

 CONSUMER PROTECTION BC	Conduct Complaint Handling Policy and Procedures	Version: 2.0 Created: November 22, 2005 Modified: June 10, 2020 Approved: June 10, 2020
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1.0 Purpose

Consumer Protection BC actively promotes a culture of inclusion and a workplace free of discrimination and harassment. We are transparent in this belief as evidenced by our Standards of Conduct, our Collective Agreement, and our corporate values. We expect that our employees, and the people who engage with our organization, will behave in an appropriate, open, honest, ethical, and transparent fashion.

This policy formalizes our conduct complaint handling policy and procedures to ensure our accountability and that our processes are public. It will apply to complaints about our staff conduct from members of the public or businesses regulated by the *Business Practices and Consumer Protection Act*, the *Cremation, Interment and Funeral Services Act*, and the *Motion Picture Act*, regarding the manner in which Consumer Protection BC administers the legislation delegated to it.

This policy does not cover consumer complaints regarding business activity in the marketplace, our management of complaints made against suppliers, or requests for reconsideration of determinations, which are addressed under Part 12 – General, Division 1 – Reconsideration, in the *Business Practices and Consumer Protection Act* and the related reconsideration provisions under the *Cremation, Interment and Funeral Services Act*, and the *Motion Picture Act*

2.0 Policy Statement

Consumer Protection BC will:

- Receive, investigate, and respond to complaints about the conduct of staff who are engaged in the administration of BC’s consumer protection laws.
- Receive, investigate, and respond to all other complaints.
- Advise members of the public and business regulated by Consumer Protection BC about the conduct complaint 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 Executive Vice President, to log, track, file and ensure that timeframes are met. The Executive Vice President will refer the

complaint to the CEO. If the complaint is about the Executive Vice President, it should be sent directly to the CEO.

- Complaints or comments of a derogatory or discriminatory nature or which contain profanity or offensive language will not be accepted. If a complaint contains offensive language, the complainant will be contacted in writing, requesting the complainant resubmit the complaint after removing the offensive language.
- 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 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 Executive Vice President 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, through the Executive Vice President.
- If the complaint is about the conduct and performance of Consumer Protection BC, the complainant may wish to send the complaint to the Ministry of Public Safety and Solicitor General, which has an oversight role with respect to Consumer Protection BC.
- If the complainant is not satisfied with Consumer Protection BC's handling of a complaint, the complainant may contact the BC Office of the Ombudsperson to investigate complaints about administrative unfairness by Consumer Protection BC. The Ombudsperson has the discretion both to decide which complaints to investigate and to make recommendations to resolve an unfairness.

4.0 Authority

4.1 Consumer Protection BC Collective Agreement and Conditions of Employment

Article 1.6, Respectful Workplace, of the Consumer Protection BC and BCGEU Collective Agreement states that the parties respect the rights and interests of all individuals and are committed to providing a working environment free of bullying and harassment, including sexual harassment. Bullying and harassment in any form, by any person, including peers, subordinates, supervisors, or managers, is not acceptable and will not be tolerated in any workplaces.

Consumer Protection BC, in cooperation with the Union, is committed to providing a workplace free of bullying and harassment (including sexual harassment), and to comply with the *Workers Compensation Act* and the Human Rights Code as amended from time to time.

The Consumer Protection BC conditions of employment for excluded employees require that they observe all written administrative policies, procedures and program descriptions now in force, or from time to time promulgated by resolution or by law by

Consumer Protection BC, or by operation of law, governing the operation of Consumer Protection BC's undertaking or duties. Similarly, excluded employees must cooperate fully with the senior staff, CEO and other employees of Consumer Protection BC and members of the public and not promote disharmony or discontent.

4.2 Administrative Agreement

Article 12, Section 12.01, of the Administrative Agreement between Consumer Protection BC and the Ministry of Public Safety & Solicitor General 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 Ombudsperson 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 Consumer Protection BC, including complaints about Consumer Protection BC performance, is to notify Consumer Protection BC and draft a ministerial response indicating that correspondence was referred to Consumer Protection BC. The Ministry may respond if the complaints are about conduct and performance. The role of Consumer Protection BC is to respond directly to such correspondence, including complaints, and notify the Ministry as appropriate.

4.3 Ombudsperson Act

Complaints to the Office of the Ombudsperson are governed by the *Ombudsperson Act*. The Ombudsperson 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 *Ombudsperson Act* (as #32).

The Office of the Ombudsperson does not have jurisdiction to handle consumer complaints but may investigate a complaint about a Consumer Protection BC process.