

Policy Number: QA7.014	Policy Section: Quality Assurance	Effective: April 2008 Amended: March 14, 2022
Title: Complaints Resolution Policy		Executive Sponsor: Executive Director, Quality Assurance

Policy Summary:

The policy covers complaints about Community Living British Columbia's (CLBC) actions. A complaint may be made by a supported individual, their family, or another concerned person.

It also gives information about ways to deal with complaints that are not covered by CLBC's complaints process.

This policy sets out direction for CLBC staff receiving and responding to complaints.

If a complaint cannot be solved by talking to the local Integrated Service Manager, the policy explains what will happen next.

It is one of the policies that helps protect individuals CLBC supports.

1. PURPOSE

This policy sets out direction for Community Living BC (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 individuals CLBC supports.. 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 monitoring; abuse and neglect investigations; privacy; service provider contract issues or disputes; 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*.

Formal Complaints Resolution Process: The specific process that CLBC follows in receiving, responding to, and resolving complaints about CLBC services or responses *by individuals, youth, their families or support network members on an individual's or youth's behalf.*

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.

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*.

Monitoring Framework: A common approach to CLBC's internal activities and processes for monitoring service delivery and quality.

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 ways. The process is sensitive to the culture, language, heritage, and communication style of the person making the complaint.

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.

Cultural Safety

The process is based in a culturally safe environment that is physically, socially, emotionally, and spiritually safe and where there is recognition of, and respect for, the cultural identities of others, without challenge or denial of an individual's identity, who they are, or what they need.

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.

Person-centred Approach

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

Policy Compliance

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

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.

3.2 Early and Informal Resolution of Complaints

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 submitted to the CLBC Quality Assurance Office.

3.3 Complaints Covered by the Formal Complaints Resolution Process

CLBC uses a 3-stage formal complaints resolution process to respond to 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.

This includes complaints regarding:

- 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 the application of CLBC's policies or procedures

3.4 Complaints Not Covered by the Formal Complaints Resolution Process

CLBC ensures that all reports and complaints are received and followed up under the appropriate process.

CLBC will acknowledge and assess all complaints and reported concerns that are received and will follow up with a corresponding process in a timely manner. Whenever there are immediate safety concerns, CLBC works immediately to ensure affected individuals are not at risk of harm.

The following complaints and reports do not utilize the formal complaints resolution process and will be re-directed:

- 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.
- Service provider dispute resolution issues. This includes disputes between Direct Home Sharing Providers and CLBC, Agency Coordinated Home Sharing Providers and CLBC, and issues between agencies and contracted Home Sharing Providers where the issue does not have direct impact on the individual (i.e., contractual disputes).
- Complaints from a person who is not acting with the knowledge and consent of the individual (a community member, for example) and on their behalf. CLBC will investigate these complaints but may not be able to share an individual's personal information with the complainant.
- Reports of quality service concerns by anonymous callers/reporters; and
- Reports of concerns about the conduct of CLBC contracted service providers, including but not limited to allegations of fraud, theft, corruption, or other irregularities.

As appropriate, CLBC may contact the person making the complaint or report to provide information concerning the progress and/or outcome of the investigation to the extent that such disclosure does not compromise a person's rights.

3.5 The table below identifies the mechanisms CLBC follows in response to issues that are either not covered by this policy or that overlap with this policy. CLBC uses discretion to apply a corresponding policy and process to the identified issue. A complaint or report may be redirected to one of these processes:

Allegations of abuse, neglect or self-neglect of an individual receiving CLBC services	<i>Adult Guardianship Policy</i>
Allegations by and against CLBC employees of fraud, theft, corruption, or other irregularities	<i>Public Interest Disclosure Act</i>
Service Provider staff who have complaints about their employer	<i>Collective Agreements or Employment Standards for non-union Service Providers</i>
Agency Coordinated Home Sharing Providers contractual dispute with CLBC	<i>Terms and Conditions of Home Sharing Contract</i>
Service provider contract issues or disputes	<i>Dispute Resolution section of Contract Terms and Conditions (Schedule F)</i>
Reports regarding Quality of Service and concerns of theft, fraud, and corruption regarding a contracted service provider	<i>Monitoring 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 requirements, as set out in the Organizational Privacy Policy and related policies</i>

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 and/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 in an accessible format
- 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 individuals CLBC supports
- 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 Supporting Individuals

If an individual is unable to make a complaint on their own and does not have anyone to support them to do so, then a service provider may assist them to bring forward a complaint.

3.8 Stages of the Formal 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 three stages outlined below. CLBC encourages and supports complaints resolution at the regional level in Stage 1. 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 (e.g., initiation of an external review or involvement in an Ombudsperson investigation).

Stage 1: Integrated Services Manager Review Local or Regional ISM responsible for the office involved in the action or decision triggering the complaint.	Maximum 30 business days
Stage 2: Director of Regional Operations Review	Maximum 10 business days (unless Stage 1 Review is not utilized, then 30 business days assigned)
Stage 3: Executive Review Vice President, Regional Operations and/or Quality Assurance Review	Maximum 10 business days

3.9 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.

3.10 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
Office of the 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>

3.11 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

[Adult Guardianship Policy](#)

[Critical Incidents Policy](#)

[Cultural Safety Policy](#)

[External Reviews Policy](#)

[Freedom of Information and Protection of Privacy Act](#)

[Organizational Privacy Policy](#)

[Monitoring Policy](#)

[Public Interest Disclosure Act](#)

[Service Terms and Conditions and Schedules](#)

[Standards for Home Sharing](#)

[Standards for Home Sharing Policy](#)

[Standards for the Coordination of Home Sharing](#)

[Standards for the Coordination of Home Sharing Policy](#)