses that has been submitted through the mechanisms provided for in the *Complaints Resolution Policy*.

Complaints Resolution Process: The specific process that CLBC follows in receiving, responding to, and resolving complaints, as described in the *Complaints Resolution Policy*.

Continuous Quality Improvement (CQI): An organizational process of defining what is to be done; monitoring / measuring it; and then making changes to improve the quality of it. CQI is about learning from past experiences, actively seeking feedback from stakeholders, and then setting new goals for the organization based on that information.

External Review: A neutral third-party investigation of a situation, incident or service, that results in recommendations and possible action.

Individual: A person 19 years of age or older who is eligible for CLBC services, as described in the *Eligibility for CLBC Supports and Services Policy*.

PARIS: The CLBC electronic personal information management system.

Service Provider: A person or an independent organization under contract with CLBC to deliver supports and services to individuals and/ or families. This term is also utilized in situations where a contract has not yet been issued such as during an approval or procurement process.

Support Network: Friends, family and/or community members who provide personal support, advocacy and / or help with monitoring services and who have reciprocal relationships with individuals.

Youth: A person who is 16 years of age or over, but under the age of 19.

3. POLICY

3.1 Principles

CLBC respects the following principles when responding to and resolving complaints:

Accessibility

Individuals, youth, families, and support network members have access to clear information about how the complaints resolution process works, and can make a complaint in a variety of easy ways. The process is sensitive to the culture, language, heritage, and communication style of the person making the complaint.

Person-centred Approach

The concerns and interests of the involved individual, youth or family guide the process, regardless of who has made the complaint.

Responsiveness

The complaints resolution process is open, respectful, supportive and non-judgemental. It is completed as promptly as possible, resulting in a timely decision for the individual, youth, or family involved.

Administrative Fairness

The process is transparent and applied fairly and consistently across the organization. Decisions are documented and communicated to the person making the complaint.

No Retaliation

Anyone making a complaint is able to do so in a safe and comfortable way, free from actual or threatened negative consequences from CLBC, or fear of such consequences, regardless of what the complaint is about, who it is directed to, or the eventual outcome.

Policy Compliance

The complaints resolution process and resulting decisions are consistent with CLBC policies and standards.

3.2 Operational Context

CLBC promotes natural, informal problem-solving efforts with individuals, youth, families and service providers on a regular and day-to-day basis. This is the preferred route for addressing concerns. The complaints resolution process described in this policy does not negate, replace, take away from, or undermine these efforts.

When such efforts are unsuccessful, CLBC informs people that they have a right to file a complaint through the complaints resolution process under this policy. The complaints

resolution process begins when a complaint is formally submitted to the CLBC Quality Assurance Office.

3.3 Complaints Covered by this Policy

CLBC uses the complaints resolution process to respond to complaints that relate to:

- Conduct of CLBC employees
- Decisions about the nature and/or amount of service or funding provided to an individual eligible for CLBC services
- Quality of services received by an individual from a contracted service provider
- Handling of an individual or youth’s personal information
- Concern about respect for the rights of an individual or youth
- Concern about CLBC’s policies or procedures

CLBC accepts complaints from individuals, youth, their families or support network members, community members or service providers on an individual or youth’s behalf. It is expected that an individual and their family or the family of a youth are aware of any complaint submitted on their behalf.

3.4 Complaints Not Covered by this Policy

CLBC does not use the complaints resolution process to respond to:

- Complaints about areas that are set out in legislation or regulation and therefore beyond CLBC’s authority. This includes complaints about requirements related to eligibility for CLBC services
- Complaints about situations that are before a court or other legal proceeding

CLBC has mechanisms in place to receive and respond to other types of complaints that are not covered by this policy or that overlap with this policy, as follows:

Allegations of abuse or neglect of an individual receiving CLBC services	<i>Adult Guardianship Policy</i>
Allegations of fraud, theft, corruption or other irregularities.	<i>Ethical Reporting Policy</i>
Staff grievances	Collective Agreements
Service provider contract issues or disputes	Complaints and Dispute Resolution section of Contract Terms and Conditions
Significant service quality situations requiring an independent review	<i>External Reviews Policy</i>
Request to change personal information held by CLBC or report of a privacy breach	<i>Freedom of Information and Protection of Privacy Act</i> requirements, as set out in the <i>Organizational Privacy Policy</i> and related policy suite

3.5 Complaints about Contracted Service Providers

CLBC encourages individuals, families and support network members with a concern about a contracted service provider’s actions or decisions to contact that service provider directly. If an individual, family or support network member is not satisfied with the service

provider's response, or does not feel safe or comfortable dealing with the service provider directly, then CLBC processes the complaint under this policy.

3.6 Rights and Responsibilities

CLBC respects that people making complaints have the following rights to:

- Request a review of a decision affecting them, their family member or support network member
- Access information about the complaints resolution process
- Access advocacy and support during the complaints resolution process
- Receive information about how and why a decision was made
- Respond to the reasons for a decision, and where possible, the information used to make that decision
- Have their views heard, respected and considered

CLBC expects that people making complaints fulfill the following responsibilities:

- File a complaint as promptly as possible after the decision or action they are concerned about has occurred
- Provide information to support their complaint, including any new or additional information they become aware of
- Respect the rights of CLBC supported individuals
- Respect the confidentiality of an individual's or youth's personal information, and the obligation of CLBC to protect that confidentiality
- Act in good faith during the process

3.7 Complaints Resolution Process

CLBC provides support to people submitting complaints to navigate the complaints resolution process and to access support or advocacy, as needed.

Complaints can be resolved at any one of five stages outlined below. CLBC encourages and supports complaints resolution at the regional level in Stage 1 or Stage 2. A complaint is only moved to the next stage of the process once all solutions have been exhausted and with the agreement of the complainant.

The complaints resolution process is subject to the timeframes set out in this policy. The focus is on resolving complaints as early in the process as possible and in a timely manner. The timeframes only apply to a complaint when it has been formally submitted to the CLBC Quality Assurance Office.

These timeframes may be exceeded:

- By agreement with the person making the complaint; or
- In situations where there is a significant delay caused either by the person making the complaint or as a result of the involvement of another mechanism or process (for example initiation of an external review or involvement in an Ombudsperson investigation).

Stage 1: Integrated Service Manager Review (local or regional manager) responsible for the office involved in the action or decision triggering the complaint	Maximum 30 business days
Stage 2: Regional Director Review	Maximum 10 business days. This may be expanded to 30 business days if Stage 1 business days are not used
Stage 3: Quality Assurance Review	Maximum 10 business days
Stage 4: Vice President, Regional Operations Review	Maximum 10 business days
Stage 5: CEO Review to make final decision	Maximum 10 business days

Communication

CLBC communicates information to the complainant about:

- The progress of the complaints resolution process;
- Any decision about a complaint and reason; and
- Any future steps CLBC intends to take such as referring to the next stage.

CLBC provides written communication to the complainant at several key points:

- Upon receipt of a formal complaint by the Quality Assurance Office;
- At the end of each stage, if the complaint goes to more than one stage; and
- At the end of the process.

3.8 Relationship to other Processes

At any stage, the person making a complaint may choose to take their concerns to any of the following external provincial agencies or services. CLBC works cooperatively with these services to resolve issues.

Advocate for Service Quality	Assists with complaints resolution and provides advocacy and support to people with complaints about CLBC. Ensures that an accessible, transparent and accountable approach is maintained
Ombudsperson	Investigates decision-making and administrative processes of public agencies
Information and Privacy Commissioner	Investigates concerns related to handling of and access to personal information
Representative for Children and Youth (RCY)	Upholds the rights of children and youth in decision-making that affects them, including work with special needs youth transitioning into adult services; also provides support to young adults (ages 19 to 23) who are eligible for CLBC services
Office of the Public Guardian and Trustee	Assists adults and families with adult guardianship issues, or managing personal or financial affairs
Human Rights Tribunal	Mediates and adjudicates complaints about discrimination under the <i>BC Human Rights Code</i>

3.9 Continuous Quality Improvement

CLBC records, tracks and follows up on all complaints; reports and analyzes this information; and uses it as part of the overall quality assurance process to improve services and performance. CLBC views each complaint as an opportunity not only to address a particular concern, but also to learn and improve as an organization. Where a complaint involves actions of a contracted service provider, CLBC provides feedback or takes action to support the service provider's own continuous quality improvement process.

CLBC's Quality Assurance Office plays a co-ordinating and leadership role in the complaints resolution process. It is responsible for tracking the progress of resolving all complaints, preparing reports, analyzing trends and issues, and making recommendations on changes to policy or practice.

4. REFERENCES

CLBC Policies

Ethical Reporting Policy

Organizational Privacy Policy and related Privacy Policy Suite

Complaints Resolution Procedures