

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 0.00.BC
Section:	Policy Manual Administration	Drafted:	October 13, 2020
Subject:	COMMUNITY COMPLAINTS AND RESOLUTION POLICY DRAFT	Approved:	
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COMMUNITY COMPLAINTS AND RESOLUTIONS POLICY

1 PURPOSE

- 1.01 The purpose of this Policy and Procedure is to provide an effective complaint process which OKIB members can use. It is a vehicle by which OKIB members may lodge complaints or express concerns to OKIB administration about unjust treatment, or to dispute a decision that affects them. This policy will provide the steps to address and resolve the issues whatever they may be.

2 POLICY

- 2.01 Administrative fairness is the standard of conduct OKIB members can expect from OKIB employees. It means OKIB members will lodge their complaints in a reasonable manner to exercise their right to be heard, while remaining respectful.
- 2.02 OKIB complaint procedure will require the complainant to first deal with the employee in question. If that fails, the complaint should be brought to the attention of Human Resources. At this stage an investigation will occur where the Division Director will be involved to seek resolution. If the complainant is unhappy with the resolution, he or she can take the issue to Chief and Council.
- 2.03 OKIB recognizes there may be power imbalances at play or the complainant and/or the respondent may feel “uncomfortable” or there may be safety concerns. In these instances, the complainant will be referred to Human Resources.
- 2.04 If a complaint is well-founded, OKIB will take steps to address the complaint, and prevent future occurrences.
- 2.05 Administration will ensure the Community Complaints and Resolution Policy is available to the OKIB membership and to OKIB employees.

3 SCOPE

- 3.01 The Statement of Policy and Procedure applies to all OKIB Band members; and employees and contractors of the OKIB. Members must be informed, where applicable, that as the complaint resolution unfolds information, the complaint maybe released to senior management and/or Chief and Council. The disclosure is limited and kept confidential.

4 RESPONSIBILITY

- 4.01 OKIB employees are responsible for the administration of this policy.
- 4.02 Human Resources is responsible for investigating and responding to OKIB member

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complaints if they cannot be resolved with the staff in question first.

4.03 Employees who have a complaint or an issue raised by a member related to their job performance will participate in the resolution process of the complaint.

4.04 Members who believe they have legitimate complaints or concerns are encouraged to use these procedures—without fear of reprisal or retaliation.

5 DEFINITIONS

5.01 **Administration** means a division of the OKIB which includes departments; and/or projects established from time to time by council which includes contractors.

5.02 **Chief and Council** means the OKIB leadership consisting of one Chief and ten Councillors.

5.03 **Confidential** Refers to duty of an individual to refrain from sharing confidential information with others, except with the express consent of the other party. It ensures that members feel free to discuss with the Band all aspects of their concerns without fear that the information will be improperly disclosed.

5.04 **Complaint/Concern/Issue/Dispute** means an expression of dissatisfaction made by a member relating to the supports and/or services provided by an OKIB employee or contractor.

5.05 **Complainant** means the person who feels unfairly or unjustly treated in respect, or omitted from, being considered for jobs, education opportunities, housing allocation and other services and Band Member entitlements and benefits.

5.06 **Contractor** means a person or business contracted by OKIB under a contract for service for a limited term or to complete a defined project or task.

5.07 **Human Resources** means the Human Resource Director or another employee in the human resource department who is tasked with the investigation.

5.08 **Member** means an individual whose name appears on the OKIB membership list (as defined by the Indian Act).

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5.09 **Membership** means all or any member of the OKIB as registered on the OKIB membership List (as defined by the Indian Act).

5.10 **Respondent** means the employee of OKIB who is alleged to have unjustly treated the complainant.

6 REFERENCE and RELATED STATEMENTS of POLICY and PROCEDURE

- British Columbia *Human Rights Code*
- Policy HR2.02.OKIB-*Behavioural Competencies*
- Policy HR5.03.OKIB-*Respectful Work Environment*
- Policy HR5.02.OKIB-*Dispute Resolution*

7 PROCEDURE

7.01 Resolution Process

- (a) OKIB employees are qualified to resolve issues and/or complaints made by membership, whenever possible, at first contact. If not at first contact OKIB employee will respond within three days of learning of the complaint. If the issue can be resolved with the employee the member will take this course of action by email/phone/text and/or in person first;
- (b) If a resolution satisfactory to both parties is achieved; the process ends without any further action;
- (c) If a resolution does not happen, the complainant can take his or her issue to Human Resources. Within five business days Human Resources will independently and discreetly investigate the complaint by speaking with the employee, the complainant and the Division Director;
- (d) A recommended resolution will be put forth by Human Resources and communicated to the parties involved. If there is evidence of wrongdoing by staff, that will be recorded on their personal file;
- (e) If the complainant is still unsatisfied with the resolution they may wish to bring the issue to Chief and Council. In this event, the Executive Director will prepare a briefing for Council that will be presented in the closed session of Council within five business days of receiving complaint from Human Resources. The complainant will be given the

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chance to share their issue with Council at this time;

- (f) The Council will provide direction on the issue and any actions needed will be taken by staff. The matter will be considered resolved;
- (g) If the complainant is still unhappy with the situation, they may wish to pursue other actions outside the realms of Chief and Council or Administration.

8 ATTACHMENTS

COMMUNITY COMPLAINTS AND RESOLUTION FLOW CHART
Steps to address and resolve issues:

