Sunbeam Community & Developmental Services	
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Policy Name: Feedback & Complaints Regarding Services & Supports	

GUIDANCE

Seeking feedback and having a process to respond to complaints supports continuous quality improvement in service delivery. Establishing a feedback/complaints process is required by the Ministry of Children, Community & Social Services (MCCSS) to ensure that people connected to Sunbeam know their rights and can have a voice to help shape better services.

SCOPE

This policy applies to all areas of Sunbeam Community & Developmental Services (Sunbeam) and should be followed when Sunbeam receives any feedback or complaint from people supported within Sunbeam's services, their parents/guardians or advocate, community members, volunteers or staff.

DEFINITIONS

Advocate: An individual who knows the person supported and is acting in their best interests to promote and ensure that the provision of services by Sunbeam are aligned with the person's needs, wants, abilities and capabilities, but who does not have the legal authority to provide consent/decision-making on behalf of the person supported.

Child: Anyone under the age of 18 who is receiving services from Sunbeam.

Complaint: An expression of dissatisfaction typically related to the services and supports provided by or accessed through Sunbeam. A complaint is more than an inquiry or feedback. A complaint may be made formally or informally. Complaints may come from many sources, including the people whom we support or their Family/Advocate/Guardian, employees or volunteers, another agency or organization, or the general public.

Feedback: Evaluative or corrective commentary typically related to the services and supports provided by or accessed through Sunbeam. Feedback may be solicited through a survey or other data collection methods or be unsolicited. Feedback can come from many sources, including the people whom we support or their Family/Advocate/Guardian, employees or volunteers, another agency or organization, or the general public.

Guardian: A legally assigned decision maker. This may be a parent, someone who has received a guardianship agreement through a court process or may be a representative of a placing agency, such as a Children's Aid Society. Generally, in Community Living Services, the term guardian applies to supporting people under the age of 18. On occasion, courts or the Ontario Public Guardian and Trustee (OPGT) office may appoint a Guardianship of Property or of the Person, for individuals over the age of 18 who are deemed mentally incapable and who do not have a Power of Attorney in place.

Types of Complaints include:

- **Meritorious / Well-Founded Complaint**: A complaint that raises legitimate concerns that warrant further investigation.
- **Bad Faith Complaint:** A complaint made dishonestly, with improper motives, or knowing the allegations are false.
- **Frivolous Complaint**: A complaint that is trivial, lacking merit and/or not serious.
- **Vexatious Complaint:** A complaint that is made primarily to harass, annoy, burden, or cause trouble for another person or organization, rather than to genuinely resolve a legitimate concern.
- **Without Merit Complaint:** A complaint that is unsupported by evidence or legal grounds.

POLICY:

In compliance with the MCCSS requirements, Sunbeam policies describe the processes used to receive, review, document and respond to feedback and complaints. Policies comply with legislation and regulations associated with: *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act; the Child and Youth Family Services Act; the Accessibility for Ontarians with Disabilities Act;* and any associated regulations or pertinent legislation.

Anyone receiving services through Sunbeam will be informed of this policy within seven (7) days of initiating services, using inclusive language and/or augmentative communication tools based on their support needs.

Anyone receiving services has the right to be heard and participate in the feedback/complaints process including the right to submit feedback/complaints and the right to be informed of any feedback, complaints and outcomes that may affect them or the services that they receive.

Anyone who is receiving services from Sunbeam will not be at risk of having services or supports negatively impacted because of their feedback submission. Complaint handling procedures will be adapted as necessary to allow for complaints to be anonymous.

PROCEDURE

Feedback and complaints may be received by Sunbeam either verbally or in writing. Verbal complaints may be made in person or by phone. Written complaints may be submitted by email, mail or through the Sunbeam website. Any staff or volunteer who receive feedback or a complaint should notify their supervisor within 24-hours, to ensure that this policy is followed. When Serious Occurrence Reporting (SOR) is required based on the feedback/complaint, the person receiving the complaint must contact their supervisor or on-call immediately in accordance with policy AD-ps-061: Serious Occurrence Reporting.

Sunbeam will not be expected to resolve complaints that are frivolous, vexatious, made in bad faith or are without merit.

When feedback or a complaint is received, it will be assigned to an appropriate team member to follow up. Proper investigation and appropriate responses to each complaint will be made. If external reporting is necessary, the person responsible for responding to the feedback/complaint will complete those reports, including Serious Occurrence Reporting, if necessary.

The Compliance & Quality Assurance (CQA) team will track and log all feedback/complaints for MCCSS required reporting purposes. All feedback/complaints submitted to Sunbeam must be forwarded to the CQA team

by the recipient and all responses must be shared with the CQA team for monitoring, until the issue is deemed resolved or closed. The location of any related documentation to support how Sunbeam responded to the feedback/complaint will be included on the tracking log.

Sunbeam will retain documentation related to any feedback/complaint including all responses and outcomes. If the feedback/complaint is related to a person whom we support, documentation will be kept in the administration section of their client records. If the feedback/complaint is related to a staff/volunteer of Sunbeam, documentation will be kept in the staff/volunteer's Human Resources file. Documentation related to administration or plant operations will be held by the Manager or Director who was designated to respond and support the feedback/complaint.

Feedback:

As part of the regular business cycle, people whom we support in services provided by Sunbeam and/or their Parent/Guardian/Advocate will be given the opportunity to provide feedback through surveys or other solicited means. This feedback will be used to assess and improve service delivery. People supported and/or their Parent/Guardian/Advocate who access programs offered by Community Living Services (CLS) will be informed annually of their client rights during the Person-Centred Planning (PCP) meeting, including the right to submit feedback or complaints.

Feedback may be submitted verbally or in writing. A feedback form is located on the Sunbeam website which will direct all feedback to the CQA team.

Complaint:

A complaint will be addressed hierarchically, starting with the employee who receives the complaint. If the situation remains unresolved, it is referred to that employee's immediate supervisor. Again, if there is no resolution, the issue moves to the next highest level in the organizational structure until the CEO has become involved. If the complaint remains unresolved at this stage, the complainant is invited to submit the complaint in writing to the Board of Directors.

Sunbeam will make reasonable efforts to resolve the complaint as soon as possible. Complaints that cannot be resolved at first contact or those that raise serious concerns will be forwarded for further review/investigation.

If the complaint involves a child (under the age of 18 years):

- Sunbeam will document the complaint once it is received (complaint submission date)
    - Inclusive Living (Group Living / Overnight Respite) Complaints: Sunbeam will acknowledge the complaint within **24 hours** and determine within **24 hours** whether action can be taken to help the child while the complaint is being investigated. Refer to policy AD-qa-007: Abuse Identification and Reporting as applicable.
    - Other Services: Sunbeam will acknowledge the complaint within **one (1) business day** and determine within **one (1) business day** if immediate action or harm reduction is required. Refer to policy AD-qa-007: Abuse Identification and Reporting as applicable.
- Sunbeam will provide periodic status updates to the complainant while the review/investigation is ongoing, including an expected timeline to provide a resolution.
    - Sunbeam will issue an update to the complainant **no later than 15-day intervals** from complaint submission date until the complaint is resolved.
    - If the complaint resulted in a SOR filing to the Ministry, updates must be completed every 5 days on the SOR report.

For all other complaints:

- Sunbeam will document the complaint once it is received (complaint submission date) and will acknowledge receipt within seven (7) business days.
    - If the complaint alleges abuse or neglect, then policy AD-qa-007: Abuse Identification and Reporting will apply.
- Sunbeam will issue an update to the complainant at least **every 15 to 30 days until resolution.**

If a complaint initially comes directly to the Chief Executive Officer (CEO), the CEO may delegate the complaint response process to a senior manager. The CEO may also delegate a senior manager who has no direct responsibility in the area where the complaint arose, to manage the complaint to ensure there is no perception of bias, coercion, intimidation, or conflict of interest between the complainant and the employee responsible to address the complaint.

If the Complaint is Regarding Suspected Abuse or Neglect

Anyone who has reported suspected abuse or neglect must follow Sunbeam's policy AD-qa-007: Abuse Identification and Reporting, and a SOR must be filed.

Feedback/Complaints Reporting and Trends Review

The CEO will receive quarterly reports from the CQA team to share with the Board of Directors. The CQA team will also share the quarterly reports with any impacted Sunbeam departments.

The CQA team prepares an annual summary report to share with the CEO and Board of Directors that helps to identify trends that may lead to revisions of current policies or practices.

By the fifth calendar day of each month, for all CLS licensed locations, the CQA team must submit a monthly report summarizing all feedback and complaints received to MCCSS via an online Ministry platform.

Debriefing When the Feedback or Complaint is About (the actions or behaviour of) a Person ("Specific Person") who Receives Inclusive Living Services (Group Living / Overnight Respite) at Sunbeam

When feedback/complaints have been received, debriefing is an essential process to ensure service excellence. Two or three separate debriefings must be completed and documented. They include:

1. Debriefing with the Specific Person that the complaint was about, to include the events that led to the situation that resulted in the complaint, and what the impact of their actions was;
2. Debriefing with the person who submitted the complaint to advise them of the steps Sunbeam has taken or will take to resolve the situation; and
3. <u>If the Specific Person is a child</u>, then if there were witnesses (who are other people supported by Sunbeam) to the situation that led to the complaint about a specific person supported, a debriefing with the witness/witnesses must be documented to see about supportive actions Sunbeam can take to ensure they feel safe. <u>If the Specific Person is not a child</u>, this step 3 debriefing is not required.

All debriefings must take place within seven (7) calendar days of the resolution of the complaint, and a debriefing report must be collected and retained that includes:

- the date/time/duration of the meetings,
- the names of who arranged and participated in the debrief, including titles, if applicable,
- the names of people who were offered to participate but declined the debriefing, and
- a description of how Sunbeam responded to the situation.

Special Considerations for Children:

For children and young persons, a copy of the debriefing reports must be kept with their records and referenced in any SOR associated with the feedback/complaint.

If at any time a child or their parent/guardian is not satisfied with the outcome from a debriefing, they may choose to take up the matter with the Residential Placement Advisory Committee (RPAC) or the Ombudsman Ontario Child and Youth office.

Exclusions and Limitations

Unsolicited feedback provided by employees with respect to employment issues are dealt with through other means (e.g. Collective Agreement, supervision).

Concerns expressed through the Ombudsman Ontario Child & Youth office, Members of Provincial Parliament, or the Human Rights Commission are outside of this policy.

Complaints regarding eligibility confirmation related to DSO processes are separate and apart from this policy.

MCCSS Required Policy