

BLACK LEGAL ACTION CENTRE

Complaints Policy

A. Preamble

As part of its commitment to providing quality legal services, the Black Legal Action Centre (BLAC) aims to deal with all complaints in a fair, respectful, and timely manner. Any member of the public, including current and former clients, may file a complaint.

B. Definition

1. For the purposes of this Policy, a “complaint” is defined as any concern about the policies, practices or services of BLAC. This includes but is not limited to a complaint that:
 - a) a potential client was unreasonably denied service or representation;
 - b) a client did not receive high quality services;
 - c) a client or potential client was treated in a discourteous, unfair or unprofessional manner;
 - d) BLAC staff have not acted in accordance with one or more of BLAC’s policies; or
 - e) BLAC has exceeded the scope of its authority to utilize public funds for a particular purpose.
2. Complaints may be written or oral.
3. Anonymous complaints shall not be considered.

C. Procedure

1. Where a BLAC staff member, student, or volunteer receives a written or oral complaint, they shall try to resolve the issue informally.
2. If the issue cannot be resolved informally, the staff member, student or volunteer shall:
 - a) provide the complainant with a copy of the Complaints Policy; and
 - b) refer the complaint, including the name and contact information of the complainant and the details of the complaint, to the Executive Director.
3. Upon receipt of a written or oral complaint, the Executive Director shall:

- a) keep written documentation of the complaint and the steps taken to resolve it;
 - b) within five (5) business days of receiving the complaint, provide the complainant with acknowledgement of receipt of the complaint;
 - c) within ten (10) business days of receiving the complaint, discuss the complaint with the complainant and the respondent;
 - d) provide the complainant and the relevant staff member, student or volunteer with a written summary of the complaint and resolution; and/or
 - e) if necessary, notify the complainant that their complaint has been referred to the Board of Directors.
4. The Executive Director shall refer the complaint to the Board of Directors if:
- a) the Executive Director has a conflict of interest (e.g. the complaint relates to the Executive Director);
 - b) there is a safety issue;
 - c) the Executive Director is not able to resolve the complaint to the satisfaction of the complainant;
5. No confidential information shall be disclosed to the Board of Directors without written authorization of the complainant.
6. Upon receiving the complaint, the Board of Directors shall:
- a) within thirty (30) business days of receiving the complaint, provide the complainant with the opportunity to make further comments in writing or by conference call;
 - b) make a decision on the complaint based on the information provided to it;
 - c) within sixty (60) business days of receiving the complaint, provide the complainant and the relevant staff member(s) with a copy of the decision, including reasons;
 - d) inform the complainant of the recourse through the complaint procedure of the Complaints Department at Legal Aid Ontario.
7. If the Executive Director or the Board of Directors is unable to meet any of the timelines noted above, they shall promptly advise the complainant.

D. Reporting a Potential Errors & Omissions Claim

1. If a complaint reveals an error or omission that could lead to a negligence claim, the Executive Director shall report it to the Clinic Service Office or Complaints Department at Legal Aid Ontario as representative of the insurer.