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Chapter: **Investigation, Internal reviews, Inspections and Audits**

Classification: **Public Document**

Subject: **Complaint Process**

For: **Correctional Services Division**

  
Authorized by the Executive Director

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## Policy

- 1 Correctional Service will provide a formal process for individuals in custody or under community supervision to register complaints. This information is required to be available and explained to individuals admitted to a correctional facility, community corrections supervision or a community corrections program.
- 2 An informal complaint process will also be available for immediate resolution of the complaint.
- 3 Public inquiries and complaints will be investigated and responded to in a prompt and efficient manner.

## Authority

- 4 The authority and requirements for the complaint process is derived from section 24 of the Correctional Services Act and sections 25 to 29, and 98 of the *Correctional Services Regulations*.
- 5 The following positions have been designated the authority to respond to a formal complaint and will be referred to as senior management for the purpose of this policy
  - (a) youth custody manager
  - (b) superintendent
  - (c) SNSCF deputy superintendent
  - (d) manager, correctional services
  - (e) senior probation officer

## Definitions

- 6 **Complaint:** An allegation of wrongdoing or concerns about Correctional Services operations made by a member of the public, person in custody or a private agency or organization.

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### **Informal Complaint**

- 7 Any individual who feels that they have received unfair or unjust treatment is responsible to discuss the complaint with the appropriate staff member and attempt to resolve the complaint verbally at that level.
- 8 In the event that the individual is unable to resolve the complaint informally, they may file a formal written complaint with the superintendent within a correctional facility or a senior probation officer within a community corrections office.

### **Formal Complaint**

- 9 Individuals will be provided the following forms if they wish to make a formal complaint
  - (a) in custody - Correctional Facility Complaint Form – [5.04.00-A](#)
  - (b) under community supervision – Community Corrections Complaint Form – [5.04.00 - B](#)
- 10 Individuals will be advised that complaints are required to be made within ten business days i.e., Saturdays, Sundays and holidays excluded, after the alleged complaint has occurred.
- 11 Staff will assist individuals to understand and fill out the complaint form.
- 12 Staff receiving a complaint form will
  - (a) ensure it is signed and dated by the complainant
  - (b) take action to resolve the complaint, if possible,
  - (c) document action taken on the Complaint form
  - (d) forward the form to
    - i. the applicable staff
    - ii. the senior probation officer of the community corrections office to which they report
      - a if the complaint pertains to the senior probation officer the individual will forward to complaint to the manager, correctional services
- 13 Upon receipt of the complaint and within five business days, the senior manager or

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designate will

- (a) investigate the complaint
- (b) cite the reasons for the decision
- (c) take follow up actions as required

- 14 The senior manager is responsible to notify the individual in writing of the decision and the reasons or respond to the individual making the complaint within 10 business days after the complaint has been made.
- 15 One copy of the response will be signed by the complainant and uploaded under the documents in JEIN.
- 16 Where a complainant is not satisfied with the response received regarding a complaint, they may appeal the complaint in accordance with Policy and Procedures, Subject 5.05.00, [Appeal Process](#).

### **Health Services**

- 17 Where the complaint pertains to health services correctional staff are to direct the individual to utilize the health services complaint process.
- 18 Where health services have not established a complaint process within a facility, an individual may utilize the Correctional Services complaint form and the form will be forwarded to health services.

### **Public Complaints**

- 19 Staff will immediately refer any unresolved complaints from the public about the wrongdoing or Correctional Services operations to the applicable senior manager.
- 20 The applicable authorized manager will liaise with the public to resolve matters of public complaint.
- 21 The senior manager will
  - (a) liaise with the public to resolve the matters

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- (b) investigate the complaint upon receipt and where appropriate, take corrective action immediately.
  - (c) respond in writing to the complainant within ten working days.
    - i. The response will indicate corrective action taken.
- 22 The senior manager will inform the appropriate director of any reportable incident, see Policy and Procedures, Subject No. 5.02.00, Reportable Incidents. When requested, a copy of the complaint and any other relevant correspondence will be forwarded to the appropriate director.
- 23 If the complainant is not satisfied with the response provided, staff will advise them to write for additional clarification to the next senior position.

### **Tracking Complaints**

- 24 Complaints will be documented and tracked by Correctional Services.
- 25 The Correctional Facility Complaint form will be printed double sided and sequentially numbered, continuing the number sequence from the previous order.

### **Standard Operating Procedures**

- 26 The facility senior manager is responsible to ensure that standard operating procedures regarding complaints are developed to
- (a) identify the procedure for
    - i. advising individuals of the process
    - ii. forwarding complaints
  - (b) designate staff responsible to
    - i. respond to complaints
    - ii. track complaints and ensure the Complaint Forms are assigned a sequential reference number
    - iii. place complaints on an individual's file

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- iv. upload the complaint to JEIN
  - (c) assist individuals with a visual impairment, requiring support reading, or requiring assistance to understand the form and complaint process
  - (d) ensure complaints by the public and by others are processed in accordance with this Policy and Procedure