

# **COMPLAINTS AND APPEALS POLICY**

## **POLICY**

### **Purpose**

This policy applies whenever residents want to appeal a decision made by YWS and whenever anyone wants to complain about YWS and/or the services we provide.

This policy does not apply to staff. Staff complaints are addressed by YWS's Code of Conduct and Anti-Harassment/Anti-Discrimination Policy.

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### **Policy Statement**

YWS welcomes input; we believe complaints are a valuable source of information. We document, evaluate, and analyze all complaints to help us adjust and improve our services.

We believe that the most valuable input into our services and programming comes from people who use our services and, to this end, we are committed to providing an accessible complaints process.

YWS supports the right of clients to access a fair and transparent appeal process to dispute decisions we make that they perceive as being adverse.

Our complaints and appeals processes involve clients in decision-making.

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### **Definition of Complaint**

Complaints are any expression of dissatisfaction about YWS. The subject matter of complaints may be:

- the services or programs we provide
- the way we operate our services and programs
- our policies and procedures
- our rules and expectations
- how staff work with residents
- how we operate within the community
- residents' behaviour in the community

YWS accepts complaints from anyone, including residents, resident advocates, our neighbours, and other members of our local community.

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## **Definition of Appeal**

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

Current or former residents may appeal any decision YWS makes that they perceive as being adverse to them. Grounds for appeal include:

- service restrictions
- non-admission to the shelter
- readmission conditions
- elements in the service/case management plan, such as planned date of discharge

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

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## **Supporting Complainants**

Complaints can be made verbally or in writing. When staff receives a complaint, they are expected to try to resolve the issue, if possible.

If staff are not able to resolve a complaint, or if a complainant indicates they would like to complain directly to the Management Team, staff are expected to provide any support required to complete the Complaint/Appeal. Support may include verifying what the client wrote, assisting the client to write the complaint based on the client's dictation, or arranging translation service for the client.

Staff are expected to further support all complainants by explaining the Complaint Process, facilitating resolutions to conflicts, including clients in developing solutions, and providing referrals if necessary.

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## **Supporting Clients with Appeals**

Appeals must be made in writing. When clients indicate that they want to appeal a decision made by YWS, staff are expected to support them to complete the Complaint/Appeal. Support may include verifying what the client wrote, assisting the client to write the complaint based on the client's dictation, or arranging translation service for the client.

Staff are also expected to support clients with appeals by explaining the Appeals Process.

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## **Confidentiality**

Confidentiality refers to keeping the details of complaints and appeals private. YWS respects confidentiality and only the people directly involved in a complaint or appeal process will have access to information about the complaint.

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## **Escalation Process**

**Clients have the right to take their complaint or appeals to successively higher levels within YWS if they feel the issue has not been satisfactorily resolved. The successive levels are:**

1. Team Leader
2. Program Manager
3. Executive Director
4. Board of Directors

Complaints are usually dealt with by front-line staff initially, though a complainant can go directly to the Team Leader if preferred.

Appeals are dealt with initially by the Team Leader or Program Manager.

If a complaint or appeal is escalated to the Board of Directors, the Board's decision on the matter is final.

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## **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. For this reason, making frivolous or vexatious complaints and repeatedly using the escalation process inappropriately will lead to further follow up by management.

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## **Hostel Services' Involvement**

**Right to Contact Hostel Services** – We encourage and support people making a complaint or appeal to use YWS's internal processes. However, anyone making a complaint or appeal has the right to contact Hostel Services at any time and will be given Hostel Services number upon request (416-392-8741).

**Cooperation with Hostel Services** –YWS will cooperate with Hostel Services when it reviews complaints. This includes: allowing Hostel Service staff on the premises at any time to conduct site visits, interview staff or residents, review documentation or investigate further.

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## **Documentation Requirements**

**The following documentation is required for complaints and appeals:**

- 1. Complaint Tracking** – All complaints must be recording in the Complaint Tracking binder, which contains information about the complainant’s name, the date and subject matter of the complaint, and the outcome/resolution.
  - 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. When a Complaint/Appeal Form is filled out, it usually means Management need to be involved in the issue. The Form is completed in the following circumstances:
    - whenever staff receive a complaint that they are not able to resolve
    - for all complaints from non-clients
    - for all appeals
    - a complainant may choose to submit a Complaint/Appeal Form at any time
  - 3. Letter from the Board** – Whenever a complaint or appeal is escalated to the Board, the Board will send a letter informing the complainant/appellant of the final decision in the matter.
  - 4. Other Letters** – Management may follow up with complainants or appellants with letters prior to issues reaching the Board. 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
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## **Complaint Procedures**

**It is important that all resident complaints are taken seriously and followed through with.**

1. Listen and acknowledge the complainants concerns
2. Ensure the complainant is aware of their rights and the complaint/appeal process
3. Document the complaint, outcomes, and necessary follow-up
4. Place a copy of the complaint in the “Complaint Binder” and a copy in the Team Leader’s box.

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## GENERAL POLICY AND PROCEDURES INFORMATION

### Management Responsibilities for this Policy

- a. **Analysis of Complaints and Appeals** – The Program Manager and ED conduct a review of all complaints appeals in order to determine if there are patterns and ongoing issues that need to be addressed. The analysis includes reviewing the Complaint/Appeals Forms and the Complaint Tracking binder.
- b. **ED Prepares Monthly Report for Board** – The ED will prepare a monthly report on material complaints for review by the Board that summarizes the number, subject matter, and outcomes of complaints and appeals.

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### Board Responsibilities for this Policy

- a. **Approval** – This policy was analyzed by the Board in order to ensure that it is consistent with YWS's Mission and Vision. The Board of Directors then approved this policy. The same review and approval procedure will be followed for updates.
- b. **Complaints and Appeals as Valuable Source of Information** – The Board is responsible to ensure that YWS's policies are consistent with YWS's Mission, Vision, and Values, and that our services are producing the intended outcomes. The Board uses the information gathered through tracking complaints and appeals to adjust policies and services and in the development of new services.

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### Applicability

This policy applies to:

- people seeking shelter at YWS all shelter front-line and management staff
- the Board of Directors
- volunteers

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### Policy Expectations

**YWS expects that compliance with this policy will support our goal that our services are responsive and accessible for our clients.**

**YWS will help staff follow this policy by:**

- keeping the policy, procedures and task outlines updated
- providing orientation and training on this policy to board, staff and volunteers
- holding information sessions when this policy or procedures change
- training and coaching staff on how to deal with difficult behaviours and situations
- including policy-adherence in job descriptions and performance reviews

**The consequences of not following this policy can be harmful to YWS, staff and residents and may include, but are not limited to:**

- putting residents, staff and volunteers in unsafe situations
  - being in breach of YWS's contract with its' funders
  - having funding reduced or withdrawn
  - having services and staffing reduced
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- progressive discipline procedures when there is deliberate non-compliance
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## **Policy Source**

This policy is based on the following documents:

- **Toronto Shelter Standards, especially Section 5.1, “Complaints and Appeals”**
  - **YWS’s mission and vision statement and our Case Management model**
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## **Publication**

This policy is available to anyone who has an interest in YWS and is available as follows:

- Policy Manual
- Anyone will be given their own copy at their request
- A condensed version posted on resident bulletin boards within YWS

If clients or others require assistance to be able to understand our policies, we will provide explanation, interpretation, and/or translation.

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## **Policy Inputs**

**Policy Development** – This policy was developed by:

- reviewing past complaints and appeals
- gathering input from residents and staff
- discussing the policy with the Board for feedback
- Policy Working Group- Executive Director, Program Manager and Team leader

**Resident Meetings** – This policy is periodically discussed at resident meetings to confirm it is performing in the intended manner.

**Board Review and Approval** – This policy was presented to the Board for review and approval. The same review and approval procedure will be followed for updates.

**Policy Update** – In addition to regularly-scheduled reviews, reviews will be triggered when:

- *Shelter Standards* are updated
  - Hostel Services issues a Guideline pertaining to appeals
  - there are ongoing issues and/or a pattern of complaints that point to inadequacies or omissions in this policy
  - reorganization within YWS affects roles, responsibilities or procedures for admissions
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**Youth Without Shelter  
Policies and Procedures**

**SUBJECT: COMPLAINTS  
AND APPEALS POLICY**

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**Review and Revision History**

<b>Policy No.</b>	002
<b>Date of Board Approval</b>	October 20, 2008
<b>Policy Effective Date</b>	October 29, 2008
<b>Date Sent to Hostel Services</b>	October 01, 2008
<b>Date of Next Scheduled Review</b>	October 19, 2009
<b>Supersedes</b>	None
<b>Storage Locations</b>	C:\Documents and Settings\programmanager.YWS\My Documents\Policies-2008

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**Related Policies**

- *Admission Policy*
  - *Discharge Policy*
  - *Service Restriction Policy*
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**Appendices**

- Complaint form
  - Appeal form
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