

1.0 Purpose

This policy is to formalize the complaint handling policy and procedures to ensure accountability of Consumer Protection BC and to allow the process to be made public. It will apply to complaints from members of the public or businesses regulated by *the Business Practices and Consumer Protection Act* or the *Cremation, Interment and Funeral Services Act* regarding the manner in which Consumer Protection BC administers the legislation delegated to it.

This policy does not cover requests for reconsideration of determinations, which are addressed under Part 12 – General, Division 1 – Reconsideration in the *Business Practices and Consumer Protection Act*.

2.0 Policy Statement

Consumer Protection BC will:

- receive, investigate and respond to complaints about how Consumer Protection BC administers the legislation delegated to it;
- receive, investigate and respond to all other complaints; and
- advise members of the public and business regulated by Consumer Protection BC about the complaints handling policy and procedures.

3.0 Procedures

The process for addressing complaints is as follows:

- The complainant is encouraged to try to resolve the complaint first with the employee involved.
- If a resolution has not been reached, the employee may direct the complainant to the employee's supervisor, who will then try to resolve the complaint.
- If the complaint is still not resolved, the complainant may make a formal complaint in writing. The written complaint must include the name and address of the complainant; the key elements of the complaint; the names of the employees contacted; the dates of the contacts; and reasons why the complaint was not resolved, if known. Information provided to Consumer Protection BC is subject to the *Freedom of Information and Protection of Personal Privacy Act*.
- The written complaint will be directed to the Director, Corporate Services, to log, track, file and ensure that timeframes are met. The Director, Corporate Services, will refer the complaint to the CEO. If the complaint is about the Director, Corporate Services, it should be sent directly to the CEO.
- The CEO will assign the complaint to the appropriate manager for investigation. If the complaint pertains to that manager, the CEO will either investigate the complaint himself or assign it to a manager not involved in the complaint.
- The manager will investigate the complaint and provide recommendations to the CEO for approval.
- The CEO will advise the complainant in writing about the decision and the reasons for it within 90 calendar days of receiving the complaint or will notify the complainant

about the reason for the delay. Copies of this correspondence will be provided to the Director, Corporate Services, for filing.

- The complaint may be:
 - dismissed, including the reasons;
 - upheld, including planned action; or
 - require further investigation.
- If the complaint pertains to the CEO, the complainant may make a formal written complaint to the Chair of the Board of Directors.
- If the complaint is about the conduct and performance of the BPCPA, the complainant may wish to send the complaint to the Ministry of Public Safety and Solicitor General, who has an oversight role with respect to Consumer Protection BC.
- If complainant is not satisfied with Consumer Protection BC's handling of a complaint, the complainant may contact the Office of the Ombudsman to investigate complaints about administrative unfairness by Consumer Protection BC. The Ombudsman has the discretion both to decide which complaints to investigate and to make recommendations to resolve an unfairness.

4.0 Authority

4.1 Administrative Agreement

Article 12, Section 12.01, of the Administrative Agreement requires Consumer Protection BC to establish appropriate policies and procedures for reviewing and addressing complaints raised by members of the public or any business regulated by the BPCPA and the CIFSA, including those businesses which are required to be licensed under the BPCPA and the CIFSA, regarding the manner in which Consumer Protection BC administers the Legislation.

Article 12, Section 12.02, of the Administrative Agreement states that the Office of the Ombudsman has jurisdiction over Consumer Protection BC.

Under the Communications Protocol (Protocol 3) of the Administrative Agreement, the role of the Ministry of Public Safety and Solicitor General with respect to correspondence on corporate issues related to the BPCPA, including complaints about BPCPA performance, is to notify the BPCPA and draft a ministerial response indicating that correspondence was referred to the BPCPA. The Ministry may respond if the complaints are about conduct and performance. The role of the BPCPA is to respond directly to such correspondence, including complaints, and notify the Ministry as appropriate.

4.2 Ombudsman Act

Complaints to the Office of the Ombudsman are governed by the *Ombudsman Act*. The Ombudsman receives inquiries and complaints about the practices and services provided by public bodies, and may investigate to determine if the public body is being fair to the people it serves. The Business Practices and Consumer Protection Authority established under the *Business Practices and Consumer Protection Authority Act* is specifically identified in the Schedule to the *Ombudsman Act* (as #32).

The Office of the Ombudsman does not have jurisdiction to handle consumer complaints but may investigate a complaint about a Business Practices and Consumer Protection Authority process.