



**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES**  
**Housing Services Division**

<b>TO:</b>	Chair and Members Emergency and Community Services Committee
<b>COMMITTEE DATE:</b>	September 21, 2023
<b>SUBJECT/REPORT NO:</b>	Emergency Shelter and Residential Care Facilities Systems Complaints Resolution Process (HSC23053) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Robyn Perry (905) 546-2424 Ext. 7801 Kelly Coxson (905) 546-2424 Ext.6535 Rob Mastroianni (905) 546-2424 Ext. 8035 Greg Witt (905) 546-2424 Ext. 4818
<b>SUBMITTED BY:</b>	Michelle Baird Director, Housing Services Division Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>Michelle Baird</i>

**RECOMMENDATIONS**

- (a) That Council approve the Emergency Shelter and Residential Care Facility Complaints Resolution Process attached as Appendix “A” to Report HSC23053 which details a standardized process for Housing Services Division staff to receive complaints or concerns about the services and care provided to residents in Hamilton’s licensed residential care facilities and emergency shelters, outside those covered by existing legislation or bylaws; and,
- (b) That in order to implement the standardized Emergency Shelter and Residential Care Facility Complaints Resolution Process, an increase to the Housing Services Division’s 2024 Budgeted Complement by 1.0 FTE, for a Project Manager, at an annual cost of approximately \$115 K in 2024, be referred to the 2024 Tax Operating budget process; and,
- (c) That Report HSC23053 Emergency Shelter and Residential Care Facilities Systems Complaint Resolution Process be considered complete and removed from the Emergency and Community Services Committee Outstanding Business List.

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## **EXECUTIVE SUMMARY**

Hamilton's homelessness serving systems, including emergency shelters and residential care facilities continue to provide a person-centred approach that prioritizes high quality standards and customer service excellence for residents and shelter stayers. Part of a framework of high-quality service standards includes a well-designed complaints resolution process which enables complaints to flow through service providers directly to the City and ensures they are resolved in a timely manner. This process empowers people and ensures the voice of residents and the voice of shelter stayers are heard.

Emergency shelter providers, residential facility operators and Indigenous service providers have existing internal complaints resolution processes within their organizations and are committed to continuously improving the quality of service for people they serve. In consultation with these providers, the City of Hamilton developed this process not only to resolve complaints in the near term, but did so with the goal of capturing information in a coordinated manner to inform the continual adaptation and enhancement of its homelessness services over time. This process builds on the successes within Hamilton's Emergency Shelter Standards (HSC23007) and applies a high-quality complaints resolution process to residential care facilities. This approach demonstrates the continued evolution of customer service in Hamilton's homelessness serving system to date and looking ahead this sets the stage for ongoing system improvements and quality service provision in the future.

### **Alternatives for Consideration – Not Applicable**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Implementation of recommendations in this report would be referred to the 2024 Housing Services Tax Operating Budget with a levy impact of approximately \$115K in 2024 for salary and benefits.

**Staffing:** Implementation of recommendation (b) would require the addition of 1.0 permanent FTE within Housing Services Division's budgeted complement for a Project Manager to receive, document, triage, assess and coordinate the resolution of complaints related to residential care facilities and emergency shelter services.

**Legal:** N/A

## **HISTORICAL BACKGROUND**

On June 19, 2020, Emergency and Community Services Committee approved a motion to develop a one-year temporary Residential Care Facility Liaison position. The role was

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responsible for answering phone calls and emails from residents of residential care facilities and/or their families, friends, caregivers, staff, etc. who have serious concerns or complaints about the facility. This role was implemented without additional FTE and instead was implemented through existing complement.

On July 8, 2021, Emergency and Community Services Committee approved Report HSC21027 to extend the Residential Care Facility Liaison complaints pilot project for six months to December 31, 2021.

On October 7, 2021, Emergency and Community Services Committee received Report (HSC20040(d)) Residential Care Facility Liaison Update #5 which provided details on the number and types of complaints received.

Since January 1, 2022, the temporary Residential Care Facility Liaison role was supported by an existing FTE redeployed within Housing Services, but it is no longer feasible to absorb this additional responsibility within existing workload of the position.

On April 7, 2022, a motion approved at Emergency and Community Services Committee directed staff to formalize a process to receive complaints, concerns, or questions about services provided to clients within Hamilton's emergency shelter system.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Residential care facilities and emergency shelters are both subject to municipal inspections for fire, building, food handling, and pest control measures as any other licensed business. Residential care facilities are additionally guided by Schedule 20 of the City of Hamilton By-Law, with dedicated staff in both Public Health and Municipal Law Enforcement ensuring compliance. No such bylaw exists for emergency shelters, other than those inspections noted above. Any complaints associated with the legislation and bylaws noted above are outside the scope of the proposed complaints resolution process and will be redirected to the appropriate City of Hamilton department or regulatory body.

Some licensed residential care facilities are classified as retirement homes, which are subject to provincial inspections and compliance under the Retirement Homes Regulatory Authority. No emergency shelters are classified as retirement homes.

Emergency shelters and residential care facility subsidy program are funded under the Ontario Ministry of Municipal Affairs and Housing with funding administered through the City of Hamilton. The Ministry of Municipal Affairs and Housing outlines program deliverables that emergency shelters and residential care facilities must meet. Housing Services Division administers contractual agreements with each emergency shelter and residential care facility subsidy program sites to outline expectations regarding program

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outcomes, reporting, service benchmarks, client satisfaction, etc. Housing Services Division conducts regular program compliance monitoring with agencies to ensure provincial guidelines are met.

### **RELEVANT CONSULTATION**

Staff from Housing Services Division consulted with emergency shelter operators from all sectors and Indigenous service providers regarding the shelter complaints process through the process of updating Hamilton's Emergency Shelter Standards.

Emergency shelter operators and Indigenous service providers have existing internal processes to address complaints within their agencies and recommended a 2-stage process; whereas, complaints are first managed through individual internal complaint processes and second, if unresolved, complaints are escalated to the City of Hamilton for resolution.

Internal consultation was completed with the following:

- **Public Health Services.** Public Health Services staff approved of the process outlined in Appendix "A" and will continue to respond to complaints related to residential care facilities and emergency shelters which are within their mandate, including operating a separate complaint line to receive public health complaints related to residential care facilities.
- **Licensing and By-law Services.** Licensing and By-law Services staff approved of the process outlined in Appendix "A" and will continue to respond to complaints related to residential care facilities and emergency shelters which are within their mandate.
- **Housing Services Division Residential Care Facility Liaison.** The Residential Care Facility Liaison provided guidance on and approved the process outlined in Appendix "A" as well as details on the workload of this position, outlined in Appendix "B".

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Individuals residing in or accessing residential care facilities and emergency shelters are often marginalized and face systemic barriers to reporting complaints related to services they receive to meet their basic needs. While organizations have existing complaints resolutions processes in place within their organization, implementing a standardized, transparent process for escalating unresolved complaints empowers people to voice their concerns as well as addresses gaps to resolve issues related to service quality that are not governed through existing By-laws and regulations.

Currently, each emergency shelter and residential care facility has an internal process for managing complaints. Emergency shelters and residential care facility operators

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acknowledge that shelter stayers and residents have the right to participate in a fair, clear complaint and appeal process without fear of reprisal. The complaint process is communicated to shelter stayers and residents during the intake process, or within the first days of moving into a residential care facility or admittance to shelter, dependent upon the emergent situation the individual is experiencing at time of intake.

The 2023 update to Hamilton's Emergency Shelter Standards describes that a complaints procedure shall be accessible to all people upon intake, posted within the shelter, and issued upon request. The policy and process regarding complaints and appeals for each shelter includes how complaints can be made internally at the shelter level, and how complaints will be escalated to the City, investigated and resolved. The two-stage process was recommended by shelter operators and Indigenous service providers whereas complaints are only escalated to the City of Hamilton when all other options have been exhausted. Once the updated Hamilton Emergency Shelter Standards are finalized, they will be posted on the City of Hamilton website.

The Emergency Shelter and Residential Care Facility Systems Complaint Resolution Process is detailed in Appendix "A", in short, the process for complaints is as follows:

1. Complainant submits a complaint with the emergency shelter or residential care facility following the organization's internal complaints process
2. If unsatisfied with the resolution, the complaint is escalated to the City of Hamilton's Housing Services Division
3. The City of Hamilton's Housing Services Division investigates, responds to, and resolves the complaint
4. All complaint information, resolution/outcomes, actions and remedies are documented, results are communicated to all parties, complaint trends are monitored and tracked for future efforts to continuously improve service standards

Implementation of this new standardized process will require additional resources and this report recommends the referral of 1FTE Project Manager to the 2024 Tax Operating Budget process. Once resourcing is approved, the emergency shelter and residential care facilities' complaints process will be integrated into one process managed by a Project Manager to maximize the ability for the City to ensure a robust, fair, accountable, respectful and timely process.

### **ALTERNATIVES FOR CONSIDERATION**

N/A

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report HSC23053 - Emergency Shelter and Residential Care Facility Complaints Resolution Process

Appendix "B" to Report HSC23053 – Complaints to RCF Complaints Line September 2022 to mid-August 2023