



Human Rights Tribunal of Ontario

Policy on Public Complaints

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INTRODUCTION

The Human Rights Tribunal of Ontario (the Tribunal) is committed to providing a high quality of service to the public in keeping with its core values of accessibility, fairness, transparency, timeliness and the opportunity to be heard. The Tribunal has created policies for its work which incorporate these values. The Policy on Public Complaints sets out how complaints about the Tribunal's services and/or the conduct of an adjudicator or staff person are to be made, reviewed and resolved. All the Tribunal's policies are available on its website at www.hrto.ca.

IMPORTANT INFORMATION ABOUT MAKING A COMPLAINT

Some important things you must know before making a complaint:

- a dispute about a Tribunal decision or order cannot be resolved using the complaint policy. You may request reconsideration by the Tribunal or make an application for judicial review to the Divisional Court.
- complaints cannot be made anonymously. You must provide your name, address and telephone number.
- complaints must be in writing. This includes email and TTY. If you are unable to complain in writing, contact the Registrar at HRTO.Registrar@ontario.ca who will prepare and deliver a written summary of your complaint.
- this policy does not affect your right to complain to the Ombudsman of Ontario.
- contact information is provided at the end of this policy.
- everyone involved in the complaint process, including any person who is the subject of a complaint, will be treated fairly and respectfully.

DECISION NOT TO DEAL WITH A COMPLAINT

The Tribunal will not deal with a complaint where:

- the complaint is about a Tribunal order or decision;
- you have not adequately identified yourself;
- you have failed to respond to requests for additional information and the Tribunal does not have sufficient information to proceed further; or
- the complaint is frivolous or made in bad faith.

HOW TO MAKE YOUR COMPLAINT

Complaints about Tribunal Staff or Services

If your complaint is about a Tribunal staff person, raise your concern directly with that person. Together you may be able to resolve the problem without the need for a formal complaint.

If you are unable to resolve your complaint informally or your complaint relates to a Tribunal service, send your written complaint to the attention of the Executive Director. Explain the reasons for your complaint (who, what, when, where) and how you think the complaint should be resolved. Provide the Tribunal File Number if your complaint is connected to a hearing before the Tribunal.

The Executive Director, or his delegate, will acknowledge your complaint within two business days of its receipt. You may be asked to provide further information. Where the complaint is about a staff person, the staff person will be informed of the complaint and given an opportunity to respond.

Complaints about Tribunal Adjudicators

You may complain about an adjudicator (a Tribunal Vice-Chair or Member) at any point in the hearing or mediation process. Where possible, raise your complaint directly with the adjudicator at the beginning or resumption of the mediation or hearing and in the presence of the other parties. Explain how you would like the complaint resolved and whether you feel the problem is so serious the adjudicator should not continue with your case. The other parties may be asked for their views. Depending on the circumstances, the adjudicator may respond orally or in a written decision.

If you do not wish to make your complaint directly to the adjudicator or are dissatisfied with the adjudicator's response, you may complain to the Associate Chair of the Tribunal. The Associate Chair, or his delegate, will acknowledge your complaint within two business days of its receipt. Provide the Tribunal File Number, explain the reasons for your complaint (who, what, when, where) and tell the Associate Chair how you think the complaint should be resolved.

After considering the nature and timing of your complaint, the Associate Chair will do one of the following:

- to protect the fairness and impartiality of an ongoing proceeding the Associate Chair will normally postpone investigation until the final decision is issued or the adjudicator's involvement in the case has ended;

- suggest you make the complaint directly to the adjudicator as failing to raise the issue in the hearing might prejudice your rights and interests; or,
- inform the adjudicator of the complaint and commence an immediate investigation.

The Associate Chair will not deal with a complaint about a Tribunal order or decision. You will be told how the Associate Chair plans to proceed and when you may expect a response. You may be requested to provide further information.

CONTACT INFORMATION

Complaints must be submitted in writing – letter, fax or email – to:

Human Rights Tribunal of Ontario
655 Bay Street, 14th Floor
Toronto, ON M7A 2A3
Fax: (416) 326-2199
Fax (Toll Free): 1-866-355-6099
Email: hrto.tdpo@ontario.ca

Complaints about Tribunal staff to the attention of the Executive Director.
Complaints about Tribunal adjudicators to the attention of the Associate Chair.

ACCESSIBLE FORMATS

This policy is available in various accessible formats including Braille, audio tape and large print. For an alternative format or a paper copy, please contact the Tribunal.

Human Rights Tribunal of Ontario
655 Bay Street, 14th Floor
Toronto, ON M7A 2A3
416-326-1312, Toll Free: 1-866-598-0322
TTY: 416-326-2027, TTY Toll Free: 1-866-607-1240
Fax: (416) 326-2199
Fax (Toll Free): 1-866-355-6099
Email: HRTO.Registrar@ontario.ca