

THE CORPORATION OF THE TOWNSHIP OF VAL RITA-HARTY

Bylaw Number 1254-26

BEING A BYLAW TO ADOPT A FEEDBACK MANAGEMENT POLICY

Legal Authority

Scope of Powers

Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5 (1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Municipal Administration

Section 227 of the *Municipal Act* provides it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Preamble

Council for the Corporation of the Township of Val Rita-Harty (the "Township") is committed to a high standard of public service.

Council is further committed to ensuring that municipal resources are used effectively and efficiently, while maintaining a high level of service excellence and responsiveness.

Council acknowledges that to do so, feedback from those receiving the Township's services is necessary to assist the Township in continuing to provide a high level of service excellence and the continuous improvement of its operations.

Council recognizes their responsibility to ensure the municipal work environment is free

from discrimination, harassment, bullying, and violence, as outlined in the Township of Val Rita-Harty Workplace Anti-Violence, Harassment, and Sexual Harassment Policy.

Council further acknowledges that it is necessary to establish guidelines and standards for the efficient management of feedback to effectively and efficiently address concerns raised and/or improve service delivery.

Decision

Council of the Corporation of the Township of Val Rita-Harty decides it in the best interest of the Corporation to establish certain management practices related to how the Township will receive and deal with feedback from the public.

Direction

NOW THEREFORE the Council of the Corporation of the Township of Val Rita-Harty directs as follows:

1. That the Clerk adopt administrative practices and procedures to carry out the direction of Council as expressed in this Bylaw (hereinafter referred to as Guidelines) which are compliant with applicable law.
2. That these guidelines be submitted to Council for information within thirty (30) days from the passing of this Bylaw and thereafter posted on the Township's website.
3. That the Clerk cannot unilaterally amend, change, or fail to follow the established Guidelines without notification to Council prior to any amendment, change or decision not to follow an established Guideline.
4. That the Guidelines be reviewed one (1) year after the passing of this Bylaw, then once every four (4) years which shall be during the first year after an election and a report be delivered to Council by June 30, of the year in which a report is required, regarding adequacy of the Guidelines and the Schedules attached to this Bylaw which shall also include any recommended changes.
5. That the Clerk and the Treasurer shall submit to Council an annual report in August of any given year that includes:
 - a. The number of times the Township received Feedback in accordance with this Bylaw.
 - b. The general nature of the Feedback.
 - c. The average amount of time spent managing the Feedback.
 - d. Recommended service level or operational changes if any.
6. That at other times a Feedback summary or multiyear comparison report may be requested by resolution of Council.
7. That Feedback means an opinion or comment about a program, facility, service, or employee and includes compliments, service concerns/complaints and ideas for service improvement from an individual or group of individuals who a) reside, own land, operate a business within the geographic limits of the Township; or b) access a service provided

by the Township that is open to them.

8. That Feedback will not be considered by other parties unless the nature of such Feedback identifies an immediate or potential future threat to health or safety.
9. That anonymous Feedback will not be accepted unless the individual or group of individuals identifies an immediate or potential future threat to health and safety.
10. That frivolous, vexatious, and/or unreasonably persistent Feedback will not be accepted.
11. That for the purposes of this Bylaw:
 - a. **Frivolous** is defined as a complaint that is reasonably perceived by a municipal officer, employee, or volunteer to be without reasonable or probable cause, without merit or substance, or trivial, and is part of a pattern of conduct that amounts to an abuse of the right of access, interferes with the operations of the Township, is made in bad faith, or for a purpose other than to obtain access.
 - a. **Vexatious** is defined as a complaint or request without merit that is pursued in a manner that is malicious; intended to inconvenience, embarrass, or harass the recipient; intended to be a nuisance; or is a pattern of conduct by the complainant that amounts to the misuse of the complaints, processes, and procedures.
 - a. **Unreasonably Persistent** is defined as a complaint or request that is likely to cause distress or disruption to the Township, its officers, employees, volunteers, or other members of the public, without any proper or justified cause. Behaviour that, because of the nature or frequency of an individual's or group of individuals' contact with the Township, negatively affects the ability of the Township to deal with their Feedback, the Feedback of others and/or or carry out its normal operations.
12. That the Guidelines shall identify situations that meet the criteria of vexatious, frivolous, and/or unreasonably persistent requests and the associated actions that may be undertaken in such circumstances.
13. That this Bylaw does not apply to:
 - a. Inquires/requests for information
 - b. Requests for service
 - c. Requests for accommodation
 - d. Employee, volunteer, and/or supplier complaints
 - e. External Boards, Local Boards and Committees of Council
 - f. Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.
 - g. Issues addressed by legislation, or an existing municipal bylaw, policy, or procedure
 - h. The Integrity Commissioner or requests for inquiry made to the Integrity Commissioner
 - i. The Closed Meeting Investigator or requests for investigation made to the Closed Meeting Investigator
 - j. Complaints about members of Council
 - k. Decisions made by Council, Local Board or Committee of Council
 - l. Civil disputes between property owners
 - m. Personal criticisms of municipal officers, employees, or volunteers
14. That the Mayor or a Councillor may submit Feedback, and attach their name to the

submission, on behalf of the individual or group of individuals they received the Feedback from if they follow the established in the Guidelines.

15. That all Feedback will be retained in accordance with the Township's record retention Bylaw.
16. That those decisions resulting from an investigation carried out in accordance with this Bylaw may be appealed within fifteen (15) days of the decision being issued:
 - a. To the supervisor of the officer, employee or volunteer who completed the investigation and made the decision.
 - b. To the Clerk if the investigation was carried out by a Department Head/Manager.
17. That the following schedules outlining what must be included in the Guidelines attached hereto form part of this bylaw:
 - a. Schedule "A" - Receipt of Feedback
 - b. Schedule "B" - Investigation of Concerns/Complaints
18. That any changes to the Schedules may be adopted by resolution.
19. That this Bylaw supersedes any Bylaw previously passed that is contrary to this Bylaw.
20. This Bylaw takes effect on the day of its final passing.

Read and adopted by Resolution 26-120 this 19th day of May, 2026.

Mayor

Deputy Clerk

Schedule "A" of Bylaw 1254-26 - Receipt of Feedback

The Receipt of Feedback Guidelines shall include the following:

1. A process for providing informal Feedback which includes:
 - a. That describes that informal Feedback is generally Feedback that is most appropriately considered by statutory officers or municipal employees and does not require investigation or Council intervention.
 - b. How to submit informal Feedback including a standard form which at a minimum includes the name of the individual, group or business and relevant contact information.
 - c. How the receipt of informal Feedback will be acknowledged including:
 - i. A service standard wherein informal Feedback will be acknowledged by the Township under normal circumstances within two (2) business days of receiving the Feedback.
 - ii. Identifies circumstances when the standard may not be met (i.e. state of emergency, office closure, officer/employee vacation etc.)
 - iii. That acknowledgement will be made by way of:
 1. telephone, or in-person, and followed up in writing
 2. in writing including email or other electronic means (social media) or traditional mail
 - iv. An explanation of how the informal Feedback was or will be responded to by the Township and when a further response by the Township may be necessary.
 - d. How the receipt of informal Feedback will be documented including:
 - i. Who is responsible for documenting informal Feedback received
 - ii. How the informal Feedback will be statistically documented
2. A process for providing formal Feedback
 - a. That formal Feedback is generally Feedback that requires investigation by the Township.
 - b. How to submit formal Feedback including a standard form which at a minimum includes the name of the individual, group or business and relevant contact information.
 - c. How the receipt of formal Feedback will be acknowledged including:
 - i. A service standard wherein formal Feedback will be acknowledged by the Municipality under normal circumstances within two (2) business days of receiving the Feedback.
 - ii. Identifies circumstances when the standard may not be met (i.e. state of emergency, office closure, officer/employee vacation etc.)
 - iii. That acknowledgement will be made by way of:
 1. telephone, or in-person, and followed up in writing
 2. in writing including email or other electronic means (social media) or traditional mail
 - iv. Identifies who will be carrying out an investigation and the process that will be followed.
 - d. How the receipt of informal Feedback will be documented including:
 - i. Who is responsible for documenting informal Feedback received
 - ii. How the informal Feedback will be statistically documented

Schedule "B" of Bylaw 1254-26 - Investigation of Concerns/Complaints

The Investigation of Concerns/Complaints Guidelines shall include the following:

1. A preliminary review of the Feedback received to determine if sufficient information has been provided or if the Feedback needs to be crystalized or made clear.
2. The preparation of an investigation strategy that includes:
 - a. A summary of the Feedback
 - b. A list of the law or policy that applies
 - c. An estimated timeline for completing the investigation that does not exceed ninety (90) days from the complaint unless there are extenuating circumstances
 - d. Who will be interviewed which at a minimum will include:
 - i. the individual(s) submitting the Feedback
 - ii. any officer, employee or volunteer identified
 - iii. witnesses
 - e. An interview schedule
 - f. A list of topics to be covered with each of the parties being interviewed
 - g. A list of documents or other evidence that needs to be obtained and why it is relevant
3. All investigations are confidential and that failure to maintain confidentiality by
 - a. the individual(s) providing the Feedback may result in the investigation stopped and the matter dismissed; and
 - b. Any officer, employee or volunteer involved and that any breach of confidentiality may result in disciplinary action.
4. All matters will be subject to the civil burden of proof.
5. A final report summarizing the investigation, the findings, and any related decision to be delivered to the individual(s) providing the Feedback within thirty (30) days of the completion of the investigation.