

# L'Arche Halifax Policy

Policy Type: Service Delivery

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Policy Area: Advocacy - B

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Policy Title: Complaints Process

Reviewed & Reapproved:

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L'Arche is committed to providing quality service that is responsive to the needs of the individuals with an intellectual disability we support. We continually strive to improve services and recognize that information received through a complaints process may assist the community to take steps to better serve individuals and/or improve existing practices. The intent of this policy is to ensure that complaints are responded to fairly, promptly, and consistently, and wherever possible, resolved in a manner that enhances service provision and elevates best practice.

Complaints may be initiated by a person with an intellectual disability, individuals acting on their behalf, and other interested parties who believe they have a justifiable complaint. L'Arche will take all complaints seriously and shall receive, document, review and where possible, resolve all complaints. The mechanism for resolving complaints will include a fair review process that is free of conflict of interest between the person who makes the complaint and the individual(s) involved in its review.

If the complaint is one of alleged abuse, the L'Arche Abuse Policy will supersede this policy. (See Policy SD-A1 Abuse). The Community Leader will be immediately informed, and the Abuse Prevention policy and procedures will be in effect immediately. If the complaint meets the criteria of a serious occurrence, as defined by the Department of Community Services, it shall be reported as outlined in the Serious Occurrence Reporting Policy (See Policy SD-H9 Serious Occurrence Reporting).

To ensure information about the complaint policy and procedure is widely available and well understood, a copy of the Complaints Process Policy shall be made available to any person who requests it. A plain language version of the policy with visual aids will also be available. Both versions of the process will be available at all service locations.

Every individual with an intellectual disability has a right to be involved in the decision-making process, understand why and how a decision regarding them was made, and to have the opportunity to respond. The service and support needs and interests of the person will guide the complaints resolution process, regardless of who is making the complaint. L'Arche shall ensure that a person who submits a complaint or provides feedback is able to do so without fear of reprisal because of participation in this process.

Every individual with an intellectual disability will be informed of the Complaint Process policy as part of their orientation to the community and every year thereafter. This information will be provided in a manner that supports the individual's communication and learning needs.

## Definitions

**Complaint:** An expression of dissatisfaction related to the services and/or supports that are provided by L'Arche. Complaints may come as a result of unresolved problems or concerns.

**Concern:** An on-going issue that engages a person's attention, interest or care and that affects a person's welfare or happiness. A concern may require help from someone to resolve.

**Problem:** A situation or matter that presents difficulty affecting to day-to-day living but can be readily resolved and may be a one-time issue.

### **Potential Outcomes**

L'Arche may respond after reviewing a complaint with:

- An explanation
- Provision of a service
- A change of the initial decision
- Confirmation of the original decision
- Additional training for personnel
- A change in operational best practice
- A change or revision of community policy or procedure
- Another appropriate outcome

### **Procedure**

The Complaints Process is prefaced with an understanding and expectation that an individual with an intellectual disability, or those acting on their behalf, will attempt to resolve complaints informally with the person(s) directly involved, when possible and appropriate. Informal resolution which requires supports will be documented on an Incident Report and forwarded appropriately. Documentation is not required if the person resolves the situation on his/her own.

For a specific complaint to be well understood and addressed, it needs to be documented. It is understandable however, that initially a complaint may be made in-person verbally, via a telephone message, or via email. All these means of initiating a complaint are legitimate but must be formally documented to ensure the complaint is addressed appropriately.

Any complaint should be directed to the person with direct responsibility for resolving the issue. This may be the House Leader, Program Leader, Homes Coordinator, Assistant Coordinator, Community Leader or Board Chair. The person receiving the complaint will determine who needs to be involved in addressing, investigating, and resolving the issue.

## COMPLAINTS PROCESS

### Step One (House or Program Leader)

The individual with an intellectual disability, and/or person acting on their behalf, will present documentation (in writing on a “Complaint Card”) explaining the details of the complaint and forward it to the appropriate House or Program Leader in a sealed confidential envelope. The issue should be stated, clearly, honestly, and respectfully. If the grievance is with the House/Program Leader or another member of the team, the Community Leader/designate will assign other personnel to assist the individual. If the grievance is with the Community Leader, the Board of Directors will review the complaint, following all the steps of the process. If the grievance is with the Board, the Community Leader will forward the complaint to the L’Arche Atlantic Regional Leader, who will follow all the steps of the process, and will also inform the National Board of L’Arche Canada about the complaint.

A friend, family member or another person chosen by the individual may assist and support the individual throughout the grievance process. Confidentiality and respect for privacy, as far as possible, will be afforded to any individual who is the subject of a complaint. In some instances, the individual may be removed from contact with the individual bringing the complaint.

Within three working days of receiving the complaint, the House/Program Leader will:

- Meet with the person making the complaint, (and a representative of his or her choice if desired) to explain the complaint process
- Meet with the appropriate parties to obtain all necessary information relevant to the complaint including a summary of agreed points, unresolved issues and proposed resolutions
- Discuss the issues and provide advice and options, if possible, to develop a plan to address them
- Document the review and efforts to reach a solution
- Communicate with the individual making the complaint and advise of decisions and reasons
- Determine if the individual is satisfied with the decision
- Document the resolution and provide copies of documentation to the individual and /or person acting on their behalf;
- Assure the individual that he/she will be kept informed of all proceedings and may be asked to participate in additional meetings to ensure the issue is represented accurately
- Forward a copy of documentation to the Homes/Programs Coordinator for review and inclusion in the annual review and analysis of the complaints procedure.

If unresolved, the House/Program Leader will forward an outline of their review, highlighting the resolved issues or work underway to achieve resolution and those outstanding, to both the Homes Coordinator and the complainant.

### Step Two (Homes/Programs Coordinator)

Within 10 days of receipt the Homes/Programs Coordinator will:

- Review background material and provide direction to the House/Program Leader and any L’Arche personnel involved.
- Meet with the person making the complaint (and a representative of his/her choice if desired) to inform them of any changes in decisions with reasons, and determine if the individual is satisfied with the decisions

- Document the resolutions and provide the individual and/or person acting on their behalf, with copies of the paperwork.
- Ensure documentation is included in the annual review and analysis of the complaints procedure

### **Step Three (Community Leader)**

All operational matters are the responsibility of the Community Leader and he/she has final decision-making authority for operational issues. Within 10 days of receipt the Community Leader will:

- Review all materials and provide specific action to be taken
- Document the resolutions and provide copies of documentation to the individual and/or person acting on their behalf
- Ensure documentation is included in the annual review and analysis of the complaints procedure.

### **Step Four (Board of Directors)**

Unresolved issues after step three or in instances where a formal complaint is in relation to actions of the Community Leader that are in violation of L'Arche policies or, are not operational in nature, the individual with an intellectual disability, and/or person acting on their behalf, will present documentation (in writing) explaining the details of the complaint and forward it to the Chair of the Board of Directors. The documentation must outline the nature of the complaint specific to the Community Leader and non-operational matters.

The Board of Directors will review the correspondence and if satisfied that the decision and actions taken by the Leadership Team and the Community Leader were within their responsibilities and operational in nature, the matter will not be further reviewed by the Board and considered final.

At the sole discretion of the Board of Directors, they may choose to meet with the complainant to review the matter further. Should the matter not be operational, the Chair of the Board of Directors will arrange for a meeting between the complainant and Board representation as the Board determines appropriate.

### **Step Five (Government and Funding bodies)**

An individual with an intellectual disability, persons acting on their behalf or a member of the public who is dissatisfied with the resolution determined by L'Arche through this process, has the right to complain or take their action beyond the Community to government and funding bodies (Department of Community Services).

L'Arche will provide the contact information for Department of Community Services Care Coordinator upon request.

### **Annual Review**

L'Arche shall conduct a yearly review of all complaints received and how they were resolved to evaluate the effectiveness of this and other policies and procedures. The Community Leader shall provide a summary report of these findings will be provide it to the Board of Directors annually.