

PURPOSE:

To provide the client with an opportunity to identify any aspect of RPCHC with which they are not satisfied.

RATIONALE:

Every complaint will be viewed as:

- An opportunity to do things better.
- A way to reduce the possibility of a potentially risky situation.
- A positive public relations event.

POLICY:

1. The client has a right to complain about their experience of any aspect of RPCHC with which they are not satisfied.
2. The Client Complaint Procedure shall be provided to any person on request.
3. The responsibility for handling any complaint about a staff performance issue rests with the Supervisor.
4. Where a complaint has legal implications, the Executive Director shall be informed immediately.
5. Complaints will be initially responded to within 2 working days of receipt.
6. Complaints will be resolved within 10 working days of receipt.
7. Complainants will be given the names of the Provincial bodies dealing with professional care issues (see Section 4 below), if they wish to make a formal complaint there.

PROCEDURES:

1. The initial response to the person making the complaint needs to happen within 2 working days.
2. The staff person receiving the complaint talks to the person making the complaint to determine what their issue is and what they want done about it.
 - a. In the course of this discussion they should try to inform the person making the complaint of the process within Regent Park CHC for making complaints. At the very least, they should offer the person an opportunity to speak with a manager.
 - b. Whether or not the person wants to pursue the matter any further, they should be informed that the issue will be brought to the attention of management.
3. The staff person who received the complaint will then inform their manager or the manager responsible for the program area involved of the complaint.
4. The staff person will complete "The Complaint" form and submit it to the manager.
5. The manager reviews the complaint and speaks with the staff person who received the complaint to clarify the situation as required.
6. The manager determines whether any follow up/further investigation is required. If follow up is required the manager pursues further investigation with the person making the complaint and other parties.

7. When no further investigation is required of the manager, the manager completes the “Complaint Follow Up” form. If there is no further investigation required, the manager completes the “Complaint Log Data” form.
8. The manager informs the Executive Director of the complaint and any next steps that need to happen, either by leaving a message or speaking with the ED directly.
9. The manager submits the “Complaint”, “Complaint Follow Up” and “Complaint Log Data” forms to the ED.
10. The Executive Director reviews the information provided.
11. If the complaint requires further action by the Executive Director, the ED follows up with the relevant staff, person making the complaint, and other parties as necessary.
12. When the ED determines that she/he can take no further action she/he will complete the information on the “Complaint Follow Up” form and complete the “Complaint Log Data” form.
13. The ED will then forward the “Complaint Log Data” form to the Administrative Secretary for entry on the electronic complaint log.
14. The ED will have all documents related to the complaint filed in a locked cabinet.
15. The complaint will be resolved within 10 working days.

Serious professional issues:

If sufficient evidence exists to indicate possible professional misconduct, incompetence, or incapacity, the appropriate Manager will proceed as follows:

- a. Ask the staff member to prepare a written response to the particular incident;
- b. Inform the staff member of his or her right to legal advice;
- c. Inform the Executive Director of the alleged incident and steps which have been undertaken;
- d. Following legal advice, the Executive Director and the Board will decide how to proceed with further investigation of the allegations.
- e. In the event the incident calls into question the ability of the staff person to perform competently, the person may be suspended from work by the appropriate management staff. Depending on the circumstances this suspension may be with or without restrictions; leave of absence for therapy; provision of therapy while on the job; relocation; or termination.
- f. If the outcome is the termination of the staff member's employment, the Manager shall prepare a report and, where appropriate, forward it within thirty days to the appropriate professional College or regulatory body.

Provincial Bodies Dealing with Care Issues

- a. The College of Physician and Surgeons of Ontario; the College of Nurses of Ontario; the College of Dental Surgeons; the Chiropractors College of Ontario; the College of Dietitians of Ontario; and the Ontario College of Social Workers and Social Services Workers:

Through their Complaints Committees, the Colleges investigate specific complaints about doctors, RNs, RNAs, dentists, chiropractors, dietitians and social workers. The Committees are guided by the Health Disciplines and the Regulated Health Professions Acts.

- b. Health Professions Board: This is a government body which has a review process available both to complainants and those health professionals governed by the Regulated Health Professions Act, 1991.
- c. Civil Courts: Issues of negligence and malpractice are the responsibility of the civil courts when lawsuits are commenced. Civil courts may award damages. Generally speaking, the liability insurer for the particular Health Centre employing the health professional who is sued would appoint and instruct legal counsel to defend the lawsuit, and would pay for any settlement or judgement.

Litigation and Insurance Coverage

- a. When a client provides notice, oral or written, of an intention to commence a lawsuit against the Centre or any of its staff, the Executive Director shall be informed immediately.
- b. Upon receipt of such information, the Executive Director shall as soon as is practicable provide written notice to the Centre's insurer of the claim or possible claim.
- c. A physician who is a member of the Canadian Medical Protective Association shall likewise contact the Association. Other professional care providers shall likewise contact the legal departments of their respective Colleges or Associations.
- d. All staff members shall co-operate fully in providing statements and any other information to the Centre's insurer, its adjusters and its lawyers in respect of a claim.