



519 COMMUNITY CENTRE COMPLAINTS AND APPEALS POLICY

GENERAL POLICY INFORMATION

Mission, Values and Mandate

The 519 Mission Statement

The 519 Community Centre is a meeting place and focal point for the creative enhancement of a vibrant healthy downtown community. We respond creatively and passionately to the needs of the local neighbourhood and the broader LGBT communities by providing resources and opportunities to foster self-determination, civic engagement, and community enrichment through social recreation, volunteerism, arts and culture, and community participation.

The 519 Values Statement

The 519 believes we must:

- Recognize and celebrate our diversity and our history
- Respect and value the principles of equity, inclusion and the dignity of all
- Provide programs and services within an anti-oppression social justice framework
- Ensure we are secular and non-partisan
- Fearlessly act with integrity, creativity and vision

Mandate Statement

The 519 Community Centre is committed to providing the highest quality of programs and services for the community. The 519 is committed to creating a Centre that fosters community and civic engagement and provides leadership and/or supports community opportunities that generate positive transformative social, recreational, and educational programs and services and improves the well being of the community.

We embrace the principles of community volunteerism, advocacy in support of social justice and human equality and we are committed to



providing and maintaining an open, accessible space where all people have a right to be treated with dignity and respect whenever they interact and access services at The 519.

In our commitment to the Community The 519 strives to:

- Provide effective programs that meet the needs of the local and broader LGBTT2SQI communities
- Create an equitable, supportive, welcoming environment for the community, staff, volunteers and the board
- Promote a positive public profile and provides leadership to enhance our communities
- Successfully advocate on issues that are relevant to our community
- Establish a broad stable resource base in order to be able to effectively support the community

Complaints Policy Statement

The 519 supports the right of participants, volunteers, community members and citizens to access a fair and transparent process to make complaints about the programs, services and/or dispute decisions we make that they perceive are adverse to them. The 519 welcomes input. We believe complaints are a valuable source of information. We document, evaluate, and analyze complaints to help us adjust and improve the way we do our work.

We believe that the most valuable input comes from people who use our services or who are a part of this community. To this end, we are committed to providing an accessible complaints process that balances the rights of participants / community and maintains a safe and welcoming environment for the broader community and for the Centre's employees.

In order to achieve constructive resolution of complaints, the Centre strives to investigate, review and gather information in a non-biased manner so that we are able to fairly assess and resolve situations. Our complaints and appeals processes involve participants in identifying ways to resolve the issues/complaints.

The 519 is a Board of Management of the City of Toronto and we are required to meet conditions of our funders and comply with various



regulations and legislation. Strategic directions, organizational mission, values and mandate are approved by the Board and the membership. The management of the Centre's operations is delegated to the Executive Director.

The City of Toronto Office of the Ombudsman is an independent impartial investigator of the public's complaints about the administration of the City government, including City agencies such as The 519. The Ombudsman may be approached to look at problems when The 519's procedures and processes have not resolved a complaint. The Ombudsman is a place of last resort and may make recommendations to agencies to change conduct, practices, or policies to create a system of administrative justice and fairness.

Applicability Statement

This policy applies whenever participants, neighbours, and/or community members want to complain about The 519, participants, employees and/or the services we provide, or appeal a decision made by The 519.

This policy does not apply for employee to employee complaints. Those are addressed either through informal resolution, investigations within the framework of the Collective Agreement and/or The 519's Anti-Harassment/Anti-Discrimination Policy.

Role of Staff at The 519

The 519 Church Street Community Centre is committed to creating and maintaining an environment that supports and fosters positive appropriate interpersonal interactions in our day-to-day work. The 519 Church Street Community Centre values honesty, ethical conduct, positive solution based decision-making, integrity and the fair, equitable, and respectful treatment of all people regardless of their circumstances.

The employees of the 519 are the most important and valuable assets in ensuring that we are able to meet our mission, vision and mandate. We are expected at all times to foster an atmosphere of friendly, respectful, professional, helpful community service.



Employees in the course of their duties are expected at all times to comply with the policies and procedures of The 519 Community Centre and all other applicable legislation and regulations including but not limited to the Occupational Health and Safety Act, Municipal Freedom of Information, Privacy and Protection Act (MFIPPA), the Ontario Human Rights Code, and the Centre's Anti-Harassment and Discrimination Policy and Complaints Procedures.

Confidentiality and Anonymity

Confidentiality refers to keeping the details of complaints and appeals private. The 519 Community Centre is required to comply with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and other related legislation. The release of information recorded by The 519 is governed by the legislative requirements of the MFIPPA. All requests for information must be processed through the Corporate Access and Privacy office.

The release of private and/or personal information to any third party, such as an employee of a Councillor's Office, or members of advocacy groups, requires consent. Consent is not required to disclose information when refusing or neglecting to provide information could endanger the safety of another individual or group of individuals or where disclosure of resident information by employees is required under the *Child and Family Services Act*.

The 519 respects and abides by confidentiality and privacy legislation. People who are directly involved in the complaint will have access to specific details on a "need to know basis". If a complaint is about the behaviour of an employee, the Supervisor/Manager will determine the investigation process, including what information is shared. The Supervisor/Manager must balance the participant's or volunteer's right to confidentiality and/or fear of reprisal and the employee's right to understand the details of the identified concern.

For the purposes of confidentiality, complaint records (electronic and hard copy) are only accessible to the employees who deal with complaints.

Anonymity refers to making a complaint without revealing one's identity. The 519 accepts anonymous complaints, however, the effectiveness of our follow up and resolution may be limited.

Definition of Complaint

Complaints are often an expression of dissatisfaction sometimes specific to the Centre or larger systemic issues within the community. They can often be resolved by providing information and helping the complainant understand our mandate.

Complaints may take place after informal resolution or regular problem solving has failed.

The subject matter of complaints may include but are not limited to:

- The quality and types of services or programs we provide
- The way we operate our services and programs
- Our policies and procedures
- Our expectations of behaviour and community rules
- How we as employees work with and treat the public
- How we operate within the neighbourhood
- The impact of programs and services in the neighbourhood
- Decisions about meeting space allocations
- Decisions regarding the allocation of other resources

The 519 will accept a complaint from anyone from the public, including participants, participant advocates, volunteers, our neighbours, and other members of our community.

Assisting Complainants

Once informal resolution or problem solving for any situation has failed, a written complaint may be filed.

When an employee receives a complaint, they are expected to try and resolve the issue/concern whenever possible within the Centre's policies and procedures.

Employees are expected to explain the complaint's process, facilitate resolutions to conflict, include participants in developing solutions, and provide referrals if necessary.

Employees are also expected to provide assistance (as requested) to help the complainant complete the Complaint/Appeal form. Assistance may include verifying what the participant wrote, completing the form accurately based on the participant's dictation, or arranging translation service for the participant.

Definition of Appeal

To make an appeal means to ask a higher level/authority to review a decision in order to have the decision changed, or reversed, or reconsidered.

Anyone may appeal a decision The 519 makes that they perceive as being adverse to them. Decisions that can be appealed include but are not limited to:

- The quality and types of services or programs we provide
- The way we operate our services and programs
- Service restrictions/program
- Non-admission to the community centre or to a particular program
- Readmission conditions
- How we as employees work with and treat participants
- The impact of programs and services on the neighbourhood
- Decisions about resource or meeting room allocations
- Decisions regarding the allocation of other resources

In most cases, The 519 accepts appeals only from the individual or community group affected by the decision being appealed, though we support the right of participants to be supported in the appeal process by workers and/or advocates.

Assisting Complainants with Appeals

Appeals to decisions must be made in writing. When participants indicate that they want to appeal a decision made by The 519, employees are expected to assist them to complete the Complaint/Appeal Form as required or requested.

Assistance may include verifying what the participant wrote, completing the form based on the participant's dictation using their exact words, or



arranging translation service for the participant. Employees are also expected to assist participants with appeals by explaining the Appeals Process.

Progressive Appeals Process

A complainant may take their complaint or appeal regarding operational decisions to successively higher levels within The 519 if they feel the issue has not been satisfactorily resolved. The successive levels are:

- Coordinator
- Supervisor
- Manager

Complaints are usually dealt with by front-line employees initially, though a complainant may go directly to the Coordinator, Supervisor or Manager.

Appeals are dealt with initially by the Coordinator, Supervisor or Manager.

The 519 will not conduct additional follow-up on or investigate complaints deemed to have been effectively dealt with through The 519's complaint process or where The 519 demonstrates that the response to the complainant was appropriate.

Appeals to the Executive Director and the Board of Directors

Appeals regarding policy decisions may be made to the Executive Director and Board of Directors.

If an operational complaint or appeal is escalated to the Executive Director and Board of Directors, the Board's decision on the matter is final. If the complainant is still dissatisfied with the decision/action of the Centre then they should be referred to the City of Toronto Ombudsman's Office.



Complaints About the Executive Director

Complaints about the Executive Director must be put in writing to the Board Chair of the 519 Church Street Community Centre. The Board of Management will determine follow-up depending on the nature of the complaint and inform the complainant in writing of their decision.

Complaints About the Board of Management

Complainants are encouraged to put their complaint in writing to the 519 Church Street Board of Management and will receive a written response.

Complainants may also contact the Integrity Commissioner of the City of Toronto. Complaints about Board of Managements are dealt with through the CODE OF CONDUCT COMPLAINT PROTOCOL FOR MEMBER OF LOCAL BOARDS.

Frivolous and Vexatious Complaints

A frivolous complaint is one found upon investigation to have no reasonable grounds or to make no sense or to be not serious. A vexatious complaint is one made only to annoy others.

Because all complaints are treated seriously, frivolous and vexatious complaints and inappropriate use of the escalation process use resources that could be put to better use. The 519 will not conduct additional follow-up on or investigate frivolous or vexatious complaints.

Handling Repetitive and Persistent Complainants

When dealing with individuals who frequently contact The 519, it is important that their complaint is not dismissed and that the process is followed.

If The 519 receives a complaint it has already dealt with, the complainant will be informed verbally and/or in writing that The 519 will not conduct further follow up on the issue unless the complainant provides new information.

Persistent complainants are those who tend to have an obsessive and excessive preoccupation with the complaint. Strategies when dealing

with these types of complaints may include involving the Manager and/or Executive Director to assist throughout the resolution process.

Time Limits

The time limit for the filing of complaints under this policy is six months from the time of the incident. Consideration will be given on a case by case basis as to whether the time limit should be waived in extenuating circumstances.

Specified time limits for complaints about allegations of sexual harassment/abuse, or physical violence are outlined in The 519's Anti Harassment Policy, the Human Rights Code and other applicable legislation.

Time Frames

The 519 will make all reasonable efforts to complete the complaints process in a timely manner while ensuring that we undertake an appropriate and thorough investigation. Expected standards of complaint follow-up are included in the procedures.

Documentation Requirements

The following documentation is required for complaints and appeals:

- 1. Complaint Tracking** – All formal complaints must be recorded on Complaint / Appeal Forms, available at the Front Desk. Files are subject to the City's Records Retention Policy.
- 2. Complaint/Appeal Form** – The Complaint/Appeal Form documents the complainant's name and contact information, date and time of complaint, who else was involved, subject matter of the complaint, and the outcome/resolution of attempts to resolve the issue.

The Form is completed in the following circumstances:

- whenever employees receive a complaint that they are not able to resolve
- for all complaints from non-participants
- for all appeals

- a complainant may choose to submit a Complaint/Appeal Form at any time
- 3. Other Letters** – the Centre will follow up with complainants or appellants in writing. Management may issue a letter to a complainant/appellant for the following reasons:
- to acknowledge serious complaints
 - to inform complainants/appellants of follow up management is taking for certain issues
 - to inform complainants/appellants of follow up they should be taking
 - to inform complainants/appellants of management’s position on an issue
 - to document when a complaint has been found to be frivolous or vexatious
- 4. Letter from the Executive Director/Board** – Whenever a complaint or appeal is escalated to the Executive Director/Board, a letter will be sent informing the complainant/appellant of the decision in the matter.
- 5. Periodic and Annual Reports** – The 519 is committed to examining how we manage complaints and will issue an annual report on our complaints and resolutions. For all periodic and yearly reports and analysis, personal information will be removed and the substance of the complaints and resolutions will be analyzed.

Other Applicable Information

- The 519 Complaints Procedures document (underdevelopment)
- The 519 Church Street Community Centre’s Anti-Harassment and Discrimination Policy
- The 519 Crisis Intervention Policy /Procedures
- The Relationship Framework between City of Toronto and the 519 Board of Management
- The 519 Strategic Plan – mission, values, mandate
- Occupational Health and Safety Act
- City of Toronto Act, 2006

Approved by the Board of Management, July 27, 2009