



## Complaints Policy and Procedure

<b>Area:</b>	<b>Administration</b>
<b>Board Approval:</b>	<b>People &amp; Governance (Nov 16, 2022)</b>
<b>Applicable to:</b>	<b>All YMCA Calgary Personnel</b>

### Background and Purpose

The YMCA is committed to providing excellent programs and services. The YMCA acknowledges that its stakeholders have the right to provide feedback, raise complaints, and voice concerns. This policy and procedure (the “**Policy**”) is intended to ensure that feedback, complaints and concerns received from members of the public about YMCA activities, programs, services, staff, or volunteers are dealt with promptly, consistently, and fairly.

### Scope

This Policy applies to all complaints received from members of the public about YMCA activities, programs, services, staff, or volunteers. This Policy serves as a companion to the YMCA's Whistleblower Policy. This Policy does not apply to complaints made by YMCA employees or volunteers regarding other YMCA employees or volunteers, as these complaints are addressed under the YMCA's Conflict Resolution Policy, which is available internally to employees and volunteers in the Human Resources Policies and Procedures.

### Guiding Principles

- Complaints should be acted on promptly following receipt and resolved as quickly as possible.
- Review of complaints should be, to the greatest extent possible, fair, impartial, and respectful to all parties.
- Complainants should be advised of their options to escalate their complaint to a more senior YMCA staff member if they are dissatisfied with treatment or outcome.
- Complainants should be updated to the extent practicable during the review process and provided with clear and intelligible reasons for decisions relating to complaints.
- Complaints should be used to continually improve activities, programs, services, policies, and procedures.

### Definition

A “complaint” is an expression of dissatisfaction regarding the activities, programs, and organizational actions of the YMCA and/or the actions or omissions of staff and/or volunteers acting on behalf of the YMCA.

A non-exhaustive list of potential issues underlying complaints includes:

- a perceived failure to do something agreed upon;

- a failure to observe policy or procedures;
- errors made by a staff member or volunteer acting on behalf of the YMCA; or
- unfair or discourteous statements or actions by a staff member or volunteer acting on behalf of the YMCA.

## **Complaint Process**

### Lodging Complaints

A complaint may be received verbally (by phone or in person) or in writing (by mail or email to the relevant YMCA location manager). An employee or volunteer who receives a complaint should first determine if it should be reasonably be considered as frivolous or vexatious. If it falls within this category it will be dealt with in a summary fashion by front line staff. If it is deemed to be genuine and well-intentioned, the employee or volunteer who receives the complaint should determine the proper person to handle it. This will generally be the person who has the primary relationship with the complainant or has the specific knowledge that is needed to resolve the problem. It is the responsibility of the person who receives the complaint to either resolve it or transfer it to another person who can resolve it. If the complaint is transferred, the recipient must acknowledge to the transferor that they have received it and will act on it.

The person who initially receives the complaint should acknowledge to the complainant that the complaint has been received and will be acted on either by themselves or another employee or volunteer. If a timeframe for action can be determined, that should be included in the acknowledgement. Basic contact information including name, phone number, and email address should immediately be recorded.

### Resolving Complaints

Every effort should be made to acknowledge receipt of and resolve genuine and well-intentioned complaints received in a timely fashion. When receiving a verbal complaint, staff should listen and seek to understand the complaint, and may attempt to resolve it immediately.

Where a complaint cannot be otherwise resolved by front line staff, provided that it is not frivolous or vexatious, it should be escalated to the relevant YMCA General Manager by sending an email to the relevant branch email address, listed at [www.ymcacalgary.org/contact-us](http://www.ymcacalgary.org/contact-us). The complainant's contact information including name, phone number, and email address, as well as a brief description of the complaint, should be included in the email. If the complaint is about a YMCA General Manager it will be handled by the relevant Vice President or other member of the Senior Leadership Team. Complainants should be kept informed of the status of their complaint.

If an escalated complaint cannot otherwise be resolved by the General Manager and warrants further review, the General Manager may refer the complaint to the relevant Vice President for final determination.

### Documentation of Complaints

It is necessary to keep a record of any complaint that cannot be resolved by front line staff and is deemed not to be frivolous or vexatious. Information about such complaints must be recorded in the YMCA Calgary Complaints Log. Information recorded in the YMCA Calgary Complaints Log includes a description of the complaint, who handled it, what was done to resolve the complaint, timeframe, and a description

of the resolution. A summary of the complaints received including number and type will be reported to the YMCA's Board of Directors at least annually.

### **Unacceptable Behaviour and Unreasonable Demands**

YMCA staff and volunteers are expected to treat individuals in a manner that is consistent with the YMCA's values of caring, respect, honesty, responsibility, and inclusiveness. Similarly, the YMCA expects its staff and volunteers to be treated in the same way.

The YMCA has zero tolerance for threatening, abusive, aggressive, or unreasonable behaviour. If a complainant engages in any of these behaviours or makes unreasonable demands in making a complaint or during the complaint process, the YMCA employee or volunteer dealing with the complaint should immediately contact their immediate supervisor or manager before proceeding further in the complaint process or otherwise dealing further with the complainant. A summary of the incident (who was involved, what occurred, location, date, and time) should then be immediately recorded and retained.

#### Unacceptable Behaviour

People may behave out of character due to frustration or situations involving disagreement. However, the YMCA expects YMCA staff and volunteers to be treated with courtesy and respect. YMCA staff and volunteers have the right to undertake work free from aggression or abuse. If necessary, the police should be contacted to escort a complainant who is exhibiting abusive or aggressive behaviours away from YMCA premises.

Aggressive or abusive behaviour may include:

- behaviour or language (verbal or written) that cause a YMCA employee or volunteer to feel threatened or unsafe;
- insulting or degrading language towards a YMCA employee or volunteer;
- threats of physical harm or actual physical harm towards a YMCA employee or volunteer; or
- making serious allegations without any evidence.

Examples of unacceptable behaviour include:

- threats, verbal abuse, shouting, obscene or derogatory remarks, or rudeness;
- racist, sexist, homophobic, transphobic, or disablist comments, hate speech, or any other harassment or discrimination based on personal characteristics; or
- repeatedly demanding disciplinary action be taken against a certain YMCA employee or volunteer.

#### Unreasonable Demands

A demand by a complainant may be unreasonable if handling it could take up an excessive amount time and resources. A demand may become unreasonable if, for example, a complainant:

- demands responses within an unreasonable timeline;

- insists on seeing or speaking to someone more senior or a particular member of staff when that is not possible;
- keeps changing what the complaint is about; or
- keeps raising new or unrelated concerns.

Examples of unreasonable demands include:

- demanding to speak to someone on the same day when that person isn't available;
- demanding a response from the CEO, Board of Directors, or a senior manager, and refusing to speak to anyone more junior; or
- demanding an immediate call back from a manager.

The YMCA reserves the right to take the action deemed required in response to Unacceptable Behaviour and Unreasonable Demands which could include forfeiture of YMCA access rights and a preclusion from being able to attend at YMCA premises or programs for a period of time.

### **Frivolous or Vexatious Complaints**

While the YMCA expects that most individuals will bring complaints in a genuine and well-intentioned manner, from time to time, complaints may be frivolous (i.e. not having any serious purpose or value) or vexatious (i.e. made to or expected to cause unnecessary annoyance, frustration, or worry). The YMCA reserves the right to assess in each instance whether or not a complaint or concern by a stakeholder falls within the category of frivolous or vexatious complaints; and if so, deal with such a complaint in a summary fashion without the obligation to undertake further review or escalation.

### **Confidentiality**

The YMCA will make every effort to ensure confidentiality for the person reporting a complaint or concern. In some programs that receive funding from partner agencies, complaints may need to be shared with those agencies.

### **No Retaliation**

No person who in good faith and under this policy submits a concern/complaint shall suffer harassment or retaliation.