



COMPLAINTS POLICY

Effective as of August 1, 2015



LE DIRECTEUR GÉNÉRAL
DES ÉLECTIONS DU QUÉBEC



Commission de la représentation
électorale du Québec

1

Introduction

The missions of the Directeur général des élections (DGE) and the Commission de la représentation électorale (CRE) are, respectively, to guarantee the efficiency and integrity of the electoral system to citizens, and to ensure them fair and equitable representation. Citizens' opinions on their experiences with both institutions are an excellent source of information for the DGE and the CRE, to help them fulfill these missions.

In their Joint Service Statement to Citizens, the DGE and the CRE commit themselves to provide good quality services that meet the needs and expectations of citizens. As a corollary to this commitment, citizens who are dissatisfied with the services they receive are able to submit complaints and, where applicable, obtain a satisfactory conclusion.

Under the powers entrusted to it, the DGE may also receive complaints concerning the application of electoral legislation. Thus, it may, of its own initiative or at the request of another person, inquire into the administration of the Election Act (CQLR, c. E-3.3, s. 491) and the Referendum Act (CQLR, c. C-64.1, s. 43) as well as certain chapters of the Act respecting elections and referendums in municipalities (CQLR, c. E-2.2, s. 90.1) and the Act respecting school elections (CQLR, c. E-2.3, s. 30.4). In addition, the DGE may institute penal proceedings in respect of the offences defined in these various acts (EA, s. 569, AREM, s. 647 and ASE, s. 223.3).

2

Aims of the Policy

The aim of this Policy is to structure and standardize the way in which complaints are processed by the DGE and the CRE, whether they concern services to citizens or the application of Acts over which the DGE has jurisdiction. A further aim is to ensure that every complaint made by a citizen is treated fairly.

The Policy defines what is meant by the term “complaint”, sets out the two institutions’ commitments, services standards and reporting methods, and describes the roles and responsibilities of each stakeholder.

The Policy forms part of an ongoing process designed to enhance the services provided by the two institutions. Its goal is to maintain a relationship of trust with citizens, and ultimately to improve the electoral process.

A final aim of the Policy is to generate a better perception of public services and consolidate public support by providing information on the roles and responsibilities of the DGE and the CRE.

3

Field of Application

This Policy applies to every written or verbal complaint submitted to the DGE or to the CRE. It covers all personnel, all election officers and any other person acting under the authority of the DGE.

For the purposes of this Policy, the term “complaint” has two separate meanings:

1. SERVICE COMPLAINT

A service complaint is an expression of a citizen’s dissatisfaction with the quality of a service given by the DGE or the CRE, notably in connection with the commitments set out in the Joint Service Statement to Citizens. The complaint may also concern an administrative decision made by the DGE or the CRE, a behaviour or practice.

2. COMPLAINT CONCERNING THE APPLICATION OF ELECTORAL LEGISLATION

This type of complaint is an expression of a citizen’s dissatisfaction concerning the application of an Act or a chapter of an Act over which the DGE has jurisdiction, or with the application of a regulation or directive arising from such an Act. Reports of potential offences against one of these Acts also constitute complaints within the meaning of this Policy.

EXCLUSION

Information provided via the [Tip Line](#) concerning a fact or irregularity in connection with political party financing is not considered to be a complaint for the purposes of this Policy, and is therefore excluded. Information given in this way must be processed in a specific way, so that citizens who so wish may remain anonymous.

4

Commitments

Complaints are processed by the DGE and the CRE in a way that reflects the commitments they made in their Joint Service Statement to Citizens.

The two institutions are committed to be attentive to expressions of dissatisfaction by citizens and to any offences they may report. They work to ensure that the electoral rights of citizens are protected.

When members of the institutions' personnel receive and process complaints, they must be kind, polite and respectful, so that the citizens concerned are able to speak with confidence. They must help the citizens to formulate their dissatisfaction clearly.

Complaints are processed confidentially, quickly, impartially and rigorously. The focus must be on transparency and dialogue, to enhance the quality of the services given and, ultimately, the quality of the electoral process itself.

In the same spirit of transparency and dialogue, the DGE and the CRE, after receiving a citizen's initial expression of dissatisfaction, make sure they do everything in their power to remedy the situation. If the citizen is still dissatisfied, he or she is invited to submit a formal complaint, using the procedure set out in this Policy.

5

Service Standards

1. RECEIVING COMPLAINTS

Citizens should submit their complaints to the DGE's Information Centre. Complaints should preferably be in writing, but may be made verbally. To ensure that they are processed properly, all information should be as complete and accurate as possible. Anonymous complaints are not permitted, except in specific cases.

2. PROCESSING COMPLAINTS

All complaints are forwarded to the DGE's Complaints Bureau. The Bureau ensures that every complaint is examined by a qualified person within a reasonable time, and that appropriate follow-up is given, depending on the nature and content of the complaint, with due respect for the above-mentioned principles of confidentiality, impartiality and rigour. During this operation, the citizen who made the complaint may be asked to provide additional information, so that an adequate response can be given or appropriate action taken.

3. CONCLUDING COMPLAINTS

Once a complaint has been processed, a clear and complete written response is sent to the citizen, informing him or her of the outcome and providing additional information where necessary.

The fact of disagreeing with a decision made in connection with a complaint concerning the application of electoral legislation does not, of itself, constitute grounds for complaint. The DGE may therefore decide not to respond to any further correspondence from the citizen on the same topic.

4. TIMEFRAME

When a written complaint is submitted to the DGE or to the CRE, an acknowledgement of receipt is sent to the citizen concerned no later than the following working day. In the case of a verbal complaint, the citizen is contacted by telephone within the same timeframe.

In the case of service complaints, the DGE and the CRE undertake to respond within 20 working days after receipt of the complaint. However, this time limit may be modified during an election period considering the requirements of the situation. In such a context, the citizen will be informed of the new timeframe.

In the case of a complaint concerning the application of electoral legislation, the citizen may, at any time, ask his or her contact person at the DGE for updates on progress. However, it is not possible to set a specific timeframe for processing of such complaints, since they are often more complex and may involve investigation or, in some cases, legal action.

6

Reporting

In accordance with their Joint Service Statement to Citizens, the DGE and the CRE must provide information on service complaints received in their annual management report.

In accordance with section 542 of the Election Act, the DGE must also report on complaints received in connection with the application of the Act, and how they were dealt with.

7

Roles and Responsibilities

The DGE and the CRE adopt this Policy, making any amendments that may be required to the Policy itself and to their related policies and directives, including the Joint Service Statement to Citizens.

INFORMATION CENTRE

The Information Centre is responsible for receiving complaints:

- It helps citizens who wish to complain by telephone, by obtaining all the information needed to process their complaints properly.
- It forwards all complaints to the Complaints Bureau.

Where a complaint made by telephone concerns a member of the Information Centre's personnel, the call is automatically transferred to the Centre's manager.

COMPLAINTS BUREAU

The Complaints Bureau falls under the authority of the DGE's Legal Affairs Department. It was created in order to ensure that this Policy is applied consistently. It oversees the entire complaints process, from receipt to conclusion, and has the following responsibilities:

- It examines and assesses the merits of all complaints submitted to the DGE or to the CRE. If a complaint does not involve either of the two institutions, it directs the citizen to the government department or agency concerned.
- It oversees the processing of all complaints. Where necessary, it asks the citizens to provide additional information, and it forwards complaints to the departments concerned, where their input is needed.
- It informs citizens, in writing, of the outcome of their complaints.
- It forwards all service complaints from citizens who are dissatisfied with the way in which their initial complaint was

processed to the Secretary General's Office.

- It lists and compiles complaints and also produces a review for the annual management report.
- Based on the annual review, and where applicable, it submits proposals to the executive committee for improvements or adjustments to the Acts or to the practices and services of the DGE or the CRE.

DEPARTMENTS

The departments support the Complaints Bureau where the complaint being processed concerns them. They have the following responsibilities in this respect:

- They support the Complaints Bureau during the processing of complaints concerning them, by providing relevant information and taking part in the process of seeking fair and satisfactory solutions in each case.
- They help to prepare the written responses that will be sent to the citizens concerned.
- Where applicable, they adopt appropriate measures to avoid any recurrence of the situations about which the citizens have complained.

SECRETARY GENERAL'S OFFICE

The Secretary General's Office has the same responsibilities as the departments, plus the following additional responsibilities with respect to service complaints:

- Where citizens are dissatisfied with the way in which their initial complaint was processed, it represents them in dealings with the DGE or the CRE by asserting their interests and ensuring that they receive the services to which they are entitled.
- It informs these citizens, in writing, of the outcome of their follow-up complaints, and sends a copy of its responses to the Complaints Bureau for its annual review.