

Approval Date: September XX, 2023	Version 01
Emergency Shelter and Residential Care Facility Complaints Resolution Process	
1.0 - Purpose	To provide individuals who are accommodated within Hamilton’s Emergency Shelter System and Residential Care Facilities with a formal process that provides an open, fair and responsive way to communicate complaints when all other attempts to resolve issues have been exhausted.
2.0 -Definitions	<p>Client: Any individual who is in receipt of any support services provided by a shelter.</p> <p>Complainant: An individual who submits a formal complaint to a residential care facilities or emergency shelter, including clients, residents, anyone acting on the behalf of a resident or client, staff, medical providers, hospitals, social service organizations and paraprofessionals.</p> <p>Emergency shelter: An organization that provides shelter to an individual or family experiencing homelessness with or without a referral, with the intention of providing short-term accommodation and housing support services to move clients into stable housing.</p> <p>Emergency shelter operators: An organization that receives funds from the City to provide emergency shelter services in Hamilton.</p> <p>Resident: Any individual who resides in a residential care facility.</p> <p>Residential care facility: A program which provides safe and affordable supported housing in a communal setting (residential care facility) for people who require assistance with the daily activities of life.</p>
3.0 - Scope	This policy applies to complaints submitted regarding residential care facilities or emergency shelter operations which have been escalated through the emergency shelter operator/residential care facility’s internal complaints policy and are not covered through existing dispute resolution mechanisms in parent By-laws or legislation at the municipal, provincial, or federal level.

3.1 Exemptions

Every emergency shelter and residential care facility receiving funding through the City of Hamilton shall follow this internal complaint policy.

3.2 Provisions Conflicting this Policy are Void

Any existing internal complaints process specific to an organization within the shelter system or among residential care facilities that conflict with this procedure are void.

3.3 Other Legislation Outside the Scope

Residential care facilities and emergency shelters are both subject to municipal inspections for fire, building, food handling, and pest control measures. Residential care facilities are additionally guided by Schedule 20 of the City of Hamilton By-Law, with dedicated staff in both Public Health and Licensing and By-law Services ensuring compliance. No such By-law exists for emergency shelters, other than those inspections noted above. Any complaints associated with the legislation and By-laws 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.

3.4 Types of Complaints

Types of complaints covered by this process include the following enumerated complaint types:

- i. Service restrictions
- ii. Customer service standards
- iii. Resident/client relations
- iv. Internal standards, rules or guidelines or the residential care facility or emergency shelter operator
- v. Other complaint types that do not fit or be resolved through a dispute resolution mechanism that exists under an existing By-law, municipal, provincial or federal legislation or within the above enumerated complaint types subject to the consideration of the Manager of Homelessness and Housing Support, Housing Services Division.

<p>4.0 - Guiding Principles</p>	<p>4.1 Accountability: Hamilton’s emergency shelter system and residential care facilities are accountable to the clients and residents accessing their services and standards defined by the City of Hamilton. Residential care facilities and emergency shelter agencies are held to a high level of service and are expected to deliver service according to the emergency shelter operator/residential care facility and system standards, mandates and funding agreements. process</p> <p>4.2 Respect: People residing in residential care facilities or accessing emergency shelter must be treated with dignity and respect, putting the person at the centre of decision-making, and recognizing that they have the right to report complaints with their experiences in accessing services.</p>
<p>5.0- Process</p>	<p>5.1 Information Sharing Requirements</p> <p>5.1.1 Emergency shelters and residential care facilities will provide information to all clients regarding process this complaint resolution process at intake to shelter or move-in to residential care facility.</p> <p>5.1.2 Information regarding the complaint resolution process, including how complaints can be escalated to the City of Hamilton will be available on the City of Hamilton website.</p> <p><u>5.2 Complaint Submission Criteria (i.e. Who Can Submit a Complaint?)</u></p> <p>Complaints may be submitted by:</p> <ul style="list-style-type: none"> • Individual residents or clients • Any agent acting on behalf of a resident or client, including, roommates, peers, friends, and family members of individual residents • Residential home staff, service coordinators, medical providers, hospitals, social service organizations and paraprofessionals regarding a client or resident’s issue <p><u>5.3 High-Level Complaint Process</u></p>

The complaint process is a 2-stage procedure:

Stage 1 includes an effort to resolve complaints between the complainant and the residential care facility or emergency shelter operator internally

Stage 2 begins only when efforts to resolve the complaint between the operator/facility and complainant are unsuccessful. This initiates a more formal process where the complainant escalates their complaint to the City of Hamilton

5.4 Detailed Complaint Process

Stage 1: Internal Complaint Process:

5.4.1 Complaints related to residential care facilities or emergency shelter operator must first be submitted to and escalated internally according to the organizations’ internal complaints process.

5.4.2 Every complaint shall be recorded by the residential care facility or emergency shelter and maintained in a Complaints Log. This log shall capture the following information:

- Name of complainant
- Date and time of complaint
- Type of complaint (as per Section 2.4)
- Brief description of complaint
- Resolution summary
- Action taken by shelter/facility
- If resolved – Yes or No
- If Yes, date and time resolved
- If No, date and time referred to City of Hamilton

5.4.3 If the complaint is not resolved, the complainant may escalate the complaint to the City of Hamilton Emergency Shelter and Residential Care Facility Complaints Resolution Process.

	<p>5.4.4 Only if the emergency shelter provider/residential care facility has exhausted all avenues for resolving the complaint internally and the complainant is not satisfied, the complainant will be directed to Stage 2 of the Emergency Shelter and Residential Care Facility Complaints Resolution Process</p> <p>5.4.5 The complainant will be responsible for contacting the City of Hamilton to report the unresolved complaint.</p> <p>5.4.6 Residential care facility or emergency shelter staff shall assist any client or resident who requests assistance in submitting a complaint to the City of Hamilton</p> <p><u>5.5 Stage 2: City of Hamilton led Emergency Shelter and Residential Care Facility Complaints Resolution Process</u></p> <p>5.5.1 The complainant shall submit the complaint to the Project Manager at City of Hamilton’s Housing Services Division by email XXXXXX@hamilton.ca. using the Emergency Shelter and Residential Care Facility Complaints Form or alternatively calling the Project Manager at XXX-XXX-XXXX ext. XXXX. If the call is received by phone, the Project Manager will complete the Complaints Form on behalf of the complainant.</p> <p>5.5.2 Within 1 business day City staff shall triage the complaint and categorize it as high or lower priority.</p> <ul style="list-style-type: none"> • High priority complaints are those that pose risk to health or human safety of either the complainant or others, including staff. High priority complaints will be responded to immediately responding within 1 business day • Lower priority complaints are those complaints that do not pose risk to health or human safety. Lower priority complaints will be responded to within 4 business days. <p>5.5.3 Upon receipt, the Project Manager will log the complaint in the Complaint Log and will be assess the complaint including but not limited to the following criteria:</p> <ul style="list-style-type: none"> • Name of complainant
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	<ul style="list-style-type: none"> • Date and time of complaint • Source of Complaint: Name of Facility of Shelter • Brief description of complaint <p><u>Assessment</u></p> <ul style="list-style-type: none"> • Type of complaint (as per Section 2.4) • Priority Level (High or Lower) • Verify the emergency shelter operator/residential care facility’s internal complaint policy has been adhered to • Verify the complaint does not fall under the jurisdiction of another municipal By-law, provincial legislation, or federal legislation. • Verify that and all attempts to resolve internally have been exhausted. <p>5.5.4 When appropriate, the Project Manager shall redirect complainants to the applicable City of Hamilton Division (Licensing and By-law Services, Public Health), provincial regulatory body or federal regulatory body.</p> <p>5.5.5 The Project Manager will direct all verified complaints to Manager of Homelessness and Housing Support or designate for investigation and provide recommendations on a course of action</p> <p>5.5.6 The Housing Services Division Manager of Homelessness and Housing Support or designate shall take the recommendation and investigate and resolve the complaint as soon as practicable through one of the following activities/remedies:</p> <ul style="list-style-type: none"> • Obtain additional information from the complainant, the applicable emergency shelter operator or residential care facility, and other relevant parties and communicating expectations, service standards and providing an accurate understanding of those service standards/levels to all parties • If appropriate, propose potential resolutions that are mutually acceptable to the complaint and the complainant and emergency shelter operator/residential care facility
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	<ul style="list-style-type: none"> • If appropriate, mediate a resolution to the complaint with the complainant and emergency shelter operator/residential care facility • If appropriate, assess an additional remedy within the scope of purview of the Manager of Homelessness and Housing Support to the complainant commensurate with level of service/standards that were unmet (e.g. move complainant to different shelter or facility) • If appropriate, assess a written warning to the emergency shelter operator regarding their actions, staff behaviour or otherwise that resulted in the complaint • If appropriate, develop an action plan for the emergency shelter operator/residential care facility, with timelines to address the complaint, alter the service/internal standard/internal process, report back regarding implementation including all changes made • Refer the situation to the Hamilton Police Service, Ontario Human Rights Tribunal, Hamilton Community Legal Clinic or other body as appropriate <p>5.5.7 The Project Manager will assist the Program Manager or Supervisor and document the actions taken and outcome of the investigation</p> <p>5.5.8 The Project Manager will provide information in writing on the outcome of the investigation to the complainant and emergency shelter operator or residential care facility</p> <p>5.5.9 The Project Manager will complete a resolution summary into the Complaint Log which will include:</p> <ul style="list-style-type: none"> • Action taken by City • Date and time resolved • Date and time resolution communicated to complainant • Follow up actions and outcome <p><u>5.6 Monitoring, Reviewing and Reporting of Complaints</u></p> <p>5.6.1 The Project Manager shall conduct a quarterly review and analysis of the sources and types of complaints received</p>
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	<p>5.6.2 The Project Manager shall report the review findings to the Housing Services Division Manager of Homelessness and Housing Support on a quarterly basis.</p> <p>5.6.3 With the assistance of the Project Manager, the Manager of Homelessness and Housing Support shall review the aggregate report and bring forward any larger scale trends and concerns for discussion with the Senior Management of emergency shelters and residential care facilities as part of regular efforts to continuously improve the quality of service across the homeless serving system. Information shall be used to inform the development of the next version of the Emergency Shelter Standards which are revised a minimum of every 4 years.</p>
<p>6.0 – Documentation and Record Management</p>	<p>6.1 City of Hamilton - Housing Services Division</p> <p>As per of section 5.0 of this procedure, City staff will maintain the Complaints Log as well as electronic documentation of all complaints.</p> <p>Housing Services Division staff shall maintain documentation of complaints related to residential care facilities or emergency shelter services in accordance with City of Hamilton <i>Records and Information Management Policy</i>.</p> <p>6.2 Residential Care Facilities:</p> <p>As per of Section 5.0 of this procedure, all licensed residential care facilities will maintain a Complaints Log as well as maintain records of complaints submitted by residents or other persons in accordance with City of Hamilton funding contract requirements</p> <p>6.3 Emergency Shelter Operators:</p> <p>As per of Section 5.0 of this procedure, all emergency shelter operators will maintain a Complaints Log as well as maintain records of complaints submitted by residents or other persons in accordance with City of Hamilton funding contract requirements and in accordance with <i>Hamilton’s Emergency Shelter Standards section 2.3 Complaints Process</i>.</p>

<p>7.0 - Related Documents</p>	<ul style="list-style-type: none"> • <u>City of Hamilton Records and Information Management Policy</u> • <u>Hamilton’s Homeless-Serving System Consent for the Collection and Sharing of Personal Information</u> • <u>Hamilton’s Emergency Shelter Standards</u> • <u>Hamilton’s Coordinated Access Process Guidelines</u> • <u>Hamilton’s Housing and Homelessness Action Plan</u> • <u>The Residential Care Facilities (RCF) Subsidy Program</u> • <u>City of Hamilton’s Licensing Schedule 20 By Law</u>
<p>8.0 - Revision History</p>	<p><u>Revision History</u></p> <ul style="list-style-type: none"> • Last Updated: September XX, 2023