

Complaints Process - Consultation Document -

Section 34 of the new *Security Services Act* (SSA) requires the registrar to “deal with complaints from the public respecting matters that relate to this Act.” Security Programs and Police Technology Division (SPPT) is currently working on drafting regulations and policies required in order to implement the SSA. The purpose of this paper is to solicit stakeholder feedback on the policies that will govern the complaints process. After the stakeholder consultation process is complete, SPPT will be presenting a proposed complaints process to the minister for approval.

Key policies governing the proposed complaints process include the following:

Guiding principles

1. The complaint process is guided by the following principles:
 - (a) *Accessibility*: Information about the complaints process will be readily accessible to the public and easy to understand and use. The registrar will facilitate awareness of the complaint process through various means of communication.
 - (b) *Timeliness*: Complaints will be dealt with in reasonable timeframes.
 - (c) *Confidentiality*: The process will respect the right to privacy of the complainant and the respondent.
 - (d) *Transparency*: The process, decisions and reasons for decisions will be fully disclosed to the complainant and the respondent.

Informing the public of the complaints process

2. The registrar will facilitate the submission of complaints by:
 - (a) providing information and materials regarding the complaints process to members of the public who contact SPPT with a complaint
 - (b) posting and maintaining a complaints form and information about the complaints process on the SPPT website, and
 - (c) informing industry and stakeholder organizations of the complaints process.

Submitting complaints

3. A person may make a complaint to the registrar on any matter that relates to the *Security Services Act*. This includes complaints against licensed and unlicensed individuals and businesses performing security work.
4. A complaint must be in writing, must identify the complainant and provide the complainant's contact information. Whenever possible, a complainant should use SPPT's complaint form when first contacting the registrar with a complaint.

Acknowledging receipt of a complaint

5. Within 30 days of receiving a complaint, the registrar will send a letter to the complainant acknowledging receipt of the complaint and indicating whether or not the complaint has been accepted for investigation.
6. If the complaint has not been accepted for investigation, the registrar will outline the reason for this decision in the letter and indicate any other recourse that may be available to the complainant.

7. With the agreement of the complainant, the registrar may facilitate informal resolution of complaints that do not require a formal investigation.

Determining whether to proceed with enforcement action

8. Following an investigation, the registrar will determine:
 - (a) whether the conduct that formed the basis of the complaint was a breach of the Act, regulations or conditions of a licence, and
 - (b) whether to proceed with enforcement action.
9. The enforcement action may include any of the actions authorized under the *Security Services Act*, including:
 - (a) verbal warning
 - (b) written warning
 - (c) issuance of a violation ticket
 - (d) imposition of conditions on a licence
 - (e) imposition of an administrative penalty
 - (f) suspension of a licence
 - (g) cancellation of a licence
 - (h) application for an injunction, or
 - (i) prosecution for an offence.

Keeping the complainant informed of the results of the investigation

10. The registrar will send the complainant a letter at the end of the investigation, and after any penalty is imposed, that informs the complainant of the results of the investigation.
11. If the investigation and imposition of any penalty is not completed within 60 days from the start of the investigation, the registrar will send a letter to the complainant that informs the complainant of the status of the investigation. The registrar will continue to update the complainant of the status of the investigation every 60 days.

Reporting and record keeping

12. The registrar will establish and maintain a record of complaints, including the results of complaints, and will compile statistical information respecting all complaints.
13. The registrar will prepare annual reports of the number and results of complaints and make those reports available to the public.
14. Where the complaint results in imposition of a penalty against a security business, the registrar will post the details of the penalty on the SPPT website.

The purpose of this consultation document is to solicit input from the security industry and other interested stakeholders on the proposed Complaints Process.

If you have any questions or want to provide feedback on this consultation document, please e-mail SPDSSA@gov.bc.ca by November 18, 2007.