



Complaint Policy

HIV/AIDS Resources and Community Health – Complaint Policy

Introduction

The purpose of this policy is to outline the investigation procedure when a complaint is filed under the Workplace Violence and Harassment Policy, the Anti-Oppression Policy or any other policy established by the Board where such complaint is filed against an employee, volunteer or Board Member of ARCH.

Responsibility

It is the responsibility of management to communicate to all employees the existence of this policy and, when conducting investigations, to do so in compliance with this policy.

Identifying and Filing a Complaint

1. All employees and volunteers are responsible for promptly reporting, and intervening as appropriate, without fear of reprisal, any incidents or practices that are believed to be in violation of ARCH policies.
2. Formal complaints should immediately be brought to the attention of the Executive Director.
3. If the complaint is against the Executive Director, the complaint should be directed to the President of the Board of Directors. In the event that the complaint is against the President and the Executive Director, the complaint may be directed to another member of the Executive Committee. For the purposes of the remainder of this policy, the individual(s) receiving the complaint shall be referred to as the “Investigator”.
4. Any employee or volunteer may bring a complaint forward with the assistance / accompaniment of another employee, volunteer, or member of management or other individual. Complaints shall be filed in writing. The complaint shall, at minimum, specify:
 - a. Nature of the complaint;
 - b. Specific incidents of the complaint;
 - c. Names of any witnesses to the alleged incident(s);
 - d. Specific information that the witnesses are expected to provide; and,
 - e. Wherever possible dates and times should be reflected as accurately as possible throughout the complaint.

The Executive Director shall make available to employees, volunteers and Board



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Members a standard form to be used for the purposes of making complaints under ARCH policies.

5. Upon receiving a complaint, the Investigator will determine whether an investigation is warranted. If an investigation is not warranted, the Investigator shall provide the complainant with reasons. The

complainant shall have the right to appeal to the Executive Committee.

6. In all cases, management reserves the right to proceed with the investigation and take appropriate action once a complaint has been brought forward. Management reserves the right at any point during an investigation to engage the services of a third party to consult on and/or conduct an investigation.
7. The Investigator will be responsible to ensure an investigation of the complaint is commenced within ten (10) working days. Investigations will be completed as soon as is reasonably practicable.

Those named in the complaint as respondents will be notified as soon as practicable that a complaint has been filed against them. They will be provided with a copy of the complaint at that time. They will have ten (10) calendar days to respond to the complaint in writing. The Investigator will then conduct an investigation of the allegations.

The Investigator shall have the authority to enact such interim measures as they deem appropriate in the circumstances to protect the health and safety of ARCH employees, clients, volunteers and/or Board Members.

Both the respondent and complainant will be informed of the outcome of the investigation. The complainant is not entitled to know the specifics of disciplinary or constructive actions taken against the respondent.

Appeals

If either the complainant or the person named in the complaint is not satisfied with the resolution of the complaint, the individual may appeal the decision, in writing, to the Executive Committee (or, if the Executive Committee conducted the investigation, to the Board of Directors). An appeal decision will be provided within 10 calendar days.



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Other Complaint Mechanisms

Nothing in this policy prohibits an individual from making a formal complaint to an external body such as the Human Rights Tribunal or a court.

No Retaliation

Any form of retaliation against a complainant or a witness will be considered a serious violation of this policy and will not be tolerated. Such actions will be subject to disciplinary action, up to and including dismissal.

False Accusations

Any behaviour that undermines working relationships and personal dignity as well as any false and fabricated charges against staff, volunteers or participants, will not be tolerated. Any person found to be engaged in such behaviour will be subject to appropriate disciplinary action, up to and including dismissal.

Confidentiality

1. Selective information is limited only to those who have a need to know as determined by the Executive Director or their delegate.
2. Any volunteer or staff member involved with the investigation shall be required to maintain the confidentiality of any dealings related to the investigation. Breach of confidentiality in this case will be subject to appropriate disciplinary action, up to and including dismissal.

Documentation

Records of complaints, including contents of meetings, interviews, results of investigations and all other material relative to the claim, shall be collected and maintained in a separate confidential file in the Executive Director's office or the records of the Board of Directors (as applicable) and retained for a minimum of five (5) years.