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Subject: Complaints and Conflict Resolution			Date Effective: January 4, 2021 Date Reviewed: May 18, 2022 Date Revised: May 18, 2022	
Issued by: Executive Director		Approved by: Executive Director		

Preamble

Mariposa House Hospice is committed to creating a space where stakeholders are treated with fairness, dignity and respect. Ideally, conflicts will be rare. However, it is reasonable to expect that conflicts will occur periodically.

This policy outlines the process by which stakeholders (i.e. residents and visitors, staff and volunteers, student interns and contractors) can raise concerns regarding any conflict or dissatisfaction related to their experience in an open and fair manner, with provisions made to ensure their prompt and reasonable resolution.

Under no circumstance should anyone fear discrimination or reprisal as a result of filing of a complaint.

Policy

The following conflicts or issues should be reported to the Executive Director, who shall strive to address them with reasonable resolutions.

- Disputes with staff or volunteers with unwanted, and unresolved consequences.
- Perceived unfair or inequitable treatment.
- Harassment whether sexual, discriminatory, or personal in nature (please also see Workplace Violence, Harassment and Sexual Harassment policy)
- Abuse of authority.
- Breach of organizational policies.

Procedure

Discussion:

- Individuals are encouraged to discuss the unwanted behaviour or actions with the relevant party as the situation dictates.
- Under ideal circumstances, the two parties shall reach a reasonable resolution without the necessity of the filing of a formal complaint.
- In the event that a discussion is not feasible or fails to reach a reasonable resolution, a formal complaint may be filed.

Reporting a formal complaint - overview:

- An individual who wishes to file a formal complaint should record the details of the unwanted circumstance(s), the name of the offending party and names of any applicable witnesses, and any attempts made to resolve the issue. If the individual is unable to do this in writing, they can share the details with the Executive Director verbally and a written document can be created collaboratively.
- Formal complaints stemming from unresolved conflicts shall be submitted in writing with any pertinent documentation to the Executive Director. Formal complaints must be submitted within thirty (30) days from the date of the alleged incident(s). The Executive Director acknowledges receipt of the complaint (verbally or in writing) within one (1) business day.
- Formal complaints shall be reviewed and investigated by the Executive Director who may, if the situation warrants, appoint a co-investigator from the Board of Directors.
- In all cases where a formal complaint has been filed, it is important to maintain a policy of strict confidentiality between the individual who filed the complaint and investigator(s). For investigative purposes, the offending party may be notified. The investigator(s) will make every effort to meet with relevant parties within five (5) business days of receiving the complaint.
- Following the investigation, the Executive Director will meet with the individual who filed the formal complaint and collaboratively develop, in writing, a solution. Every effort will be made to develop the solution within three (3) days of the investigation being finished.
- A summary of all formal complaints will be provided to the Board semi-annually in accordance with the Risk Management policy (in development)
- Complaints about the Executive Director may be directed to the Chair of the Board of Directors. The individual filing the formal complaint may access the Chair of the Board by putting a sealed envelope, labeled "ATTN BOARD CHAIRPERSON" on the desk of the Administrative Coordinator who will forward the envelope to the Chair of the Board without opening the envelope. The individual filing the formal complaint must provide their full contact information – this includes name, mailing address, email address and phone number. Complaints will be acknowledged by the Chair of the Board within five (5) days, and a written response will be provided in writing within thirty (30) days.
- Anonymous complaints shall not be reviewed.

Step By Step Process for filing a complaint:

1. Individual speaks to relevant party, but a reasonable resolution is not reached
2. Individual files verbal or written complaint to the Executive Director (ED)
3. Executive Director acknowledges receipt (verbally or in writing) within one (1) business day.
4. Investigation – ED (and co-investigator, if applicable) will aim to meet with relevant parties within five (5) days, and will aim to complete investigation within ten (10) days
5. Develop solution – collaboratively between ED and the individual who filed the formal complaint, aim to complete within three (3) days of investigation being finished.
6. If individual is satisfied with resolution – matter resolved.
If individual not satisfied:
 - Provides written grievance to Executive Director and Board Chair with recommendation for next steps.

- Meeting with Executive Director and Board Chair scheduled to occur within ten (10) days of written grievance being received.
- Board Chair and Executive Director provide written recommendation to the Board of Directors. Discussion and decision re: next steps.
- Board Chair and Executive Director provide written response to individual outlining Board decision on next steps (this may take 4-6 weeks depending on Board meeting schedule and severity of grievance).

Employee / Volunteer Expectations

Employee / Volunteers

- Co-operate with any investigations in relation to complaints.
- Maintain confidentiality if they are involved in a complaint in any capacity.
- Report complaints using this process if they have experienced or witnessed a conflict or issue with unwanted consequences where a reasonable resolution has not been reached.

Management / Human Resources

- Enact preventative measures to ensure our environment is free from harassment and where conflicts are addressed in a respectful, professional and proactive manner
- Communicate policy and procedures contained herein to all stakeholders
- Receive and address properly filed complaints in an appropriate fashion.
- Ensure safety and privacy of the individual who filed the formal complaint.
- Investigate, or co-investigate any complaints, claims and documentation.
- Attempt to reach a reasonable resolution to the conflict.
- Inform the relevant parties of possible resolutions available.

Resolutions

If an apology is made by the offending party, and the individual who filed the formal complaint accepts the apology, this may be viewed as a reasonable resolution. All attempts shall be made to reach a reasonable resolution through mediation of the complaint with both parties' involvement.

Where the complaint is substantiated

In the event that a complaint is substantiated and a reasonable solution to halt the unwanted behaviour or action through mediation is not possible, the following actions may be taken for the offending party when they are an employee or volunteer of Mariposa House Hospice (as per the Progressive Discipline policy):

- Written warning/reprimand
- Transfer or demotion, and in some instances both a transfer and a demotion
- Education and training
- Suspension
- Termination of Employment

Where the complaint is not substantiated

In the event that a complaint is not substantiated due to lack of evidence or other reasons, both parties shall be informed with the rationale used. The individual who filed the formal complaint shall be notified first.

Both parties should be reminded that an unsubstantiated complaint does not necessarily mean that it was filed under false or frivolous pretenses.

The individual who filed a formal complaint may request that the investigation be re-opened if pertinent new evidence can be provided, or a reprisal due to the allegation has occurred.

False or Frivolous Complaints

Individuals should be cognizant of the fact that a formal complaint against another individual is a serious occurrence with repercussions. Where a complaint is found to be either false or frivolous, or where supporting documentation for a complaint has been falsified, the individual who filed the formal complaint or witness may be subject to disciplinary measures if they are an employee or volunteer of Mariposa House Hospice.

Records

Mariposa House Hospice shall keep on file all formal complaints, and the accompanying documentation, and the findings of any investigation. Information from a previous investigation resulting in a substantiated complaint may be used for review and consideration purposes in the event of a new allegation.