**GREEN PARTY of BC (GPBC) COMPLAINTS PROCESS**

As a fundamental part of being “Green” is practicing peaceful, respectful and cooperative solutions to problems, members, staff, directors, officers and representatives of the GPBC are accountable for the principles set out in the Code of Ethics.

The GPBC is run mostly through donations and volunteers. Therefore, we have limited capacity to process complaints. Significant complaints, however, are unacceptable and will be dealt with using this process.

**Who can complain?**

* Members of the public concerning representatives and spokespersons of the GPBC (including Council members, employees, candidates for public office, elected representatives, and executive members of Regional or Constituency Associations)
* A member in good standing or staff of the GPBC concerning another member in good standing
* The Provincial Council (PC) may raise any matter believed to be a violation of the Code of Ethics.

**Kinds of complaints**

* *Significantly or consistently* violating the Code of Ethics
* Acting dishonestly
* Acting consistently only on behalf of a few individuals
* Rarely fulfilling commitments
* Acting when in a conflict of interest situation
* Working often in an un-collaborative manner
* Rarely being loyal to those not present
* Acting against the public interest or the interest of the GPBC
* Consistently communicating irresponsibly
* Refusing to respond to a complaint

**Resolving and filing a complaint**

Before filing a complaint with PC, you must take at least steps 1 and 2 below and possibly 3 and 4:

1. Verify the facts of the matter;
2. Seek advice from and clarify the principles that were apparently violated, any mitigating circumstances and the best way to deal with the situation with an Ombudsperson or PC director; and if necessary
3. Discuss the situation with the apparent violator, either with or without an Ombudsperson, in an effort to reach agreement on how such situation would best be resolved; and
4. Attempt to resolve matter through the Constituency Association or Regional Committee, which will follow these Guidelines in resolving the complaint, but the PC has the right to intervene.

If the issue is significant enough to have an impact on the operation or reputation of the GPBC as a whole, or, after pursuing the steps above in a reasonable manner, without a reasonably satisfactory resolution, you may make your assertions known ***in writing***to one or both of the Ombudspersons.

If the complaint is against an Ombudsperson, fax, mail, or email the form to Chair of the PC. The PC will then appoint an individual or sub-committee to deal with the complaint.

**The complaints process**

The person(s) responsible for handling the complaint will do one or several of the following in order:

1. Review your complaint to ensure that the GPBC is the appropriate place for your complaint;
2. Confirm that you (the complainant) have first followed steps 1-4 above;
3. Contact the person complained about (respondent) and disclose all information you provided regarding your complaint and ask for an explanation;
4. If necessary, seek further documents and information from you, the respondent and any witnesses;
5. Convene a group 3 or 5, composed of one or both Ombudspeople and PC members (committee);
6. Determine whether to attempt to resolve the complaint by agreement with the complainant and the respondent (the parties) and any others who might be helpful or, in the case of a significant alleged violation, give the parties an opportunity to present their case to the committee;
7. If the complaint is resolved by agreement, have the parties acknowledge the resolution in writing;
8. If the complaint is not resolved by agreement, the committee will make a decision on it.

The Committee will issue any of the following decisions or recommendations in writing to the complainant, respondent and, in camera, to the PC;

1. If no significant and/or consistent violation of ethical principles occurred, the assertions were in error either in fact or significance, or the complaint was deemed to be frivolous or malicious, ***no further action will be taken;***
2. If a significant or consistent violation was committed, but occurred more out of ignorance than disregard for the ethical principles, ***implement an appropriate learning process, including any resolution agreed upon by the parties, after which the matter will be closed;***
3. If a significant and/or consistent violation occurred out of disregard for the ethical principles:
	1. ***To criticize the conduct of the member or representative in a letter;***
	2. ***To refuse support for this person as a representative or spokesperson in the future;***
	3. ***To require the member or representative to issue a written private or public apology***;
	4. ***To suspend or revoke the authority of a representative to speak on behalf of the GPBC;***
	5. ***To require the member to cease or suspend any activities within the GPBC***;
4. In the case of a very acute and public matter threatening the operation and/or reputation of the GPBC, that the respondent be suspended from all activities within the GPBC until the complaint is resolved, and the PC, by majority, may ultimately:
	1. ***Suspend the membership of a member of the GPBC****;*
	2. As a “last resort”- ***revoke the membership of a member of the GPBC***;
5. If the complaint involves an issue under another type of investigation i.e. criminal, civil or professional body, that no further action be taken until after the outcome of that process is complete, at which time the Ombudsperson or PC may take action based on those findings.

The Ombudsperson and PC will do their utmost to ensure that complaints are handled fairly and efficiently.

**Confidentiality**

All people involved with a complaint will act with discretion and make every reasonable effort to protect the privacy of the parties. PC meetings dealing with complaints are held “in camera” and only the final resolution and reasons are minuted (if a resolution is necessary). All documents relating to same will remain confidential and will be kept on file at the registered office of the GPBC.

**Hearing and Review**

Only if you believe the decision reached was wrong and because this process was significantly not followed, may you seek a review of the decision to the PC, which must be done in writing within 30 days from receiving such decision.

**REFERENCES**

***A Discussion Paper on Ethics***for the BC Watershed Stewardship Alliance, Vancouver, B.C. (April 2000).

***Administrative Law; Cases, Text and Materials***(3rd Ed), J. M. Evans et al., Emond Montgomery Publications Limited, Toronto, Canada (1989).

***Complaints Form and procedures***, The Law Society of British Columbia (2001).

*Court Mediation Program – forms*, Provincial Court of B.C. (Small Claims Court), 2000.

***GPPABC Policy & Protocol for Electronic Communications***(1999).

***Misconduct Policy for the GPPABC***(a draft – June 3, 1997).

*Notice of Claim,*Small Claims Court – Form 1, Provincial Court OF B.C., 2000.

***Proposed Guidelines for Electronic Communication****,* Jack Ross (1997).

**Proposed Protocol for GPPABC Representatives** (2001).

*Reply*, Small Claims Court