

## 6.09 Complaint Policy

### Policy Statement

Bayfield believes in and upholds the rights of children and youth in care under Part 2 of the CYFSA. This policy is intended to provide a method of receiving, investigating, following up, and recording complaints with the view to resolving issues and improving the support provided to children and youth in the future.

**Please note: no child in care shall experience negative consequences as a result of making a complaint.**

### Summary

The Complaint Policy and Procedures will be made public through the Bayfield website which will have a link to submit a complaint using an online form. Children and youth receiving service from Bayfield will also be provided with information on how to make a complaint about a rights violation using child-friendly language on the day of their orientation. Complaints submitted to Bayfield will be promptly and consistently responded to according to the policies and procedures.

### The Scope of this Policy

This policy applies to complaints affecting any children and youth supported at Bayfield and must be followed by all Bayfield staff, supervisors and Family Based Care Providers.

### Responsibility for Implementation of this Policy

All Bayfield staff, supervisors and Family Based Care Providers are responsible for the implementation of this policy. Supervisors have ultimate responsibility to ensure the necessary steps are undertaken related to this policy.

### Procedure

1. On the day of admission children/youth will be provided with child friendly, written information on how to lodge a complaint and who to contact for assistance to do so.
2. Children, youth or concerned persons can provide the complaint using the electronic form located on the Bayfield website: [www.bayfield.net/complaints](http://www.bayfield.net/complaints)
3. Individuals who want to lodge a complaint but do not have access to the internet, can contact the Program Supervisor for assistance to access the forms.
4. The complaint will be reviewed by the Director of Operations unless the Director is the subject of the complaint, in which case it will be reviewed by a designate.
5. The complaint will be reviewed within 10 days of receipt of the complaint.
6. An update will be provided to the complainant, if requested, and within 15 days of the submission and every 15 days thereafter, until the review has been completed.
7. Upon completion of the review, someone who is not the subject of the complaint, will provide the results to the complainant. Bayfield will make reasonable efforts to ensure that the results are understood by those that are informed of the results.
8. If it is determined during the review that there has been a violation of the rights of a child in care, Bayfield will determine whether there are any measures that could be implemented to prevent the same violation from reoccurring and will implement any such measures.

9. There is a Duty to Report a child in need of protection if the complaint involves something that falls within the duty to report criteria.
10. Bayfield will inform the Ombudsman in writing and without unreasonable delay, if the complaint involves the death or serious bodily harm to a child or young person who had sought or received a CAS service within 12 months of the incident.
11. The youth and any person with lawful custody or a lawful right of access to the youth will be informed about the Ombudsman, in any case where the rights of the child or young person have been violated.
12. A written summary of the complaint will be prepared.

#### Written Summary of the Complaint

When documenting the outcome of a complaint review, the Written Summary Form is to be used, which includes:

- The name of the person making the complaint and their relationship to the complainant, if not the same person.
- The description by the complaint and date/time of the occurrence.
- The names of any children or youth who were witness to any conduct that gave rise to the complaint.
- Date that the complaint was received.
- Name of person who conducted the review.
- What steps were taken in response to the complaint.
- Steps taken to aid the child or youth in understanding the outcome of the review.
- Suggested outcomes and/or changes resulting from the review.
- Date of any complaint related follow-up/meetings conducted by Bayfield and the names of the participants.

The Written Summary will be distributed to:

- The placing agency or the person who placed the child, where the complaint relates to an alleged violation of the child's rights by a service provider providing residential care to the child; or
- The child or youth's case record.

#### Debriefing

Debriefing must occur within 7 days after the complaint has been reviewed. If it cannot be completed within 7 days, it will be completed ASAP and the reason for the delay will be recorded. The debriefing will apply to the following people:

- The first debriefing will be conducted with the persons to whom the complaint relates, in the absence of any children or young person.
- A second debriefing process will be conducted with the child or young person who made, or is the subject of the complaint, in the absence of the person to whom the complaint relates. If requested by the child or young person the debriefing will include an adult identified by the child or young person as a support person.

- A third debriefing process will be offered to be conducted for any child or young person who witnessed any conduct that gave rise to the complaint and must be conducted if any such children or young persons wish to participate in a debriefing process.

The debriefing process will be structured to accommodate any child or young person's psychological, communication and emotion needs and cognitive capacity, and be focused on understanding the experiences of the child or young person that gave rise to the complaint, as well as what Bayfield can do to better meet the needs of the child or young person. All debriefing sessions will be documented.

#### Documenting the Debriefing Sessions #1, 2, & 3

When documenting the debriefing Sessions, the Debriefing Summary Form is to be used, this includes:

- The date and time, and duration of the debriefing.
- The names (and title if applicable) of persons involved in the review.
- The names of each child or youth for whom a session was offered in accordance with the third debriefing, and who indicated that they did not want to participate in a debriefing.
- A description of the efforts made to conduct the debriefing processes required in session #3, including the names of persons who made those efforts.
- The content of the debriefing session.
- Steps taken to aid the child or youth in understanding the outcome of the review.

The Debriefing Summaries shall be filed as follows:

- In the child or youth (Complainant) file.
- In the file for any child or youth who witnessed the conduct that gave rise to the complaint.
- In the staff's file, if complaint relates to that person.
- In the supervisor's file if the complaint relates to that person.
- In the Family Based Care Provider's file, if the complaint relates to that person.

#### Ongoing Review and Evaluation of Complaints and Complaint Procedures

On or before the 5<sup>th</sup> of every month, Bayfield Director of Operations will prepare, for the previous month, a written analysis of every complaint received pursuant to the complaints procedure and the results of the review to determine whether any changes are required to the way in which Bayfield respects the rights of children and youth when providing service.

Every 12 months a written evaluation of the written complaints procedures will be conducted to assess the effectiveness of the written complaints procedure and the need for any changes to improve effectiveness. The evaluation will be based on feedback received from complainants, placing agencies, staff, foster parents or other significant parties to a complaint process.

The written analysis will be provided to Bayfield's senior administration team and the MCCSS Director as required.

**Date Policy was written: May 12, 2023**

**Date Policy to be reviewed:**