

# Complaint Management and Investigations Policy

## 1. Introduction

The Safety Codes Council (Council) is responsible for sound management and diligence in administering its duties under the *Safety Codes Act* (Act). This includes accrediting organizations and certifying or designating individuals to administer the Act within communities across the province.

The Council supports the Minister of Municipal Affairs (Minister) in the administration of the safety codes system, as prescribed in the Act, its regulations and outlined in its Mandate and Roles Document. Under the Mandate and Roles document, the Council has been given the authority to investigate complaints about safety codes officers, master electricians, and permit issuers. The Council has no jurisdiction to investigate matters that fall outside of its mandate.

## 2. Purpose

This policy establishes criteria for the submission, acceptance and general conditions that apply to complaints regarding the **competence, performance, and/or conduct of accredited organizations**, safety codes officers, master electricians, and permit issuers.

## 3. Definitions

**accredited organization:** means a municipality, regional services commission, corporation, or agency accredited to administer all or part of the Act.

**competence:** means demonstrated knowledge and ability.

**conduct:** means professional and ethical behaviour.

**directly affected person:** means a **person** who has requested the services of an **accredited organization**, safety codes officer, master electrician, or permit issuer in their roles of administering the Act.

**employee:** means a **person** engaged by the Council to perform a service in accordance with an employment agreement.

**performance:** means actions taken in the delivery of safety codes services under the Act.

**person:** means an individual, organization, corporation or other legal entity.

#### 4. Policy

- 4.1. The Council may investigate complaints received about the **competence, performance, and/or conduct of accredited organizations**, safety codes officers, master electricians, and permit issuers in their roles of administering the Act.
- 4.2. All complaint investigations will be conducted, in an open, transparent, consistent, fair, objective, and unbiased manner according to approved Council policy and procedures.
- 4.3. The *Freedom of Information and Protection of Privacy Act* (FOIP Act) applies to all complaints submitted to the Council.
- 4.4. All complaint submissions must be made in writing, include all relevant supporting documented evidence, and signed by the **directly affected person**.
- 4.5. All complaints submitted to the Council will be assessed to determine whether they fall within the Council mandate and meet the requirements and criteria of this policy.
- 4.6. Complaints that are determined to be trivial, frivolous, vexatious, or in bad faith will not be investigated.
- 4.7. The Council may not investigate a complaint if it relates to an issue that a **directly affected person** who has made the complaint has known about, or in the circumstances ought to have known about, for more than one year.
- 4.8. Complaints will be investigated on a case-by-case basis in relation to the unique and individual circumstances, complexities, issues, and risk to public safety raised by the complaint. As such, the timeline for completing an investigation may vary.
- 4.9. If a complaint is abandoned, the Council may continue the investigation at their sole discretion.
- 4.10. If the subject matter of a complaint is before either a court or an appeal panel of the Council under the Act, the Council may suspend the investigation pending the outcome of the court proceedings or the appeal.
- 4.11. If the subject matter raised in a complaint has been considered and determined in either a court proceeding or an appeal under the Act, the Council may decide not proceed with an investigation of the complaint.

- 4.12. The outcome of an investigation may result in disciplinary or other corrective action being taken by the Administrator of Accreditation, or the Administrator of Certification that affects the accreditation of an organization, or designation and/or certification of a safety codes officer, master electrician, or permit issuer up to and including the suspension or revocation of accreditation, certification, and/or designation.
- 4.13. The Council cannot award monetary damages or compel payment of monies.
- 4.14. To promote transparency, accountability, and public safety, the summarized results of an investigation may be published online subject to the FOIP Act.
- 4.15. The Council will periodically review its complaint management and investigation operations to monitor trends, assess complaint response and resolution effectiveness, and to improve service delivery.

## **5. Authority**

This policy is established under the authority of Corporate Governance Policy 1.4 which delegates authority to the President and Chief Executive Officer (CEO) to establish policies and procedures for the management and operation of the Council regarding appeals, corporate operations, and operating programs and Policy 1.7 which delegates responsibility for program and service planning and activities to the President and CEO.

## **6. Scope**

The policy applies to Council **employees** and **persons** submitting a complaint.

## **7. Related Policies and Procedures**

- 2.2.1.1 Complaint Management and Investigations Procedure
- 1.3 Code of Conduct and Ethics Policy
- 1.130 Accreditation General
- 1.20 Municipal Accreditation
- 1.30 Corporate Accreditation
- 1.40 Agency Accreditation
- 1.50 Regional Services Commission Accreditation
- 4.100 Certification General Requirements
- 4.130 Master Electrician Program
- 7.10 Designation of Powers General

**8. Version History**

Date	Notes
September / 01 / 2019	Revises and replaces Policy 9.25 Complaint Protocol

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**VERSION 1**

**Effective Date:** September / 01 / 2019

**Approved Date:** August / 13 / 2019