
	SECTION 4: Safeguards	Policy Number: OPR4-SFG 01
	OPERATIONS	Original Date Approved: 1995
	POLICY: SUPPORTED INDIVIDUAL COMPLAINT PROCESS	Last Revised Date: 06/2013
		Review Date(s): 01/2016, 06/2015, 06/2013
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POLICY


1. The Association shall provide a problem resolution process for all supported individuals that:
 - a. provides a means for supported individuals to deal expressly with problems they are experiencing and wish to resolve.
 - b. ensures they are not subject to reprisal as a result of asking for help.
 - c. is accessible to meet the needs of the person submitting the complaint/feedback.
 - d. allows the supported individual to seek and receive assistance during the process from a any person of his/her choosing and who is acting on behalf of the supported individual.
 - e. provides clear steps to address problems.
 - f. Includes an appeal process.

2. The supported individual problem resolution process may be used to deal with problems that the supported individual feels he/she cannot resolve with the help of support staff and/or management staff, namely:
 - a. interpersonal relationships with other supported individuals.
 - b. issues related to type and level of support services.
 - c. Issues related to the importance of Association policies.

3. The supported individual problem resolution process may not be used:
 - a. if the supported individual still has recourse to have the problem addressed through other routine channels such as talking to support staff and/or their support network.
 - b. to deal with issues where the supported individual is in contravention of Association policies or other internal agreements.
 - c. by a third party who wishes to resolve a problem.

PROCEDURE

1. Where a supported individual has a problem they shall try to address it through the following existing support processes:
 - a. directly with their support staff.
 - b. with the manager of the applicable program.
 - c. through their life planning support network.
 - d. through discussions at monthly self-advocate meetings, The self -advocate representative could request to speak to support staff at the next team meeting regarding the issues brought forward. If the meeting does not meet to satisfaction the self-advocate representative will request to bring the matter to review at the next Board of Directors meeting.
 - e. discussion with self-advocate member of the Board of Directors

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2. Where the supported individual has tried all five of the above options and is unable to resolve the problem he/she may use the three step Supported Individual Problem Resolution Process.
3. The discussion and outcome of each step will be documented and maintained by the supported individual or person acting on behalf of the individual as well as the person with whom the issue is being discussed with. The documentation and feedback will be communicated in the manner in which the supported person understands and/or requires, i.e. audio, visual tapes, sign language, verbal, written, email, etc.
4. All complaints/feedback will be investigated by a non-bias party, free of Conflict of Interest, i.e. if the supported person's direct support staff is who the complaint is against, the support person would not be expected to follow this step in the procedure and would proceed to the next level.
5. If the complaint/feedback is an allegation of abuse, the supported individual will be supported to seek police involvement as per the agencies policy on Abuse and the Ministry of Community and Social Services Quality Assurance Measures Directives. In the event of abuse/alleged abuse, or the complaint/feedback is of a serious nature, the agency will ensure that the Ministry of Community and Social Services is made aware and the appropriate Serious Occurrence Reporting is completed as required.

STEP 1: CONSULTATION WITH THE PROGRAM DIRECTOR

1. A supported individual who has a concern and who has been unable to resolve it through discussions with their support staff, the manager of the applicable program and their support network, may discuss it with the Program Director who shall assist the supported individual to find a resolution to the problem. The issue shall be addressed with the Program Director within (7) calendar days of having the issue brought to the Program Directors attention.
2. In the event that a resolution cannot be found, the Program Director shall ensure the supported individual is supported to proceed to step two of the process (informal assisted mediation) within (7) calendar days of having not resolved the issue.

STEP 2: INFORMAL ASSISTED MEDIATION

1. The supported individual and the other party(ies) to the dispute or problem shall meet face to face at a mutually agreeable time and in a location that provides for confidential discussion.
2. Their discussion shall be facilitated by a mediator who has no direct involvement and who has no conflict of interest in the matter. This will ensure that a fair review process is free of coercion, intimidation or bias.

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3. The two parties, with the help of the facilitator, will investigate to identify:
 - a. any additional information that is needed to fully describe and understand the issue.
 - b. their own different interests and/or the different interests of other people involved or affected by the issue.
 - c. the relationships that exist between themselves and among other people affected.
 - d. their own values pertaining to the issue and the values of other people affected.
 - e. the resolution that is desired by the parties.
4. The supported individual, other party(ies) and the facilitator shall schedule as many meetings as they deem necessary in an attempt to resolve the issue.
5. If the parties are unable to resolve the problem using informal assisted mediation they may refer the matter to the Executive Director for a binding decision.

STEP 3: BINDING DECISION

1. If the parties are not satisfied that the problem can be resolved with the facilitator, the parties may elect to participate in a mutually binding decision-making process. In such case, the parties to the problem shall make a verbal request to the Executive Director for assistance with resolution.
2. The Executive Director shall request such information as may be required to provide background to the problem.
3. The Executive Director shall ensure a meeting is scheduled with both parties within fifteen calendar days of receiving the request or at another time mutually agreed by the parties.
4. The Executive Director shall hear the arguments of the party(ies) and shall issue a decision within seven (7) calendar days.
5. The decision shall be documented and communicated in the form and manner required by the supported individual, binding upon the parties and the decision shall not be subject to appeal.