



Corporation of the Municipality of Temagami

Memo No.
2020-M-173

Memorandum to Council

Subject:	Handling Frivolous and Vexatious Complaint Policy
Agenda Date:	November 19, 2020
Attachments:	Amended Policy

RECOMMENDATION

BE IT RESOLVED THAT Council approve the draft policy, as amended;

AND FURTHER Staff be directed to prepare a By-Law to entrench the policy for Council's consideration.

INFORMATION

This draft policy was introduced at the last meeting of Council. There were some points where clarification or amendment was requested.

The second bullet point on page two was one where the question was asked how people would know how to address their correspondence. I would highlight that in this instance, the complaint has been made and is in the process of being investigated while at the same time continual communication regarding the complaint is occurring. One of the initial steps taken is to inform the complainant how the matter is being handled and the communication protocol would be part of this information. This section would not apply to first time complainants or new complaints.

The third bullet on page two where there is repeated challenges on the findings of complaint investigations was another item where more discussion was requested. Again, for all interaction there is a challenge mechanism. Typically, the next level is asked to review the decision. For example, should I receive a complaint and provide a response, then that individual, should they choose, is able to appeal to Council to review the complaint and response. This review would be done at a Council meeting. Once Council has completed the review by considering and adopting a related resolution, then this should not continue to be challenged, especially at the level of Staff. With the system of government we operate within, should a Member of the Public wish to challenge any Council decision there are various avenues available, up to and including the court system.

The section related to new complaints has been reworded as well as 'by Council' has been added to the review provisions.

I think it is also important that, especially given our size, that action taken under this policy, if any, would be done by the Treasurer/Administrator in Concert with Council. That is to say that both groups would need to be in agreement on if an action is warranted and, if so, what action would be taken. This would ensure that there is no overreaction on anyone's part.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator