

ERF2: Complaints Policy & Procedure

Purpose

FRONTIER COLLEGE requires governors, directors, volunteers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Frontier College will take all reasonable steps to ensure that policies and procedures contribute to the overall health of the organization are understood and consistently and fairly applied. At any point during the dispute resolution process the parties to the complaint may utilize the resources of the [Human Rights Commission](#) or [Ontario Ministry of Labour](#) agencies such as [Employment \(Labour\) Standards](#) and/or [Occupational Health and Safety](#).

This policy is intended to encourage and enable governors, directors, volunteers, learners, employees and other stakeholders to raise serious concerns so that Frontier College can address and correct inappropriate conduct and actions. It is the responsibility of all board members, employees and volunteers to report concerns about violations of Frontier College's governing policies or suspected violations of law or regulations that govern Frontier College's operations.

No Retaliation

It is contrary to the values of Frontier College for anyone to retaliate against anyone who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of the organization. Any employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Scope

This policy applies to all Frontier College governors, directors, volunteers, learners, employees and other stakeholders.

Application

Frontier College has an open door policy.

Employees are encouraged to share their questions, concerns, suggestions or complaints with their supervisor first, who will conduct an investigation. If an employee is not comfortable speaking with his/her supervisor or he/she is not satisfied with a supervisor's response, he/she is encouraged to speak with the President. Supervisors and managers are required to report complaints or concerns about

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suspected ethical and legal violations to the President who has the responsibility to investigate all reported complaints.

Volunteers are encouraged to share their questions, concerns, suggestions or complaints with their designated staff person first, who will conduct an investigation. If the volunteer is not comfortable speaking with his/her designated staff person or he/she is not satisfied with a staff person's response, he/she is encouraged to speak with the President who has the responsibility to investigate all reported complaints.

Board Members are encouraged to share their questions, concerns, suggestions or complaints with the Chair of the Board (Frontier College or Frontier College Foundation). The Chair of the respective Board has the responsibility to investigate all reported complaints.

Learners are encouraged to share their questions, concerns, suggestions or complaints with a staff person first. If the learner is not comfortable speaking with his/her designated staff person or he/she is not satisfied with a staff person's response, he/she is encouraged to speak with the President who has the responsibility to investigate all reported complaints.

Stakeholders are encouraged to share their questions, concerns, suggestions or complaints with the President first. If the individual is not comfortable speaking with the President or he/she is not satisfied with the President's response, he/she is encouraged to speak with the Chair of the Board who has the responsibility to investigate all reported complaints.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as serious. In the case of employees, such offenses will be handled on a case-by-case basis as determined by the President and/or the Chair of the Board.

Confidentiality

Violations or suspected violations may be submitted confidentially by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The President or the Chair of the Board will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Procedure

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A complaint by a governor, director, volunteer, learner, employee or other stakeholder may fall into one of the following categories:

- The complainant believes that an organizational policy has been violated
- The complainant believes that he or she has been discriminated against or has been subjected to harassment (as per ERF1 – Anti-violence, Anti-discrimination, Anti-harassment Policy)
- The complainant believes that there is a serious difference of opinion as to the adherence, interpretation, or administration of the policies
- The complainant believes that a serious problem exists that they cannot resolve on his or her own and requires a formal resolution

Step One

Employees:

- Complainants are encouraged to bring any and all serious concerns to the attention of their supervisor
- The supervisor will provide advice and counsel and will encourage the complainant, wherever possible and reasonable, to talk to the person who has caused the offence
- If the matter can be resolved between the various parties with the advice and counsel of the supervisor, the process will end at Step One
- The supervisor is responsible for the following:
 - ✓ Dealing with all complaints, concerns or disputes in a timely and efficient manner
 - ✓ Documenting all conversations in terms of facts, dates and counsel given
 - ✓ Following up with the complainant to ensure that a satisfactory resolution has been achieved

Board members:

- Complainants are encouraged to bring any and all serious concerns to the attention of the Chair of the Board
- The Chair of the Board will provide advice and counsel and will encourage the complainant, wherever possible and reasonable, to talk to the person who has caused the offence
- If the matter can be resolved between the various parties with the advice and counsel of the Chair of the Board, the process will end at Step One
- The Chair of the Board is responsible for the following:
 - ✓ Dealing with all complaints, concerns or disputes in a timely and efficient manner
 - ✓ Documenting all conversations in terms of facts, dates and counsel given
 - ✓ Following up with the complainant to ensure that a satisfactory resolution has been achieved

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All others:

- Complainants are encouraged to bring any and all serious concerns to the attention of the President
- The President will provide advice and counsel and will encourage the complainant, wherever possible and reasonable, to talk to the person who has caused the offence
- If the matter can be resolved between the various parties with the advice and counsel of the President, the process will end at Step One
- The President is responsible for the following:
 - ✓ Dealing with all complaints, concerns or disputes in a timely and efficient manner
 - ✓ Documenting all conversations in terms of facts, dates and counsel given
 - ✓ Following up with the complainant to ensure that a satisfactory resolution has been achieved

Step Two

Time lines are specified in order to keep the internal dispute process moving along and to reflect the principal that issues are best resolved as soon as possible after they have occurred.

- If the complainant is not satisfied that Step One has resolved the matter she/ he can, within ten business days of the offence or within ten business days of Step One proving unsatisfactory, complain in writing to the President (employees) or the Chair of the Board (all others)
- Within ten working days of having received the written complaint the President (Chair of the Board) will investigate or arrange to have the complaint investigated
- An investigation may entail interviews, collecting documents or consulting with others or outside advisors or legal counsel in the course of resolving the dispute
- The President (Chair of the Board) will, within ten working days, provide a written summary of the problem and a recommendation for mediation or resolution to the complainant
- If the proposed resolution is satisfactory the complainant, other parties attached to the complaint and the President (Chair of the Board) will sign the written summary acknowledging that this report and resolution were correct and satisfactory

Step Three

If the proposed resolution is not satisfactory to the complainant or cannot be executed, as it does not meet with agreement from other parties attached to the complaint, the complainant or the President may appeal in writing to the Chair of the Board (employees) or outside advisor/legal counsel (all others). This appeal must be made within five working days of having received the written report referred to in Step Two.

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- A written appeal must include all past reports and recommendations along with an explanation as to why Step Two did not prove satisfactory and a description of the resolution being sought
- The Chair of the Board or his/her designated outside counsel may conduct interviews, collect documents or consult with outside advisors in the course of resolving the dispute
- The Chair of the Board/outside counsel will respond to the complainant within twenty working days. The Chair of the Board can refer the matter to legal counsel, recommend mediation or recommend that the Step Two resolutions or any other resolution be implemented
- If the complainant and all attached parties are satisfied that the Step Three resolution is satisfactory, all parties will sign an agreement acknowledging such
- The decision of the Chair of the Board/outside counsel is considered the final level of appeal and resolution internally. If a resolution has not been reached and if the alleged breach is in relation to any provincial or federal statute the complainant will be advised to seek relief through outside agencies or counsel

Sherry Campbell, President, scampbell@frontiercollege.ca
Chair of the Board, contact xxx xx@frontiercollege.ca for contact details

Policy approved by the Frontier College Board of Governors on _____