

 <b>CONSUMER PROTECTION BC</b>	<b>Case Management Complaints Policy</b>	<b>Version:</b> 1.0 <b>Created:</b> February 3, 2025 <b>Modified:</b> March 28, 2025 <b>Approved:</b> April 1, 2025
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## 1.0 Purpose

The purpose of this policy is to ensure Consumer Protection BC provides an efficient and transparent response to concerns about its processes and interpretation and application of BC's consumer protection laws to marketplace issues. This policy sets out the procedures for receiving, reviewing, recording and responding to complaints about Consumer Protection BC's case management processes and interpretation of the law.

This policy is meant to complement Consumer Protection BC's Conduct Complaints Policy that addresses employee behaviours. This policy is specific to: a) the review of complaint and case management details and facts; and b) the management of complaints that are either rejected as out of mandate or escalated for further inspection and action.

This policy ensures Consumer Protection BC's accountability and that its processes are public. It applies to complaints about Consumer Protection BC's interpretation of law from members of the public and businesses regulated under the *Business Practices and Consumer Protection Act*, the *Cremation, Interment and Funeral Services Act* the *Motion Picture Act* and the *Ticket Sales Act*.

## 2.0 Guiding Principles

Consumer Protection BC is committed to high standards of practice in its work. Consumer Protection BC values feedback and complaints from others and continuously strives to improve its processes and services. The complaints process is guided by the following principles:

Accessibility	Consumer Protection BC's complaints process is publicly available on its website, and consumers and businesses are informed of their right to complain. Complaints are accepted in a variety of ways, including phone, mail and email.
Impartiality	All complaints are handled in an impartial manner. Consumer Protection BC's process provides the opportunity for consumers and businesses to submit relevant information and, prior to the review of complaints being finalized, have an opportunity to be heard. Staff thoroughly and objectively review received complaints and are committed to keeping complainants informed of the progress of their complaints.
Person focused	Consumer Protection BC recognizes that consumers and businesses have different needs, and each person has their own unique history that they bring to their interactions with Consumer Protection BC. Staff commit to listening to concerns from its consumers and businesses, treating complainants with dignity and respect and maintaining confidentiality throughout the complaints process.
Responsive	Staff will respond to complaints within five (5) business days and try to resolve complaints at the earliest opportunity. Complaints that cannot be resolved at first contact, or those that raise more serious concerns about Consumer Protection BC, will be forwarded for further review/investigation within 10 business days. Staff are committed to these timeframes and will inform consumers and businesses of the progress of their complaints and reasons for any delay in the complaint resolution process.

### 3.0 Definitions

**Complaint** – A complaint is an expression of disagreement with the interpretation and application of law or the reasonableness of a decision to cease review or inspection of a marketplace issue.

A complaint under this policy does not include a challenge or disagreement with any action or decision (determination) made in the exercise of a power of the Director under the laws administered by Consumer Protection BC. There are specific legal mechanisms for seeking a reconsideration or judicial review of any quasi-judicial decision made by a Consumer Protection BC adjudicator.

### 4.0 Policy Statement

Consumer Protection BC will:

- Advise members of the public and businesses regulated by Consumer Protection BC about its case management complaint handling policy and procedures.
- Receive, investigate and respond to complaints about its case management process.

### 5.0 Roles and Responsibilities

Consumer Protection BC's overall process and responsibilities for addressing case management complaints is as follows:

Step 1	The operational, public relations and communications teams (collectively known as “the teams”) are responsible for receiving, recording and assessing complaints, and will attempt to resolve the matter if possible. At this stage, team members have responsibility for explaining the complaints process to the person reporting the complaint. If these individuals are not able to resolve the complaint, staff will proceed to step 2 of the complaint process.
Step 2	Team members will forward complaints that are not resolved or that require further review/investigation to their supervisors. Directors and managers in the various departments are empowered to resolve concerns by assessing the various issues, facts and other information in dispute, and providing detailed responses to the complainants about their findings. In most cases, this will involve written reasons that detail the actions they took, the scope of the review and outcomes in terms of Consumer Protection BC's legal jurisdiction to continue inspecting a matter. Case assessments will be provided wherever possible. Details of this process are outlined under section 6.0 of this policy (“Procedures”).

### 6.0 Procedures

#### **Frontline Resolution**

In most cases, case management complaints are initiated by consumers or businesses notifying a staff member that they wish their issue to be reviewed by a supervisor. Case management complaints can also be submitted to Consumer Protection BC in the following ways:

Mail: PO Box 9244, Victoria BC, V8W 9J2  
Email: [info@consumerprotectionbc.ca](mailto:info@consumerprotectionbc.ca)  
Telephone: 1.888.564.9963

Translation services are provided through [Mosaic Translation Services](#) when requested.

**Acknowledging complaints** – All complaints will be acknowledged within five (5) business days by email or mail (if an email address is not provided). This acknowledgement will include information about the employee who has primary responsibility for handling the case management complaint, as well as information about the complaints process, including applicable timeframes. Information provided to Consumer Protection BC is subject to the *Freedom of Information and Protection of Privacy Act*.

**Assessing complaints** – Team members will conduct a preliminary assessment to confirm whether the issues raised by the complainant fall within the scope of this policy. Team members will try to resolve complaints wherever possible by providing more detail and information on Consumer Protection BC's processes and interpretation. Issues suitable for early/informal resolution include concerns about:

- The reasonableness of action taken by a Consumer Protection BC employee.
- The referral of or lack of jurisdiction to investigate a complaint (see section below).

**Dismissing complaints** – Complaints that are not accepted for review under this case management complaints policy may be dismissed by team members for the following reasons:

- The issue relates to employee conduct and should be addressed through Consumer Protection BC's conduct complaints policy.
- The issue is currently being heard through a quasi-judicial process administered by Consumer Protection BC. This includes requests for reconsideration of determinations, which are addressed under Part 12 – General, Division 1 – Reconsiderations, in the *Business Practices and Consumer Protection Act* and the related reconsideration provisions under the *Cremation, Interment and Funeral Services Act*, the *Motion Picture Act* and the *Ticket Sales Act*.
- The concerns raised have previously been investigated by Consumer Protection BC and no new issues have been reported.
- The issues raised by the complainant are currently before the courts.
- Complaints, comments or images that are 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 remedy sought by the complainant is not achievable.

When a complaint is dismissed for any of the reasons above, the complainant will be notified by email or mail (if an email address has not been provided) within five (5) business days of receiving the complaint, with reasons provided for the decision to dismiss the complaint.

**Recording complaints** – When recording the complaint in Consumer Protection BC's complaint tracking system, the following information will be documented:

- The complainant's name and contact information.
- When and how the complaint was received (by email, telephone or mail).

- The main issues raised in the complaint, including all relevant facts provided by the complainant.
- Any documentation submitted or notes taken during interaction with complainant.
- The outcome sought by the complainant (if known).
- Any attempts made to resolve the complaint informally, including action taken by the team member receiving the complaint.
- Any barriers or additional support the person making the complaint may need, such as access to an interpreter.

### **Complaint Escalation**

If a complaint is not resolved directly by a team member, the complainant may ask that it to be forwarded for further review by the supervisor of that team. Requests for review will be acknowledged within five (5) business days.

The supervisor will investigate the complaint guided by the principles of administrative fairness, ensuring it is conducted in a fair, timely and impartial manner. The supervisor will review:

- The facts and evidence provided by the complainant.
- The relevant legislation that may be involved in the interpretation of the complaint.
- The outcome or remedy the person is seeking.
- Any other relevant details.

All relevant evidence will be considered by the supervisor during the review process, and the complainant will be consulted should any clarifications be required prior to concluding the review of their complaint.

### **Complaint conclusion**

Once the supervisor completes their review of the complaint, they will advise the complainant in writing about the decision and the reasons for it within 90 calendar days of receiving the complaint. A final case assessment will be provided at the conclusion of a complaint investigation and provided to the complainant within 10 business days. This assessment will be written in clear and accessible language and include information about:

- A summary of the complaint.
- Issues raised related to the complaint.
- Jurisdiction for Consumer Protection BC to deal with the complaint or reject it.
- Whether the complaint has any compelling circumstances to consider.
- Actions to date and any recommendations for further action.
- Rationale for those recommendations and next steps.

**Remedies** – Complaints may be dismissed, including the reasons; upheld, including planned action; or require further investigation. If an investigation reveals that staff have made an error in providing its services to the public, Consumer Protection BC will take steps to fix the problem. The following remedies may be appropriate for substantiated complaints (for example):

- An acknowledgement and apology for any error.
- Reopening or continuing an inspection.
- Reversal of a previous decision.

- Expediting an action.
- Issuing a payment or refund.
- Changing organizational policies and procedures to prevent reoccurrence.

### **Appeal and Review Options**

If a person continues to have concerns after a supervisor's complaint resolution process, Consumer Protection BC will advise complainants of their right to seek further review of the matter through the Office of the Ombudsperson. The Ombudsperson has the discretion both to decide which complaints to investigate and to make recommendations to resolve an unfairness.

Information on how to complain to the Office of the Ombudsperson is available at <https://bcombudsperson.ca/complaints/how-to-make-a-complaint/>.

The complainant may also wish to send the complaint to the Ministry of Attorney General, which has an oversight role with respect to Consumer Protection BC.

### **7.0 Continuous Quality Improvement**

Consumer Protection BC monitors complaint trends and conducts regular reviews to identify any systemic service issues, making necessary organizational improvements. Consumer Protection BC is committed to learning from the complaints it receives from its service users.

### **8.0 Dealing with Unreasonable Conduct**

Consumer Protection BC commits to responding fairly to complaints and treating people with dignity and respect throughout the complaint resolution process.

Due to the nature of the business, Consumer Protection BC can sometimes experience unreasonable conduct from its licensed businesses, consumers or other interest holders (typically displayed as abusive, threatening and/or discriminatory behaviour). Consumer Protection BC does not, under any circumstances, tolerate these types of behaviours. People making complaints to Consumer Protection BC are expected to treat staff reasonably.

In cases where a consumer or business becomes unreasonable in their interactions with Consumer Protection BC staff, such that it creates health, safety, resource or equity issues for the organization, staff will take steps to address behaviours and may, as necessary, limit access to services.

Consumer Protection BC may limit access to its services in the following ways:

- Terminating or limiting voice contact with consumers or businesses where the nature and content of the communication is abusive or discriminatory.
- Requiring contact in writing only.
- Terminating contact in verbally or in writing where the communication continues to be abusive or discriminatory.
- Terminating contact verbally or in writing where there is no further information or communication that can be provided on the issue, and all remedies and resources for resolving a particular issue have been exhausted.

Access restrictions are considered as a last resort, and the person who is subject to the restriction must continue to be able to receive services by contacting the Manager or Director of the teams involved. Prior to issuing an access restriction, the person will be informed of:

- The reason for the restriction, including a description of their concerning behaviour.
- Details of any earlier warnings issued about their conduct.
- How the person can contact Consumer Protection BC, including the name and contact information for the person they are permitted to contact, and any limits to the frequency of such contact.
- How long the restriction is in place.
- How the person can request a review of the restriction.
- What is required for the restriction to be lifted.
- That threats of violence will be reported to law enforcement.

## **9.0 Authority**

### **Consumer Protection BC's 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 employees, CEO and other employees of Consumer Protection BC and members of the public and not promote disharmony or discontent.

### **Administrative Agreement**

Article 10, Section 10.01, of the [Administrative Agreement](#) between Consumer Protection BC and the Attorney 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 or under the Legislation or otherwise affected by the Consumer Protection BC's administration of the Legislation.

Under the Communications Protocol (Protocol 3) of the Administrative Agreement, the role of the Attorney 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 Attorney General 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 Attorney General as appropriate.

***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*.

The Office of the Ombudsperson does not have jurisdiction to handle consumer complaints about statutory matters under the various pieces of consumer protection law but may investigate a complaint about a Consumer Protection BC process.

*//original signed by//*

April 1, 2025

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Rob Gialloreto , President & CEO

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Date