



Best Practice: Informal Complaint Resolution

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CITY: CITY OF TORONTO

POLICY AREAS: PUBLIC INTEGRITY

BEST PRACTICE

The Office of the Integrity Commissioner of the City of Toronto actively supports the resolution of informal complaints from citizens, public service staff and Councillors. Since the office was first established in 2004, the practice of resolving informal complaints has grown and diversified. This complaint mechanism provides citizens with direct access to redress from elected or appointed officials. It provides elected officials with a way to engage citizens who have expressed their concerns using a variety of responses including explanation, apology, meetings, or improvements in communications and services. Finally, it encourages proactive resolution of complaints. In 2011, this office handled over 50 informal complaints, an increase of over 200% from the prior year.

ISSUE

This practice aims to address complaints that may not meet the threshold of a formal complaint, or where complainants are reluctant to have the matter become public. It can be used to address personal and general types of concerns and is flexible. Informal complaint resolution services have been used in cases of inappropriate or angry communications, perceived conflicts between personal and public interests, acceptance of gifts or benefits, compliance with Council policy and use of influence matters.

GOALS AND OBJECTIVES

City Council created informal and formal complaint mechanisms to provide a range of ways for complaints to be resolved. The informal process exists to provide individuals and organizations with a method to stop or remedy a behaviour or activity at an early stage and in a meaningful way.

IMPLEMENTATION

The Informal Complaint Process was implemented by setting out the rationale and the steps in the Code of Conduct Complaint Protocols established by the City of Toronto for elected and appointed officials of local and adjudicative Boards. Part A of the Complaint Protocols delineates the informal complaint process. The Integrity Commissioner may be involved in the process by virtue of the Complaint Protocol and with the consent of the officials who are involved.

COST

The cost of the program is incorporated into the overall staffing budget of the office which currently is \$211,000. This provides for an office, a part-time Integrity Commissioner and part-time support staff.

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RESULTS AND EVALUATION

All informal complaints are tracked and outcomes are recorded. Recent results indicate successful resolution (defined by engagement and finality) in 40% of the informal complaints, resolution (by way of engagement by the citizen directly) in 55% of the informal complaints and finally, no outcome attained (engagement not pursued by citizen) in 5% of the informal complaints. Evaluation by City Council takes place annually when the work of the office is presented by way of an annual report.

TIMELINE

The Complaint Protocol established the informal complaint resolution process in 2007. Each year has seen an increase in the use of informal complaints as the process has become understood and accepted.

LEGISLATION

The Office of the Integrity Commissioner is mandated by provincial legislation: the City of Toronto Act, 2006:

<http://city-dev.toronto.ca/committees/pdf/torontoact.pdf>

The City of Toronto enacted a Code of Conduct for Members of Council, and for Members of Local Boards and Members of Adjudicative Boards:

http://www.toronto.ca/city_council/pdf/members_code_conduct.pdf

<http://www.toronto.ca/integrity/pdf/code-conduct-local-boards.pdf>

<http://www.toronto.ca/integrity/pdf/code-conduct-adjudicative-boards.pdf>

The City of Toronto enacted Complaint Protocols which include the informal complaint resolution process:

<http://www.toronto.ca/integrity/pdf/complaint-protocol.pdf>

<http://www.toronto.ca/integrity/pdf/complaint-protocol-local-boards.pdf>

LESSONS LEARNED

In encouraging use of the informal process, the Office of the Integrity Commissioner has learned to use a combination of patience, careful communication between the parties and flexibility. There are many ways to resolve concerns respectfully and a successful outcome often depends on a solid understanding of the background to the concern. In some cases this will mean a one-to-one meeting before suggesting an informal resolution. In other cases an exchange of documents will suffice.

TRANSFERABILITY

This program is transferable to any agency which investigates complaints and is recommended as part of the tools available for resolution of citizen concerns. Less formal processes may often be more accessible to a broader range of people and situations.



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Facts and figures in this report were provided by the highlighted city agency to New York City Global Partners.