11 RULE 300 - COMPLAINT HANDLING, SUPERVISORY INVESTIGATIONS AND INTERNAL DISCIPLINE

.

2. ~~Definition~~Definitions

.

A "complaint handling timeline" is time in which a Member must address a service complaint or provide a complainant with the substantive response letter, which is as soon as possible but not later than:

(i) the 60th day following receipt of the complaint; or

(ii) the 90th day following the receipt of the complaint where:

(a) the resolution of the individual complaint is particularly complex, or

(b) circumstances beyond the Member's control are causing complaint management delays.

3. Duty to Assess All Complaints

.

.

.

In determining whether any other complaints not relating to the matters set out above should be subject to the Additional Complaint Handling Requirements prescribed by Part II of this Rule supervisory staff should consider whether the complaint alleges a matter similar in nature or seriousness to those set out above, the complainant's expectation as to how the complaint should be handled and whether the complainant is alleging any financial harm. Where supervisory staff determines that a complaint does not meet any of these criteria the complaint must be handled fairly and promptly but can be concluded through an informal resolution within the complaint handling timeline.

4. **Minimum Requirements for Complaints Subject to Informal Resolution**

Any complaints that are subject to informal resolution must be handled fairly and responded to promptly (i.e. generally in less time than it would take for complaints subject to the Additional Complaint Handling Requirements prescribed by Part II of this Rule) and within the complaint handling timeline. Such complaints must also be resolved in

accordance with internal Member complaint handling policies and procedures that clearly describe the process to be followed in the assessment and resolution of such matters. Certain complaints subject to informal resolution must also be reported under Rule 600.

.

.

.

8. Prompt Handling of Client Complaints

The Member must handle the complaint and provide its substantive response within the ~~time period expected of a Member acting diligently in the circumstances. The time period may vary depending on the complexity of the matter~~complaint handling timeline. The Member should determine its substantive response and notify the complainant in writing ~~in most cases~~ within ~~three months of receipt of~~ the complaint handling timeline.

Further, staff recognizes that, if the complainant fails to co-operate during the complaint resolution process, or if the matter requires an extensive amount of fact-finding or complex legal analysis, time-frames for the substantive response may need to be extended. In cases where a substantive response will not be provided within ~~three months~~the complaint handling timeline, the Member must advise the complainant as such, provide an explanation for the delay and also provide the Member's best estimate of the time required for the completion of the substantive response. The Member must inform the Corporation if they are unable to meet the complaint handling timeline, and must provide reasons for the delay.

.

.

.

11. Additional Complaint Handling Requirements

Each Member's procedures for handling complaints that are subject to the requirements of this section must include the following:

1. **Initial Response** – An initial response letter must be sent to the complainant within a reasonable time, and generally within 5 business days of receipt of the complaint. If a complaint can be concluded in less than 5 business days then an initial response letter is not necessary. The initial response letter must include the following information:

   .

   .

   .

   - A summary of the Member's internal complaint handling process, including ~~general timelines~~the complaint handling timeline for providing the

Member's response to complaints and a statement advising clients that each province and territory has a time limit for taking legal action; and

.

.

.

.

.

.