

 <p>Motor Vehicle Sales Authority of British Columbia <i>Previously known as the Motor Dealer Council of B.C.</i></p>	<p>Complaint Handling Policy and Procedures</p>	<p>Version: 1.0 Approved: Sept 13, 2007</p>
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Complaint Handling Policy and Procedures

1.0 Purpose

This document is to formalize the complaint handling policy and procedures to ensure accountability of the Authority (VSA) and to allow the process to be made public. It will apply to complaints from the general public, or businesses regulated by the Motor Dealer Act and its Regulations regarding the manner in which the Authority administers the legislation delegated to it.

This policy does not cover requests for reconsideration of determinations under the act or regulations.

2.0 Policy Statement

The Authority will:

- Receive, investigate and respond to complaints about how the Authority administers the legislation delegated to it;
- Receive, investigate and respond to all other complaints; and
- Advise members of the public and businesses regulated by the Authority 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 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 the Authority is subject to the *Freedom of Information and Protection of Personal Privacy Act*
- The written complaint will be directed to the Manager, Corporate Services and Communications to log, track, file and ensure that timeframes noted below are met. The Manager, Corporate Services and Communications will refer the complaint to the Director, Finance and Operations (Director). If the complaint is about the Director it will be referred to the President
- The Director will assign the complaint to the appropriate manager for investigation. If the complaint pertains to that manager, the Director will either investigate the complaint her/himself, or assign it to a manager not involved in the complaint
- The manager will investigate the complaint, and provide recommendations to the Director for approval
- The Director 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 Manager, Corporate Services and Communications for filing

- The complaint may be:
 - Dismissed, including the reasons
 - Upheld, including planned action; or
 - Require further investigation
- If the complaint pertains to the President, 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 Motor Vehicle Sales Authority, 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 the Authority
- If complainant is not satisfied with the Authority's handling of a complaint, the complainant may contact the Office of the Ombudsman to investigate complaints about administrative unfairness by the Authority. 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 13, Section 13 (a) of the Administrative Agreement requires the Authority to establish appropriate policies and procedures for reviewing and addressing complaints raised by members of the public or the Motor Dealer Industry regarding the manner in which the Authority administers the *Act*.

Under the Communications Protocol (Schedule D) 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 VSA, including complaints about VSA performance, is to consult with VSA, draft a ministerial response indicating the correspondence was referred to the MVSABC. The role of the VSA 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 Office of the Ombudsman does not have jurisdiction to handle consumer complaints but may investigate a complaint about a VSA process.