



The Ontario Special Education (English) Tribunal

Date of Issue: Issued October 2007, Amended May 2008

Subject: COMPLAINT PROCEDURE

INTRODUCTION

The Ontario Special Education Tribunals are committed to providing the highest quality of service to the parties who appear before them and to the public. This procedure sets out the process for the members of the public to make a complaint.

PROCEDURE

1. Complaints and feedback from the public at large as well as from parties to appeals before the Tribunals will be received by the Tribunal Secretary.
2. The Tribunal Secretary will ensure that the communication is passed to the appropriate Chair (English or French) within 5 business days following its receipt. If the complaint relates to both Tribunals, it will be sent to both Chairs. If either Chair is unavailable during that period, the complaint will be passed to the vice-Chair(s).
3. As soon as the complaint has been forwarded to the Chair(s), the Secretary will notify the complainant that his/her complaint has been forwarded to the Chair(s) and that he/she will receive a response within 30 days of the Chair's receipt of the complaint.
4. The complaint will be considered by the Chair(s).
5. If the complaint relates to a Tribunal member, the appropriate Chair will notify the member of the complaint and ask for an explanation or clarification of the issue. The Chair will then review the facts and determine how to respond to the complainant.
6. If a complaint is received during a hearing relating to an appeal which is currently before one of the Tribunals, the Chair may defer the review and decision until the completion of the hearing, unless to do so would jeopardize the integrity and impartiality of the hearing process.
7. If the complaint relates to the conduct of the Chair, the above procedure will apply, except that the review may be conducted by the Minister or his or her delegate.

8. The response to the complaint will be communicated to the complainant through the Tribunal Secretary. If it appears likely that it will take more than 30 days to prepare a response, the Tribunal Secretary, at the direction of the Chair, will send an update to the complainant to indicate how long the response is likely to take.
9. If the complaint relates to the conduct of the Tribunals' Secretary, the complaint will be addressed by the Chairs and the Chairs will determine what follow up action, if any, is required.
10. The details of the complaint and/or the name of the complainant will be kept confidential by the Chair and the Secretary and will be disclosed only to the extent necessary to enable the Tribunal to make inquiries regarding the complaint and to respond to the complaint. The person who is the subject of the complaint will be informed, so that he/she can respond to the complaint.
11. Information about the number and the nature of complaints and the way in which the Tribunal addressed the complaint will be included in the following year's annual report. Non-identifying information about the complaint may be disclosed for the purpose of characterizing the types of complaints addressed by the Tribunal.
12. This policy does not affect the rights of complainants to raise their concerns with the Ombudsman of Ontario.

Contact Information: Tribunal Secretary 416 326-1356