



**Ombudsman  
Saskatchewan**

*Promoting Fairness*

# Best Practices for Fair Complaint Handling

## THE COMPLAINT PROCESS

A fair complaints process should include clear guidelines on how to submit a complaint, how it will be reviewed, and an explanation of possible outcomes. It should also have accountability built in by identifying who is responsible for each step in the process.

### RECEIVE AND ACKNOWLEDGE

When you receive the complaint, it is important to record all the important information. This includes contact details of the complainant, the issues raised in the complaint, the outcome sought, attempts made to resolve the complaint informally, and any additional support the complainant may need, such as access to an interpreter. It is very important to take the necessary time to listen to a complainant's concerns. If you take the time to listen actively and engage the complainant initially, you can prevent misunderstanding down the road.

Acknowledging a complaint is an important step in the complaint handling process as it lets the complainant know that their concerns have been received and will be addressed. When acknowledging a complaint, it is good practice to also outline the complaint process, the anticipated length of time needed to resolve the complaint, information about when the person will be contacted next, and contact information for the staff member responsible if the person has follow-up questions in relation to their complaint. This is also a good opportunity to manage complainants' expectations by clearly outlining what can and cannot be done to provide resolution.

### ASSESS

Early assessment of complaints is essential in determining how a complaint should be addressed. Some complaints are relatively straightforward and can be resolved quickly by providing further explanation or other early resolution techniques. Others require a more extensive review of a decision or policy and may raise complex factual or legal issues. These complaints are more likely to require escalation for further review or investigation. The process should have some guidelines.

Some complaints may need to be transferred to another person or department in the organization; others will need to be referred to another agency because addressing them is not within the organization's mandate. These initial referrals or transfers should be done as quickly as possible. It can be frustrating for people to have to wait on a response, only to be told that they need to take their concern somewhere else.

## **INVESTIGATE/RESOLVE**

Whoever is investigating the complaint must be qualified and independent. No one interested in the complaint – particularly the person complained about – should be able to improperly influence the investigative process. A good investigation process includes:

***Establishing the facts.*** Getting the facts straight is the most important step in an investigation. If the facts are wrong or irrelevant, the conclusion or decision is very likely to be wrong or irrelevant. It involves collecting information, identifying what is relevant, and checking for then resolving factual inconsistencies.

***Reviewing the rules.*** What statutes, regulations, policies, and other rules are relevant and applicable to the situation? If, for example, a board member is alleged to have contravened their oath or a code of conduct, the relevant rules they are required to follow may be included in the oath and any code of conduct.

***Applying the rules to the facts.*** This means deciding which conclusions the facts support: Did the board member contravene the oath or code of conduct? And if so, why? It is important to have sound reasons. The conclusion that needs to be reached should be clear. If it is not, something may have been missed.

***Giving opportunities for feedback.*** Anyone whose rights or interests will be affected by the decision must be given a reasonable opportunity to review the findings and preliminary conclusions and to provide contrary or alternative information for consideration.

## **RESPOND**

At the conclusion of a review or investigation of a complaint, organizations should communicate their findings and any decision they reached to the person affected. It is important that the outcome be communicated to the person in a timely manner.

Whether the complaint was founded or not, both the person complained about, and the complainant should be provided with reasons for the decision. The reasons should address all relevant issues and points raised by the complainant and person complained about. If the investigation identified a contravention of legislation or regulation, the reasons should explain what actions have been taken to take to resolve it. Reasons are often provided in writing, but in appropriate cases, they can be provided verbally.

The response should also include information about how to appeal the outcome of the complaint.

## **LEARN**

Complaints are a valuable source of information for public organizations. Organizations can use this information to identify recurring issues and make improvements to their systems and services where appropriate.

# **KEY PRINCIPLES OF COMPLAINT HANDLING**

## **CITIZEN FOCUSED**

Citizens should be able to easily access a complaints process, through email, phone, web-based forms, or in-person. Ensure that the process is well-communicated and easily understood. Provide clear guidelines on how to submit a complaint, what information is required, and what

citizens can expect during the complaints process. This includes setting expectations for response time and providing regular updates on the status of their complaint.

The complaints process should be visible and promoted. Information about how to make a complaint should be included on a website, in promotional materials, and any communications that include a decision.

All citizens that make a complaint should be treated with respect and dignity. Treating complainants with respect requires patience, empathy, and effective communication skills. By treating complainants with respect, you can defuse situations, build trust, and work towards a positive resolution.

Finally, the complaint process should be free to access.

### **OBJECTIVE AND FAIR**

A fair complaints process should be transparent, impartial, and accessible to everyone. It's also important to ensure that the process is free from conflicts of interest and that all parties involved are treated with respect and dignity. Everyone handling a complaint should be clearly and visibly independent from the people affected. Everyone involved must set aside their personal views and maintain impartiality. They must avoid actual conflicts of interest but also the appearance of conflicts of interest.

A complaint handling process should have a review process in which the decision is reviewed by a suitably experienced colleague or superior before the complaint is finalised. There should also be an independent internal review or appeal process.

### **TIMELY**

Timeliness, In the context of handling complaints, refers to the speed and efficiency with which a complaint is addressed and resolved. It means that the complaint is acknowledged promptly, investigated thoroughly, and resolved within a reasonable timeframe. Timeliness is important in complaint handling because it shows concerns are taken seriously and that there is a commitment to providing excellent customer service. It also helps to prevent the escalation of the complaint, which can damage the organization's reputation and relationship with clients.

### **ACCOUNTABLE**

Accountability means that individuals and organizations are responsible for resolving complaints in a fair and efficient manner, and for ensuring that complainants are satisfied with the outcome. It also means that they are accountable for any mistakes or errors made in the process and must take appropriate steps to rectify them.

Ensure that the complaint process is transparent by providing regular updates on the number of complaints received, the number resolved, and the average resolution time. This helps to build trust with citizens and demonstrate accountability.

### **CONFIDENTIAL**

The confidentiality of all communications, documents and other information received while dealing with a complaint must be maintained. This includes taking all reasonable steps to safeguard the information from being disclosed. Information should only be disclosed as is necessary to address the complaint.

## **PROPER RESOURCING**

Complaint handling processes are only effective if you have appropriately trained staff to carry out investigations professionally, comprehensively, and in a timely manner. Individuals receiving and handling complaints should receive appropriate guidance or training, including for dealing with unreasonable conduct by the complainant or the subject of the complaint.

Further, individuals involved in complaint handling should be trained in providing trauma-informed services. This means that individuals and organizations are aware of the potential impact of trauma on individuals and can respond in a way that is sensitive, supportive, and avoids re-traumatization. It involves understanding how trauma can affect a person's mental, physical, and emotional health, and how this can impact their interactions with others.

A trauma-informed approach involves creating a safe, welcoming, and non-judgmental environment that promotes healing and recovery. This can be done by:

- Ensuring physical and emotional safety by creating a secure environment where individuals feel safe to share their experiences without fear of judgment, retribution or harm.
- Establishing trust through clear communication, setting realistic expectations, and demonstrating consistency and accountability.
- Empowering individuals to make choices and decisions about their own care and treatment.
- Working collaboratively with individuals to create a partnership where the individual feels respected and valued.
- Supporting individuals in building self-esteem, confidence and resilience, and providing them with the tools to take control of their own lives.
- Having cultural competence and being aware of and respectful of cultural differences and providing services that are inclusive and responsive to the individual's cultural and linguistic needs.

## **THE VALUE OF COMPLAINTS**

Any government organization or entity mandated to provide services to the public, should expect to get complaints. When you receive these complaints, it is important to have a process in place to deal with them promptly, impartially, and fairly. An effective complaint handling system provides three key benefits:

- It quickly and efficiently resolves issues raised by dissatisfied individuals
- It provides information that can lead to improvements in service delivery; and
- Improves and strengthens public confidence and trust in government administrative processes.