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	Issued	Revised
	2010-10-08	2011-01-28
TITLE: PROCEDURE TO PROCESS CITIZENS' COMPLAINTS CONCERNING THE QUALITY OF THE QUÉBEC OMBUDSMAN'S SERVICES		

PURPOSE

The Québec Ombudsman's Declaration of Services to the Public states that citizens may contact the service quality officer if they are dissatisfied with the services provided by the institution's employees.

The term "service quality complaint" refers to dissatisfaction expressed by an individual or group of citizens concerning a service received or requested from a member of the Québec Ombudsman's personnel as part of his or her duties pursuant to the Public Protector Act or the Act respecting the Health and Social Services Ombudsman.

The main purpose of this procedure is, first, to ensure that the Québec Ombudsman's interventions and investigations are carried out in compliance with established methods, procedures and directives, and second, to ensure that its interventions and investigations are consistent with the values and commitments set out in the Declaration of Services to the Public.

Accordingly, the process of examining a complaint concerning the institution's services forms part of an ongoing effort to improve service quality, and does not constitute a review of the decision made by its personnel or a disciplinary procedure against them. However, during the complaint examination process, the conclusion reached by an officer may be revised or completed in light of the explanations and documents provided, or the information contained in the file.

GUIDELINES

The aim of this procedure is to foster management's accountability and transparency towards the employees concerned. It also identifies the person responsible for processing complaints, depending on whether the complaint in question refers to an active request for service or to a request in respect of which a conclusion has already been forwarded to the citizen concerned.

It must therefore be applied flexibly and openly; for example, in some circumstances the initial determination of responsibility for processing a service quality complaint may be changed by the service quality officer.

The procedure to process citizens' complaints concerning the quality of the Québec Ombudsman's services involves several of the institution's actors, including the Service Quality Committee, the General Secretariat and Legal Affairs Branch, the Reception and Review Branch, and the Québec Ombudsman's managers and personnel.

The following sections and Appendix 1 set out the responsibilities of these various actors and describe the different steps in the procedure. The procedure itself may be completed by directives or instructions reviewed by the Service Quality Committee.

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PROCEDURES

1. Complaint concerning an active request for service

An “active request for service” is a case in respect of which a conclusion has not yet been sent to the citizen concerned. In these situations, it is up to the case manager to process the complaint, decide on its admissibility and, where applicable, identify the steps required to improve the quality of the institution’s services.

1.1. Receipt, admissibility and communication of complaints

When the Reception and Review Branch receives an allegation of dissatisfaction, it checks to determine whether the grounds given by the citizen constitute a service quality complaint. If so, it creates a GDD “Service Quality” file and forwards the information immediately to the manager concerned.

An allegation of dissatisfaction received directly by an employee who considers it to be a service quality complaint must be sent immediately to the Branch secretary, who creates a GDD “Service Quality” file and forwards the information to the manager concerned.

The criteria used to identify a service quality complaint are set out in a separate Instruction. The Québec Ombudsman’s service quality officer may also be consulted if necessary.

1.2 Processing of the complaint by the manager

Upon receiving the GDD “Service Quality” file, the manager enters the alleged grounds for dissatisfaction under the appropriate heading and sends an acknowledgement of receipt to the citizen, along with information on the follow-up that will take place. The acknowledgement of receipt may be verbal or in writing, and must be given within two working days after creating the file, in compliance with the commitment made in the Québec Ombudsman’s Declaration of Services to the Public. The date of the acknowledgement should be entered under the appropriate heading in the GDD “Service Quality” file.

The manager then e-mails the employee concerned, as quickly as possible, informing him or her that a file has been created, and giving details of the citizen’s grounds for dissatisfaction. The manager also links the GDD “Service Quality” file to the GDD request for service file.

The manager then proceeds diligently with his or her examination of the complaint, making any notes that may be required under the appropriate headings in the GDD “Service Quality” file concerning the grounds for dissatisfaction, the employee’s identity, a summary of the facts, the steps taken (including obtaining the employee’s version of the facts), and the outcome of the examination procedure.

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The manager may also, on his or her own initiative, create a ground other than that alleged by the citizen, provided it is connected with the values and commitments set out in the Declaration of Services to the Public. The manager may then decide whether or not the complaint is admissible.

If a complaint is considered admissible, the manager then decides if it is *substantiated* or *unsubstantiated*, with or without *proposals for improvement*. All such proposals must be forwarded to the employee concerned, or to the entire team if the manager feels this would be appropriate.

In some cases, even where a complaint is considered admissible, the process may not be completed, either because it is interrupted by the manager or following a request by the citizen, or because an intervention by the manager would not, or would no longer, be useful in the circumstances.

The GDD system contains a list of “type” codes for admissibility of complaints, along with categories and subcategories of grounds and codes for the conclusions supporting the manager’s decisions. All these various codes and categories are presented in Appendix 2.

The manager notifies the citizen, preferably in writing, of the conclusions reached. This should be done within 30 working days after creating the GDD “Service Quality” file, in compliance with the commitments made in the Declaration of Services to the Public. He or she informs the citizen of the steps taken and checks made, the information gathered and the outcome of the procedure. A copy or notice of the decision must also be sent to the employee concerned, and both the grounds for the decision and the date on which the citizen is informed of it must be entered in the GDD “Service Quality” file, under the appropriate headings.

The Deputy Ombudsman, Citizen and User Services, carries out an administrative verification of the GDD “Service Quality” file for every complaint concerning an active request for services.

2. Complaint concerning a request for service in respect of which a conclusion has been sent to the citizen

In cases where a conclusion has already been sent to the citizen (even if the administrative verification has not yet been carried out by the manager concerned), it is up to the service quality officer or the Service Quality Committee to process the complaint, decide on its validity and identify any steps that may be required to improve the quality of the institution’s services.

The **Service Quality Committee** is responsible for examining this type of complaint, deciding whether or not it is substantiated and identifying any measures required to improve the service. The committee is composed of the Québec Ombudsperson, who acts as its chair, along with the two Deputy Ombudsmen and the Secretary General and Legal Affairs Manager, who is in

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charge of service quality. The Secretary General appoints a member of the Branch's staff to act as the committee's secretary.

2.1 Receipt, admissibility and communication of complaints

When the Reception and Review Branch receives an allegation of dissatisfaction, it checks to determine whether the grounds given by the citizen constitute a service quality complaint. If so, it creates a GDD "Service Quality" file and forwards the information immediately to the Committee secretary.

The criteria used to identify a service quality complaint are set out in a separate Instruction. The Québec Ombudsman's service quality officer may also be consulted if necessary.

2.2 Processing of the complaint by the Service Quality Committee

Upon receiving the GDD "Service Quality" file, the Committee secretary sends an acknowledgement of receipt to the citizen (in writing, unless the circumstances are exceptional), along with information on the follow-up that will take place. The acknowledgement of receipt may be verbal or in writing, and must be given within two working days after creating the file, in compliance with the commitment made in the Québec Ombudsman's Declaration of Services to the Public. The date of the acknowledgement should be written under the appropriate heading in the GDD "Service Quality" file.

The secretary then e-mails the employee concerned, as quickly as possible, informing him or her that a file has been created, and giving details of the citizen's alleged grounds for dissatisfaction.

Pre-processing

The Committee secretary then collects the information and documents needed for pre-processing, which is carried out by the service quality officer. After pre-processing, the service quality officer may:

a) Decide that the complaint is not admissible

In this case, the service quality officer sends a written decision, with reasons, to the citizen, within 30 working days after the GDD "Service Quality" file was created, in accordance with the commitment made in the Declaration of Services to the Public. A copy of the decision must also be sent to the employee and manager concerned.

A complaint may be deemed non-admissible if more than a year has elapsed between the time the citizen filed the service quality complaint and the time the citizen is notified of the conclusions regarding the relevant request for service, unless the citizen is able to prove to the service quality officer that the circumstances were exceptional.

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b) Decide that the complaint is admissible

Unless there are no elements justifying an analysis and a decision by the Committee, a decision will be rendered by the service quality officer within 30 working days after the GDD "Service Quality" file was created, in accordance with the commitment made in the Declaration of Services to the Public. A copy of the decision must also be sent to the employee and manager concerned.

The GDD system contains a list of "type" codes for admissibility of complaints, which is presented in Appendix 2.

Examination by the Committee

If the file is forwarded to the Service Quality Committee after pre-processing, the Committee secretary gathers any additional information and documents that may be required from the citizen, the employee or the manager concerned. The manager is asked to meet with the employee in order to obtain the necessary explanations, and must then report back quickly to the Committee secretary. A copy of the report is also sent to the delegate concerned.

The Committee secretary then prepares a summary of the file, including the grounds for the complaint, the facts, relevant excerpts from the GDD request file, and the information and comments obtained from the manager or employee concerned. The summary and any attached documents are sent to the Committee members at least 48 hours before the meeting at which the case will be discussed.

The Committee decides whether or not the complaint is substantiated, and whether or not improvement measures will be proposed to the manager concerned.

In some cases, even where a complaint is considered admissible, the process may not be completed, either because it is interrupted by the Committee, by the service quality officer or following a request from the citizen, or because an intervention by the Committee would not, or would no longer, be useful in the circumstances.

The Committee may also create a ground other than that alleged by the citizen (on its own initiative), provided it is connected with the values and commitments set out in the Declaration of Services to the Public.

The GDD system contains a list of "type" codes for admissibility of complaints, along with categories and subcategories of grounds and codes for the conclusions supporting the Committee's decisions. All these various codes and categories are presented in Appendix 2.

The Committee's decision, with reasons, is signed by the service quality officer and sent to the citizen within 30 working days after the GDD "Service Quality" file was created, in compliance with the commitment made in the Declaration of

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Services to the Public. Copies of the decision must also be sent to the employee and manager concerned.

CONFIDENTIALITY OF GDD "SERVICE QUALITY" FILES

The only people authorized to access GDD "Service Quality" files are certain designated employees of the Reception and Review Branch, the Branch secretaries and managers concerned, the service quality officer, the officer responsible for access to information and the protection of personal information, the other members of the Service Quality Committee, their deputies, the service quality advisor and the GDD officers.

The employee concerned by the complaint may also access the related GDD "Service Quality" file upon request.

REPORTING

The General Secretariat and Legal Affairs Branch is responsible for reporting on examinations of complaints concerning the quality of the Québec Ombudsman's services. It is therefore important for managers and the service quality officer to enter all the necessary information in the GDD "Service Quality" files for which they are responsible.

The outcomes of service quality complaints are published annually in the Québec Ombudsman's Management Report. Specific reports or presentations may be produced for the institution's personnel and managers, following a request by or on the initiative of the service quality officer.

COMING INTO FORCE AND AMENDMENTS

This procedure and its appendices were adopted by the Québec Ombudsman's Executive Committee on October 8, 2010, and replaced all other previously-adopted documents to the same effect.

The Québec Ombudsperson

Original signed

October 8, 2010

Active service request

Service request for which a conclusion has been sent to the citizen

