

*It's about  
good service*

*Tips for Toronto Public Service*

# Complaint Handling Guide

## Foreword

This guide is intended to assist the Toronto Public Service and its Agencies, Boards and Commissions in developing and/or improving their complaint systems. Complaints often carry a negative connotation. The private sector has learned however that treating complaints seriously is a valuable contribution to improving relationships with their clients and customers.

Effective complaint handling reduces the cost of conflict and improves policies and procedures. The more robust, accessible and clear a complaint system is to the public, the more it contributes to fairness and good administration.

A complaint is not necessarily an indicator of poor service. The real litmus test is how well the public service area responds to the complaint it receives. Things do go wrong. People understand that. What they do not understand is why it often seems so difficult to fix the problem.

This guide sets out the essential elements of a good complaints system and how complainants and their complaints should be handled. The Office of the Ombudsman welcomes the opportunity to assist and support organizations in the development of their complaint systems.

The Office has conducted a variety of research and drawn from a number of ombudsman websites in preparing this guide. We are most grateful for the superb work of the Office of New South Wales Ombudsman with respect to effective complaint handling. Ombudsman Bruce Barbour has generously permitted us to reproduce and adapt their 2004 guideline and where we have done so, we acknowledge the authorship.

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Ombudsman of Toronto

September 2010

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## Introduction

Despite best efforts to serve the public, things can go wrong. Having an organized way to receive and respond to complaints, report on them and use complaints to improve service will reduce complaints in the long run.

Organizations<sup>1</sup> that provide direct service to the public may have a high volume of complaints because of multiple interactions. It is the manner and efficiency with which those complaints are addressed that is the true indicator of the quality of service.

Many Torontonians do not complain, either because there is no mechanism in place or they believe things will not change. However, those who do complain typically represent the experiences of others in similar circumstances. Complaints left unattended will fester and impact negatively on good administration.

Many complaints can be resolved easily and swiftly. Complainants are seeking a user-friendly system for registering their dissatisfaction.

They want to be listened to, understood and respected. Most of all, they want resolution as soon as possible.

An effective complaints system can result in Toronto residents:

- feeling they are in partnership with their public service
- contributing to improvements in public service
- knowing their complaints are taken seriously
- feeling they are being treated respectfully and fairly

For the Toronto Public Service, the organizations need a user-friendly system for accepting feedback; delegations and procedures for staff to follow; referral and recording systems; and performance standards with timelines and quality of responses included.

A high-quality complaint handling system has the following benefits for the public service provider:

- an opportunity to rectify a problem and satisfy the complainant
- information that can be used to inform and/or improve services
- information as a planning tool
- increased public confidence and better public relations
- reduction in complaints to the Ombudsman

The benefits of a good complaint handling system is depicted in the figure, *Benefits of a Good Complaint Handling System* on page 3. In order to benefit from the information a complaint brings, a system requires management commitment; staff and complainants working together; and finally, the complaints should be recorded and analyzed at every stage of the process. The end result is often better relations with the public, business improvement and good governance.

\* Information in this guide is aligned with *ISO 10002 Quality management – Customer satisfaction – Guidelines for complaints handling in organizations*.

<sup>1</sup> Organization includes any section, unit, division, agency, board or commission of the City of Toronto.

## Defining a Complaint

How an organization views complaints will define how narrowly or broadly it wishes to gain an understanding of its users. For example, if a second request for service is not defined as a complaint, this will limit the organization's capacity to assess its responsiveness.

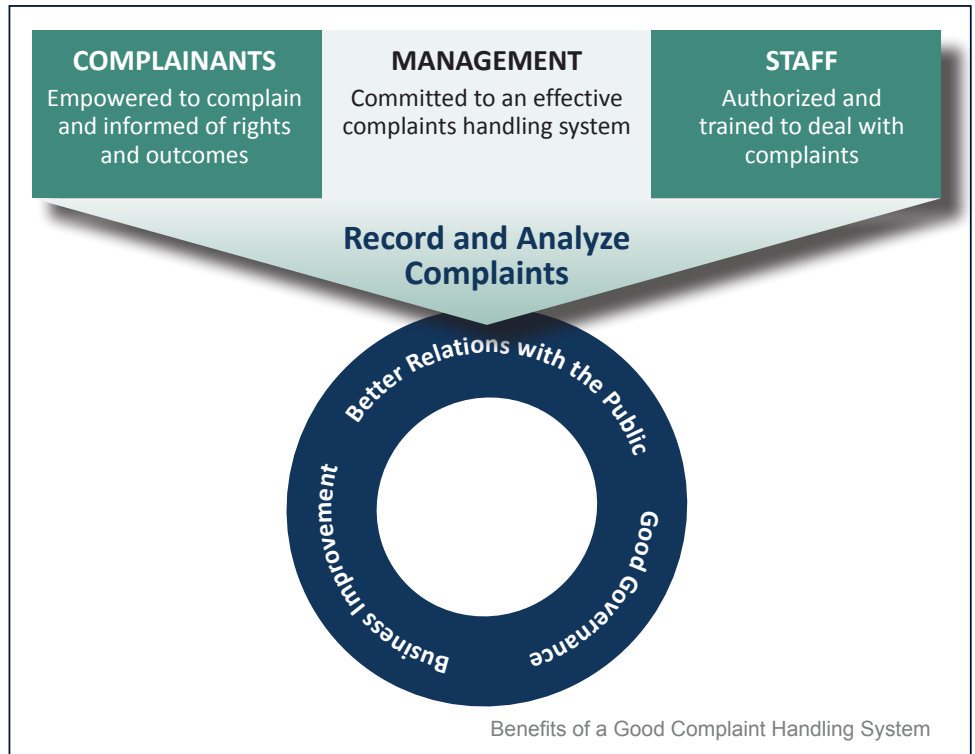
A broad definition of a complaint is therefore suggested, such as:

*A complaint is an expression of dissatisfaction, either written or oral, made by or on behalf of a user of a service about an organization's rules, policies, procedures or practices.*

Some organizations may be limited with regard to the nature of complaints they can review. For example, an organization may not have the legal authority to reconsider the merits of the decisions they have made. Where there are such limits, it is important that they be clearly defined and the public made aware of the limits.

Some organizations have limits on the nature of the complaints they can review. They may not have the legal authority to reconsider the merits of the decisions they have made.

In those instances where statutory appeals or other review options are available, the complainant should be informed.



## Principles of a Good Complaint Handling System

### Easy to use

- a minimum number of stages in the process
- clear identification of each stage

### Written Policy

- clearly written and complete
- available to the public
- known to all employees

### Accessible

- clear instructions about how to make a complaint
- accommodation for meeting complainants in person
- language flexibility
- accommodating people with disabilities and/or literacy issues

## Fair and Independent

- Wherever practical and possible, the person who made the decision should have the opportunity to respond to the complaint. Where the complaint remains unresolved to the satisfaction of the complainant, a reviewer not involved with the original decision, examines the complaint
- reviewer applies good administrative practices including procedural, substantive and equitable fairness

## Confidential and Impartial

- complaints held in confidence
- complainant knows that making a complaint will not adversely affect their future dealings with the organization
- correspondence about the complaint filed separately from other information about the complainant

## Effective

- staff have the authority to address the issues giving rise to the complaint
- complainant who remains dissatisfied is advised of their right to statutory appeal processes and/or (if applicable) their right to complain to the Toronto Ombudsman

## Flexible

- discretion to adjust to the changing needs and demands and to adapt to new situations

## Timely

- timelines for acknowledging receipt of complaints
- timelines for completing the process

## Three measures of fairness defined

**Substantive:** concerns the fairness of the decision itself. From clarifying the issues to gathering data and assessing the facts, a public servant is collecting the information that will influence their decision.

Think about it: Was there legal authority to make the decision? Was the decision based on relevant information? Was the decision maker biased? Does the decision meet the 'common sense' test? Does it make sense?

**Procedural:** involves the process by which a decision was reached; how the decision was made; the steps that were followed before, during and after a decision is made.

Think about it: Was the person given enough information? Was the person given an opportunity to make his or her case? Did the public servant give reasons why a particular decision was made?

**Equitable:** is about the way we treat parties to a complaint. It is about ensuring that people are treated fairly, not necessarily identically.

Think about it: Was the process inclusive? Were issues such as power or marginalization considered? Was the organization approachable?

## Transparent

- complainants receive an explanation, information on what action was taken and, if appropriate, an apology

## Accountable

- method of tracking the nature and outcomes of complaints and recording them
- process of identifying and resolving systemic issues
- the person receiving a complaint should take ownership of the complaint and continue to deal with it until it is resolved or until another staff member agrees to take over.

## A Model Approach to Complaint Handling

The success of a complaint handling system is largely dependent on its agility to resolve complaints at the frontline rapidly and without fuss. The public must know about the system and have easy access to it.

Staff need to be skilled, well-trained and receptive to receiving and resolving complaints. To do that, they must be empowered and good systems must be in place.

The chart *Steps in Handling a Complaint* outlines steps to include in your complaint handling system. The majority of complaints are resolved at the frontline. More complicated issues may need to be escalated to Step 2 and finally referred to the Ombudsman or another external body as appropriate. Complaints left unresolved consume more staff resources.

Following this simple chart will help you conceptualize your complaint handling system. However, the number of steps in a good complaint handling process will depend on the size and complexity of the organization.

### Steps in Handling a Complaint

<b>Step 1</b>	Frontline employees: <ul style="list-style-type: none"><li>• handle complaints whenever possible;</li><li>• are empowered to do so with proper delegation;</li><li>• provide complainant with contact information;</li><li>• log complaint into a tracking system.</li></ul>
<b>Step 2</b>	If complaint is not resolved or the complainant is not happy with the proposed remedy, the matter is escalated to senior staff/manager. Unresolved complaints may need investigating.
<b>Step 3</b>	Complainant is referred to an alternative dispute mechanism or to an outside agency. Complainant is informed of appeal processes, the Ombudsman or legal avenues they may pursue.

Adapted from New South Wales Ombudsman:  
*Effective Complaint Handling, 2004*

## Setting up the System

Commitment to the complaint system is critical to its success. Senior management must embrace the principle that dealing effectively with complaints is an integral part of public service. Managers should foster a positive attitude about complaints and believe that acknowledging and correcting a mistake is a strength rather than a weakness. Such acknowledgments provide opportunities to identify improvements in services and systems.

Consultations are valuable with all levels of staff, their representative associations or trade unions, people who use the service and all relevant groups. Consultations are important in building confidence in the system.

Much will depend on the size of the organization, its structure and the nature of the services it provides. Whatever the size of the organization, setting up an effective complaint handling system requires a positive attitude throughout the organization, staff training and adequate resources.

## Policy

Clear, accessible, documented policy will help employees address and resolve complaints. Referrals and appeals should be articulated to members of the public. This would include the right to complain to the Ombudsman. Responses to complaints must be accurate and complete.<sup>2</sup>

The policy should articulate the underlying principles and benefits to all the parties involved in a complaint. There should be clear direction that complaints constitute an opportunity to fix a problem, improve service and serve the public better.

The policy should define a complaint, set out the rationale for the system and its objectives. It should also outline who is responsible for what (including resources required); how complaints are logged; levels of delegation; escalation procedures of the system; recording, tracking and reporting out; and the duty of confidentiality should be noted.

## Procedures

Detailed procedures will assist everyone involved. Generally they should include: how complaints are received (telephone, anonymously, etc.) and recorded at every step of the process; who is responsible at what stage and when the complaint should be referred elsewhere; timelines and standards for performance with guidance on what to do if timelines cannot be met; expectations

regarding documentation; delegations; review mechanisms; standards of analysis, reporting out and evaluation.

The following is a breakdown of the procedures in more detail.

## Receiving complaints

- complaints can be lodged in person, by phone, in writing
- determine how you will deal with anonymous complaints, if at all
- a standard form for information needed to follow-up (*description, date it happened, staff involved, effects etc*)

## Steps in handling the complaint

- who is responsible for handling the complaint (usually, the original person involved, then a supervisor or other designated person)
- process for handling the complaint
- communication with complainant (name and contact information given to complainant, regular updates, reasons for decisions)
- feedback timelines (for acknowledging receipt and communicating results)
- how outcomes are recorded and communicated (both internally and externally)
- time frames for resolution or other standards

## Acceptable forms of redress and by whom

- apology
- reimbursement
- corrective action
- other

<sup>2</sup> See 'Defining Fairness: The Office of the Ombudsman and the City of Toronto Public Service Working Together.' February 2010 – ombudstoronto.ca



## Appeal mechanism

- an appeal process (if complainant is unhappy with first decision, an explanation of how they can have it reviewed)
- a statutory process (information to complainant about legal process they can use)
- Office of the Ombudsman where appropriate

## Analysis of complaints

- trends (over time trends can point out systemic issues)
- how analysis to be used (who is responsible for making changes to the system)

## Communications

Information about the complaints system should be readily available and accessible to the public via brochures, website and other media.

Toronto's 311 information line should be informed and equipped to provide accurate information and referrals. The Office of the Ombudsman's website also includes such information.

Those responsible for the complaint handling system should publish reports on their activities at least once a year. These reports should detail how the system did during the year by relating performance to targets. Such reports build public confidence in the system.

## Reviewing the Process

A good complaint handling system needs to respond to changing circumstances and events. It needs to be continually reviewed by the person with ultimate responsibility for its organization and management.

## Quick Tips

- Try to resolve the majority of complaints at the frontline
- Give clear delegation to staff that defines responsibility, scope of decision-making and limits to remedies they can authorize
- Train staff in the system
- Train staff in listening, problem-solving and conflict resolution
- Write clear procedures for mediating and investigating complaints
- Set turnaround times
- Set up systems to make sure complaints are dealt with
- Create tools to capture complaints
- Monitor the system's effectiveness

Adapted from New South Wales Ombudsman:  
*Effective Complaint Handling, 2004*

The system should be sensitive to factors that can affect its smooth running, such as maintenance of schedules for dealing with complaints, staff mobility and morale, and the emergence of new sources of complaints.

**NOTES:**

## Complaint Handling System Checklists

There is no one-size-fits-all system; some programs have legislative requirements that dictate how complaints must be handled while others have appeal mechanisms beyond the municipal order of government.

The following checklists are intended to assist you in preparing or reviewing your complaint handling system. They were designed to help you think about the best way to address complaints relative to your program or service.

### General Process

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Target Completion Date:

General Process completed

Have you defined the complaints you will and won't accept? YES  NO

Have you defined the process? YES  NO

Does your process provide for all relevant information to be considered? YES  NO

Does your process provide for a decision to be reached in a time frame suitable to the nature of the complaint? YES  NO

Does your process provide for reporting the reasons for a decision and is it sufficiently detailed to suit the nature of the complaint? YES  NO

Does the process meet or exceed your organization's expectations for accessibility to its services? YES  NO

Customer/client service or guarantee of service policy/program invites complaints/feedback. YES  NO

Do you have a means of monitoring the process to determine if the standards are being met? YES  NO

**NOTES:**

# Complaint Handling System

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Target Completion Date:

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- Complaint Handling System completed

## Organization has a policy on complaint handling:

- Policy is documented.
- Policy available to all staff and public.
- Policy is reviewed every two years.
- Policy is written in plain language.
- Policy and procedures associated with the complaint system are communicated to all staff.

## The procedures or complaint policy provides guidance on:

- What a complaint is.
- What information to collect from complainants
- The procedures or complaint policy provides guidance on what remedies can or should be used to resolve complaints.

## Complaint system has the following features:

- Captures complaints from the public.
- Captures complaints from internal customers, or other public sector agencies served.
- Clearly understood procedure for people to make complaints or suggestions for improvement.
- A statement of who is responsible for dealing with complaints.
- Procedures for reviewing, investigating and resolving complaints depending on their seriousness and complexity.
- System for keeping the complainants informed of what is happening.
- System for recording complaints/suggestions and outcomes.
- Procedures for protecting confidentiality of complainant details.
- System of feedback to relevant areas of management and operations so that the problem and trends identified from complaints can be incorporated into planning activities.
- Comprehensive definition of a complaint to guide staff on when to invoke complaint procedures.

**NOTES:**

# System and Staff Management

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Target Completion Date:

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System and Staff Management completed

- Effective complaint handling is supported by clearly articulated statements from senior management.
- A senior manager is responsible for the effective operation of the complaint system.
- Adequate resources are allocated to enable complaint system to function effectively.
- Complaint handling responsibilities, including performance indicators, are incorporated into staff job descriptions.
- Complaint handling skills or experience incorporated into selection criteria for recruitment of staff that have complaint handling responsibilities.
- Frontline employees have specific instructions on how to handle/refer complaints. Employees are issued with written delegations relating to complaint handling.
- Organization provides training in complaint handling skills for staff.
- Internal reviews are carried out where complainants are dissatisfied with the initial response of the organization.
- Reviews are carried out by a more senior employee than the original decision maker.
- Reviewer has the authority to alter the previous decision.
- There is a comprehensive complaint handling instructions manual for staff.
- The complaint procedures manual is regularly reviewed and updated.
- The complaint procedures manual is easily accessible to any staff member dealing with internal or external complainants.

**NOTES:**



## Advice to the Public

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Target Completion Date:

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Advice to the Public completed

- Individuals are told how to make a complaint/suggestion.
- Information brochure on the complaint system is available to users.
- Feedback/complaint forms are available.
- Complaint forms or signs are displayed as appropriate in public areas and are readily accessible.
- Names of contact people for complaints are published and where appropriate displayed in public areas.
- Complaint information included on organization's web page.

### **Individuals are able to lodge complaints:**

- in writing
- by e-mail
- by fax
- by telephone / TTY
- in person
- Individuals are provided with assistance to lodge complaints where needed.
- Complaint system is accessed free of charge.
- Complainants are promised confidentiality.
- Complainants are advised of external avenues to deal with their complaint should they remain dissatisfied.

**NOTES:**

## Recording Processes

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Target Completion Date:

Notes:

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Recording Processes completed

- All complaints are recorded.
- Complaints are logged into a case management system.
- Inquiries/suggestions and recommendations are recorded.
- Complaint issues are categorized in the record.
- The type of service and delivery point are recorded.
- The outcomes and responses to complaints are recorded.

## Performance Standards

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Target Completion Date:

Notes:

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Performance Standards completed

There are performance standards in place for the way in which complaints are dealt with:

- Acknowledgement of receipt within a certain time.
- Completion/resolution within a certain time.
- Interim or progress reports within a certain time.

**There is a quality control system in place to:**

- Check if all complaints have been dealt with/acted upon.
- Check if all aspects of a complaint have been addressed.
- Check if all necessary follow up action has been taken.
- Check if there are any other similarly affected parties who should be offered similar remedies.
- Check that underlying problems have been identified and acted upon.

**NOTES:**

## Analysis and Feedback

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Target Completion Date:

Notes:

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Analysis and Feedback completed

- Complaints are analyzed in a systematic way.
- Someone is responsible for identifying complaint trends and underlying causes.
- Regular internal reports on complaints are produced for senior management.

### Complaint reports include data on:

- Number of complaints/suggestions.
- Compliance with performance standards.
- Issues raised in complaints.
- Complaint trends.
- The causes of complaints.
- Whether remedial action was warranted.
- What redress was actually taken.
- Recommendations/strategies to prevent or limit recurrences.
- Service improvements initiated due to complaints data.

## Reporting

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Target Completion Date:

Notes:

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Reporting completed

- Reports about complaints/suggestions received by the organization are made public.

**NOTES:**

## Evaluation

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Target Completion Date:

Notes:

Evaluation completed

Effectiveness of the complaint handling system as a management tool is evaluated periodically.

### Contact

Have you provided a place of contact? YES  NO

Do you tell the individual what information to include when making a complaint?  
YES  NO

Can a complainant submit in writing, e-mail or in person? YES  NO

### Acknowledgment

Do you confirm receipt of the complaint? YES  NO

### Timelines

Do you provide timelines for decisions to the complainant? YES  NO

### Tracking

Do you have adequate record keeping so that your handling of a complaint can be reviewed? YES  NO

### Follow-up

Does frontline follow-up? YES  NO

Is there a means of ensuring that an adequate investigation is undertaken appropriate to the situation? YES  NO

### Escalating

Does frontline escalate complaint to senior management, if the complaint is not resolved at frontline? YES  NO

### Appeal

Is there an appeal mechanism other than Ombudsman and do you communicate it to the complainant? YES  NO

### Ombudsman

Do you communicate that the Office of the Ombudsman is available as a last resort if complainant is not satisfied? YES  NO

**NOTES:**



## Resources

### Complaint Systems

Ontario Ministry of Consumer Services: *Filing a Complaint*, [www.sse.gov.on.ca/mcs/en/Pages/Complaint\\_Steps\\_to\\_File.aspx](http://www.sse.gov.on.ca/mcs/en/Pages/Complaint_Steps_to_File.aspx)

Ontario Ministry of Government Services: *Government Service Standards*, [www.mgs.gov.on.ca/en/AbtMin/STDPROD\\_046103.html](http://www.mgs.gov.on.ca/en/AbtMin/STDPROD_046103.html)

Toronto City Clerks: *City Clerk's Office: Complaints policy and procedure*, [www.toronto.ca/city\\_clerk/complaints.htm](http://www.toronto.ca/city_clerk/complaints.htm)

Toronto Community Housing: *Tenant Complaint Process*, [www.torontohousing.ca/policy/tenant\\_complaint\\_process](http://www.torontohousing.ca/policy/tenant_complaint_process)

Toronto Employment and Social Services: *If you Disagree*, [www.toronto.ca/socialservices/disagree.htm](http://www.toronto.ca/socialservices/disagree.htm)

Toronto Public Health: *Complaints and Feedback*, [www.toronto.ca/health/feedback](http://www.toronto.ca/health/feedback)

### Complaint Handling System Guides

Commonwealth Ombudsman: *Better practice guide to complaint handling*, [www.ombudsman.gov.au/pages/publications-and-media/better-practice-guides/complaint-handling.php](http://www.ombudsman.gov.au/pages/publications-and-media/better-practice-guides/complaint-handling.php)

Customer Expressions: *Handling Customer Complaints: A Best Practice Guide*, [www.customerexpressions.com/cex/cexweb.nsf/Handling\\_Customer\\_Complaints\\_-\\_A\\_Best\\_Practice\\_Guide.pdf](http://www.customerexpressions.com/cex/cexweb.nsf/Handling_Customer_Complaints_-_A_Best_Practice_Guide.pdf)

Ombudsman of Ireland: *The Ombudsman's Guide to Internal Complaints Systems*, [ombudsman.gov.ie/en/OtherPublications/Guidelines/InternalComplaints](http://ombudsman.gov.ie/en/OtherPublications/Guidelines/InternalComplaints)

Ombudsman of New South Wales: *The Complaint Handler's Tool Kit (2nd Edition)*, 2009 [www.ombo.nsw.gov.au/show.asp?id=107](http://www.ombo.nsw.gov.au/show.asp?id=107)

Ombudsman of Quebec: *A Legitimate, Credible Complaints Office: Complaints processing in governmental organizations*, 2001 [www.protecteurducitoyen.qc.ca/fileadmin/medias/pdf/PCplai\\_anglais.pdf](http://www.protecteurducitoyen.qc.ca/fileadmin/medias/pdf/PCplai_anglais.pdf)

Ombudsman of Victoria: *Good Practice Guide: Ombudsman Victoria's guide to complaint handling for Victorian Public Sector Agencies*: [www.ombudsman.vic.gov.au/resources/documents/Ombudsman\\_Victoria\\_complaint\\_handling\\_good\\_practice\\_guide1.pdf](http://www.ombudsman.vic.gov.au/resources/documents/Ombudsman_Victoria_complaint_handling_good_practice_guide1.pdf)

*Flexible*

Fair and Independent

**ACCESSIBLE**

Easy to use

**Transparent**

Confidential and Impartial

**Written Policy**

*Timely*

Accountable

**EFFECTIVE**

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