

**This should be modified to fit each separate District and should be discussed prior to adoption**

## **BOARD POLICY**

### **COMPLAINTS**

#### **I. PURPOSE:**

To establish a policy for the Board and Directors individually regarding how to handle complaints made directly to the board or individual board members.

#### **II. SCOPE AND RATIONALE:**

This policy shall apply to all Fire District Directors. The policy and procedure is intended to respect the right of any individual to bring a matter to the attention of elected officials and at the same time to respect the difference between the operational authority and management responsibilities of the Fire Chief and meet the policy, duties, and responsibilities, of the Board of Directors as elected officials.

#### **III. RESPONSIBILITY:**

It is each individual member of the Board's responsibility to know and follow the Board Complaint Policy and process as part of the Chain of Command.

#### **IV. PROCEDURE:**

##### **A. General.**

Any complaint received by the Board or an individual member should be handled fairly and respectfully for all concerned. It is recognized, though, that disagreements with Board actions or decisions may occur by those who did not support the outcome, and likewise misunderstandings and problems may occur in any organization. Frequently, a complaint from the public may arise when there is less than a full understanding of the applicable facts. If the complaint involves personnel or operational matters, it is the District's policy to treat those confidentially and through established channels.

##### **B. Complaints regarding Board decisions.**

The first effort should be to explain to the complainant the rationale for the Board decision, in an effort to resolve the concern. The individual Board member is free to express whether he or she agreed or disagreed with the decision, but

should be clear as to what the rationale was for the Board as a whole. If after the discussion, the individual is not satisfied, the Board member may invite the individual to put the complaint in writing and send it to the Board as a whole, or to attend a Board meeting and make their views known there.

Any complaint received by a Board Member about a Board decision, should be brought up at the next available Board meeting, and the Board given an opportunity to decide whether they wish to hear from the individual or whether they wish to revisit their decision. This may involve scheduling the topic for a subsequent meeting at which there is adequate time to address the matter. There is no requirement the Board take any action. Complaints regarding operations, including claims of negligence or actions of employees or volunteers, should be referred to the Fire Chief for appropriate action.

C. Complaints regarding decisions or actions of the Chief.

1. Nature of the Complaint: The first effort should be to determine if the decision of the Chief was in the nature of an operational or personnel matter for which the responsibility has been delegated to the Fire Chief.

2. If the complainant is an employee or volunteer, they should be reminded that the appropriate means of registering their concern is through the grievance process or chain of command. The Board member should avoid obtaining any details. The Board member should avoid expressing any opinion regarding the matter, in order to preserve impartiality should the grievance process result in the matter coming to the Board for a decision. Policy paragraphs D and E, relating to employees or volunteers, would generally apply.

3. If the complaint is from a member of the public regarding a decision made or an action taken by the Chief in accordance with directions given by the Board, the Board member should explain to the complainant the rationale for the Board decision or direction, in an effort to resolve the concern. The Board member may choose to meet with the Chief and/or the complainant together to discuss the matter, in an effort to resolve it or to educate the complainant about any additional facts that may be otherwise unknown. In any case, the Board member shall advise the Chief of the complaint.

D. Assessing the seriousness of the complaint.

1. Regardless of the topic of the complaint, these procedures are designed to resolve the matter at the lowest level possible that is appropriately responsive to the seriousness of the complaint, and respecting established grievance and personnel processes. These procedures are

designed in that regard to get operational and personnel complaints to the Chief for appropriate processing.

2. Board members are encouraged to acknowledge the Board's role in any decision or action that is the subject of a complaint, to respect the viewpoint of the complainant, and to assist the complainant in seeking such additional facts as are reasonably available to resolve the matter, including but not limited to, requesting the Chief to provide a written response to the individual with copies to the Board as a whole. Subject to the Chief's discretion, prior to responding to the complaint, the Chief may request direction from the Board as a whole rather than any one Director.

3. If the Board member or the President determines that the allegations in the complaint are serious enough to risk significant liability for the District, then the whole Board should be advised, and advice of legal counsel sought. The matter may then necessitate the gathering of additional facts through a process to be determined by the Board as applies to the situation.

E. Personnel or operational complaints.

1. If the complainant is an employee or volunteer, they should be reminded that the appropriate means of registering their concern is through the grievance process and chain of command. The Board member should avoid expressing any opinion regarding the matter, in order to preserve impartiality should the grievance process result in the matter coming to the Board for a decision.

2. If the complaint is from a member of the public regarding an operational matter that occurred in accordance with directions given by the Board or District SOPs, the Board member should refer the person to the Chief. The member may explain to the complainant the rationale for the Board direction, in an effort to resolve the concern. The Board member may choose to meet with the Chief and the complainant together to discuss the matter, in an effort to resolve it or to educate the complainant about any additional facts that may be otherwise unknown. Regardless, the Chief shall be advised of any such complaint.