



# *Municipality of Bonne-Espérance* **Municipalité de Bonne-Espérance**

100, rue Whiteley, CP 40, Rivière-Saint-Paul, Québec G0G 2P0  
Télé: 418 379-2911 Fax: 418 379-2959 Courriel: info@bonneesperance.ca

## **PROCEDURE FOR PROCESSING COMPLAINTS RELATING TO A MUNICIPAL BODY'S FAILURE TO COMPLY WITH ITS OBLIGATIONS UNDER THE CHARTER OF THE FRENCH LANGUAGE**

### **1. PURPOSE OF THE PROCEDURE**

The purpose of this procedure is to ensure that complaints a municipal body receives relating to an alleged breach of its obligations under the *Charter of the French Language* are processed in a fair, efficient, and effective manner (CQLR c. C-11).

### **2. DEFINITIONS**

#### **2.1. Complainant**

Person who informs a municipal body's person in charge of complaints of a potential breach of the municipal body's obligations under the *Charter of the French Language*.

#### **2.2. Complaint**

The notification of a potential breach of a municipal body's obligations under the *Charter of the French Language* submitted to the municipal body's person in charge of complaints.

#### **2.3. Failure to comply with obligations under the *Charter of the French Language***

Failure to comply with the municipal body's obligations under the *Charter of the French Language*, including but not limited to the following sections: ss. 14 to 19, 21 to 21.12, 22, 22.1, 27, and any other relevant sections of the *Charter of the French Language* or by-laws enacted pursuant to the *Charter of the French Language*. For municipal bodies recognized under section 29.1 of the Charter, this also includes sections 23 to 26.

#### **2.4. Person in charge of complaints**

Under the *Charter of the French Language*, the director general is responsible for taking the steps needed to ensure that the municipal body complies with its obligations. However, the municipal council may designate the director general or another person to receive complaints relating to breaches of obligations under the *Charter of the French Language* and apply the present procedure. The council may designate one or more individuals to act as replacements when the person in charge of complaints is absent.

### 3. SCOPE

- 3.1. This policy applies to all municipal body personnel involved in processing complaints relating to breaches of the municipal body's obligations under the *Charter of the French Language* or by-laws enacted pursuant to it, including the person in charge of complaints.
- 3.2. This policy applies to any complaint filed by any person, including municipal body personnel, regarding any failure by a municipal body to comply with the *Charter of the French Language* or a by-law enacted pursuant to it.
- 3.3. This policy applies to municipal bodies and their activities, in accordance with Schedule I of the *Charter of the French Language*.

### 4. GENERAL PRINCIPLES

- 4.1. Municipalities must, in an exemplary manner, use the French language, promote its quality, ensure its development in Québec, and protect it.
- 4.2. Processing complaints is one of the ways a municipal body fulfills its obligations under the *Charter of the French Language*. The complaint process allows complainants to inform the municipal body of a potential breach of its obligations under the *Charter of the French Language*, so that it can correct the situation where required.
- 4.3. If the person in charge of complaints is not the director general, they must inform the director general of the breach indicated in the complaint and advise them on how to correct it, where required. The Office can also provide the municipal body with help and information concerning corrections and improvements that need to be made.

### 5. COMPLAINTS RELATING TO BREACHES OF OBLIGATION UNDER THE *CHARTER OF THE FRENCH LANGUAGE*

#### 5.1. How to file a complaint

- 5.1.1. Any person who becomes aware of a potential breach of the obligations set out in the *Charter of the French Language* may file a complaint with the municipal body's person in charge of complaints.
- 5.1.2. Complaints must be submitted to the person in charge of complaints using the form provided (Schedule A), which is available on the municipal body's website. The form can be submitted by mail, email, fax, or in person using the following contact information:

Leslie Woodland, General Director  
100 rue Whitely  
Riviere-Saint-Paul, QC G0G 2P0  
leslie.woodland@bonneesperance.ca

## 5.2. Content of a complaint

5.2.1. A complaint must contain the following information:

- Complaint filing date
- Complainant's identification and contact information (optional). Complaints can also be made anonymously.
  - Name
  - Address
  - Phone number
  - Email address
- Detailed statement of the grounds for the complaint
  - Description of the breach of obligation under the *Charter of the French Language*
  - Date of the alleged breach
- Any relevant documents that support the grounds for the complaint
- Any other information the complainant deems necessary to file the complaint

## 5.3. Complaint admissibility criteria

5.3.1. For a complaint to be considered by the person in charge of complaints, it must meet the following criteria:

- a) It must be filed using the method established in the present procedure.
- b) It must contain all of the information listed in section 5.2 (Content of a complaint) of the present procedure.

## 5.4. Hateful and defamatory complaints

5.4.1. No action will be taken on complaints that are hateful or defamatory in nature or made in bad faith. The municipal body retains all recourses to stop the filing of complaints that are hateful or defamatory in nature or made in bad faith and obtain appropriate remedies.

## 6. RECEIVING AND PROCESSING A COMPLAINT

6.1. Upon receiving a complaint, the person in charge of complaints opens a file.

6.2. Within five (5) business days of receiving the complaint (if not anonymous), the person in charge of complaints sends the complainant an acknowledgement of receipt informing them that their complaint will be analyzed to assess whether it is admissible.

6.3. Within 20 business days of receiving a complaint, the person in charge of complaints assesses its admissibility in accordance with the criteria set out in the present procedure.

All complaints received must contain enough detail to be processed. If necessary, the person in charge of complaints contacts the complainant (if not anonymous) to obtain the information needed to process the complaint.

- 6.3.1. If the complaint does not meet this procedure's admissibility criteria and/or does not contain all of the required information, the person in charge of complaints informs the complainant (if not anonymous) that the complaint is inadmissible, states the reasons for that conclusion, and then closes the file. If the complaint is anonymous, the person in charge of complaints records the reasons for inadmissibility and closes the file.
- 6.3.2. If the complaint is not anonymous, meets this procedure's admissibility criteria, and contains all of the required information, the person in charge of complaints informs the complainant that the complaint is admissible and that they will take action to correct the situation if the analysis reveals that the municipal body has failed to comply with its obligations under the *Charter of the French Language*.
- 6.3.3. If the complaint is not anonymous, the person in charge of complaints may contact the complainant to ask for any clarification required to process the complaint.
- 6.3.4. If the complaint is anonymous, meets this procedure's admissibility criteria, and contains all of the required information, the person in charge of complaints records the admissibility of the complaint in the file.
- 6.4. If the analysis reveals that the municipal body has failed to comply with its obligations under the *Charter of the French Language*, the person in charge of complaints contacts the relevant individuals within the municipal body, makes recommendations to correct the situation, and offers the support needed to make the required corrections within a reasonable time frame.
- 6.5. When the relevant individuals within the municipal body correct the situation, or when the analysis reveals that no correction is necessary, the person in charge of complaints closes the file.
- 6.6. The person in charge of complaints informs the complainant when the complaint process is complete, either detailing the corrections that have been made in order to comply with the obligations in the *Charter of the French Language* or specifying that no corrections were required.
- 6.7. Filing a complaint under the present procedure does not preclude the complainant from filing a separate complaint with the Office, as provided for in sections 165.15 et seq. of the *Charter of the French Language*.

## 7. PROTECTION OF PERSONAL INFORMATION

7.1. The complaint procedure is confidential and the identity of the complainant is not revealed to the public. If a complainant's identity must be disclosed in order to resolve a particular situation, they will be asked to provide written authorization beforehand. The person in charge of complaints and those assisting them with the complaint process commit to respecting the confidentiality of the personal information contained in each complaint.

## 8. ENTRY INTO FORCE AND ACCESSIBILITY

This procedure comes into force on the day the municipal council adopts it.

As soon as it is in force, the municipal body ensures that it is accessible at all times by publishing it on its website and making it available to all at the municipal office.

Given at Municipality of Bonne Esperance, this 20<sup>th</sup> day of February 2024.



[Mayor's signature]



[Clerk-treasurer's signature]

**SCHEDULE A**

**COMPLAINT FORM RELATING TO BREACHES OF THE CHARTER OF THE FRENCH LANGUAGE**

If you believe that the municipal body of the Municipality of Bonne Esperance has failed to comply with its obligations under the *Charter of the French Language*, you can use this form to file a complaint. Please submit the completed form and all documents required to analyze the complaint by email or mail using the following contact information: **Leslie Woodland, General Director, 100 rue Whiteley, Riviere-Saint-Paul, QC G0G 2P0** or [leslie.woodland@bonneesperance.ca](mailto:leslie.woodland@bonneesperance.ca)

Note: Fields marked with an asterisk (\*) are mandatory

COMPLAINANT CONTACT INFORMATION			
The information provided in this form is protected and will remain confidential.			
Last name:		First name:	
Address of main residence	Civic number, street name:		
	Municipality, province:		
	Postal code:		
Phone number:		Email address:	
SUBJECT OF COMPLAINT			
*Please indicate the subject of the complaint and provide details in the text box at the end of this section. Please include copies of the documents required to analyze the complaint with this form.			
Language of service Advertising or administrative document Means of communication: website, social media, phone Language of work or job offer Public signage Other			
*Detailed statement of the grounds for the complaint or description of the breach of obligation under the <i>Charter of the French Language</i> .			
Please attach any relevant documents that support the grounds for the complaint.			
*Date of alleged breach:			
ATTESTATION			
*By submitting this form, I certify that the information provided is true.			
Signature:			
Date:			