

CITY OF SURREY ETHICS COMMISSIONER OFFICE

POLICY NO. 2020-01

COMPLAINT INTAKE POLICY

Purpose

This Policy is intended to describe the intake process for complaints made to the Ethics Commissioner. This Policy provides guidelines for the review and processing of complaints, and for the notification to Council Members of allegations made against them.

Citation

This Policy may be cited for all purposes as the “SECO Complaint Intake Policy No. 2020-01”.

Scope

This Policy applies to all complaints received by the Ethics Commissioner.

Definitions

For the purpose of this Policy:

“**Code**” means the *Council Code of Conduct Bylaw, 2020, No. 20020*;

“**Complainant**” means the person who submitted the Complaint Form;

“**Complaint Form**” means a form that is filled out for the purposes of making a complaint to the Ethics Commissioner, as provided on the Surrey Ethics Commissioner Office website;

“**Establishment Bylaw**” means the *Ethics Commissioner Establishment Bylaw, 2020, No. 20018*;

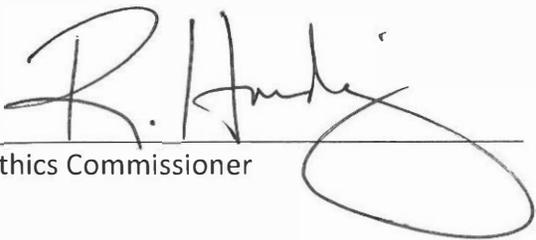
“**Formal Complaint**” means a complaint, in compliance with sections 66, 68 and 69 of the Code, that the Ethics Commissioner has accepted for the purposes of a Formal Review; and

“**Formal Review**” means the Ethics Commissioner’s review of a Formal Complaint in accordance with section 70 of the Code.

Policy Statement

1. After receiving a Complaint Form, the Ethics Commissioner shall provide a written confirmation of receipt to the Complainant.
2. After receiving and acknowledging a Complaint Form in accordance with section 1, the Ethics Commissioner may:
 - a. dismiss the complaint summarily, in accordance with section 11(f) of the Establishment Bylaw;
 - b. dismiss the complaint for a lack of jurisdiction, in accordance with section 11(d) of the Establishment Bylaw;
 - c. refer the complaint back to the Complainant; or
 - d. accept the complaint as a Formal Complaint.
3. In making a decision under section 2, the Ethics Commissioner shall consider the following factors:
 - a. the particulars of the complaint, including whether the allegations, if proven after investigation, would lead to a finding under the Code;
 - b. whether the complaint is so minor, frivolous or vexatious that a Formal Review is not warranted; and
 - c. whether the complaint is in compliance with the Code, including whether the complaint is expressed properly in accordance with sections 66, 68 and 69 of the Code and cites a section of the Code that is alleged to have been breached by a Council Member.
4. The Ethics Commissioner shall provide notification to the relevant Council Member(s), in accordance with section 71(b) of the Code, only where the complaint has been accepted as a Formal Complaint as per section 2(d) of this Policy.

ADOPTED this 27th day of October, 2020.


Ethics Commissioner