



WHITEOAKS LORNE PARK COMMUNITY ASSOCIATION CONFLICT RESOLUTION POLICY

1. DEFINITIONS

In this By-Law, all other By-Laws, and all special resolutions of Whiteoaks Lorne Park Community Association:

- a. "Association" means Whiteoaks Lorne Park Community Association;
- b. "Board" means the Board of Directors of the Association;
- c. "By-Law" means this By-Law and other By-Laws and special By-Laws of WLPCA from time to time in force and effect;
- d. "Complainant" means the person(s) initiating the Complaint;
- e. "Complaint" means an allegation made by a Member or member of the public. The Complaint can be either Formal or Informal;
- f. "Director" means a Director of the Board;
- g. "Formal Complaint" means a Complaint that has not been successfully resolved through the Informal Resolution Process as outlined in this Policy. The Complainant has chosen to formalize the Complaint by completing a Complaint Form;
- h. "Frivolous or Vexatious" means the Complaint is initiated with malicious intent or is part of a pattern of conduct by the Complainant that amounts to an abuse of the Informal or Formal Complaints process;
- i. "Informal Complaint" means a Complaint that has been received by WLPCA, by e-mail, postal mail or in person, which has not been submitted on a Complaint Form;
- j. "Member" means a resident within the territorial limits of the Association who has paid the required fee in the current fiscal year and is in good standing;
- k. "Misconduct" means a breach of WLPCA's expectations of acceptable conduct as outlined in various WLPCA by-laws, Constitution, agreements, or policies and procedures;
- l. "Officer" means an Officer of the Board;
- m. "WLPCA" means Whiteoaks Lorne Park Community Association;

Where the singular shall mean the plural and vice versa and words importing one gender include all genders.

2. INTRODUCTION

WLPCA is a volunteer organization, with the purpose of promoting the interests of residents within its territorial limits. It encourages the idea of citizen participation in community affairs and is a vehicle for collective action on matters of concern to its Members. WLPCA runs community events for the benefit of Members and the general community.

Material changes to the Conflict Resolution Policy must be approved by a majority of Directors in attendance at an Association Board meeting with ten (10) days advance notice of the intent to review the Policy and a copy provided at that time to allow for sufficient review. Such meetings must be attended by a quorum of members, being the presence of Directors of fifty percent (50%) plus one (1) of the Board. It is the responsibility of each Director to be prepared for the review. Officers of the Association shall decide on changes considered material. This Policy is the owned by the Vice President.



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3. SCOPE

This Policy applies to all Members of WLPCA and all attendees of WLPCA events.

4. PURPOSE

WLPCA is committed to the principles of accountability, transparency, and honesty and to creating and maintaining an environment characterized by constructive, productive, and supportive relationships. Such relationships are often the subject of contrasting styles of understanding, and acting, to different point of view. It is essential that WLPCA Members recognize that interactions are complex, sometimes difficult, and that all Members can contribute to the Association's success. When acting on behalf of WLPCA or attending WLPCA events, Members and the general public are expected to conduct themselves and perform their duties in a responsible and respectful manner. Any Complaints regarding the conduct of WLPCA representatives shall be addressed according to this Policy.

The purpose of this Policy is to provide direction to all current Members regarding the handling of Complaints. It advises Members of their obligations and ensures compliance. When resolved consistently and constructively, conflict will be followed by effective negotiation and may result in healthy exchange of viewpoints, learning and, ultimately, improved trust, processes, actions and outcomes. To that end, a clear, thoughtful and transparent conflict resolution process is required.

5. KEY PRINCIPLES

It is important to recognize and manage conflict in a healthy manner. As a growing, thriving organization, it is expected that WLPCA will from time-to-time experience conflict. Conflict can be good or bad, healthy or unhealthy, constructive or destructive. WLPCA recognizes that healthy resolution of conflict requires that the people involved value one another, put forth the effort required to understand opposing points of view, and mutually agree that the good of the Association is paramount. Members shall be committed to handling conflict in a constructive manner.

- All persons involved with the Association have an obligation to communicate openly and respectfully with one another and to provide reasons for particular decisions and actions
- The Policy promotes open communication and fosters a safe environment for addressing differences of opinions. Members are encouraged to bring forward Complaints or recommendations without fear of reprisal
- All Members shall be treated with fairness, respect, and consistently
- When disagreements arise, greater understanding is needed by all. The presence of conflict, if dealt with effectively, offers an opportunity for individual and organizational learning, including the identification of policies and practices that require improvement
- Conflict will be addressed expediently, as unresolved conflict can lead to a stressful, and in the worst cases, a poisoned environment
- WLPCA reserves the right not to act on Complaints it feels are being made in bad faith and/or in an attempt to harass or intimidate other Members



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a. HEALTHY CONFLICT

WLPCA recognizes that healthy conflict is necessary to keep an organization mindful of and focused on its vision and mission. Healthy conflict is that in which Members deal with issues up front and talk directly to those with whom they disagree. They:

- Bring substantive evidence with their particular viewpoints and their demands are reasonable
- Present their viewpoints as clearly supportive of the WLPCA mission and vision
- Respect the community and are honorable in sharing their viewpoints
- Do not make personal attacks on others
- Are thoughtful and concerned that they have correct information
- View themselves as working with Association leadership to find solutions to the issue at hand for the good of all the people concerned
- Support the outcome of a vote taken on an issue, whether or not they are/were in agreement with the decision
- Continue to be constructive and positive in their work for the common good of the Association

b. UNHEALTHY CONFLICT

Unhealthy conflict is that in which one or more Members, based on non-substantive evidence, makes demands, often attacking a person or performance of others. Any such unhealthy conflict has the potential to disrupt and even to destroy the mission of the Association

6. REASONS FOR CONFLICT

From time to time, WLPCA may receive a Complaint from the public, Members or other stakeholders related to disagreements such as a perceived breach of its By-Laws, agreements, policies and procedures, the running of, or attendance at, community events or the behaviour of Members, including the Board.

7. EXCEPTIONS

This Policy does not address:

- Anonymous Complaints
- Situations that are of concern to the Complainant but which are outside the control of WLPCA
- Complaints filed more than ninety (90) days after the incident
- Allegations of violations of Canada's Criminal Code; the Complainant should direct these to the proper authority



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8. POLICY

- Conflicts shall be addressed at the lowest possible level of intensity, beginning with the individuals directly involved, and escalated to the next level only if a resolution cannot be found. If the conflict is still unresolved, the parties may request that the Board itself act directly in the matter of seeking a resolution. In extreme cases, an independent third party may be engaged
- If the conflict involves the President, an independent third party shall be engaged
- Independent third parties may assist in a 1) facilitation or mediation role where the goal is to assist the parties restore a positive relationship in the future, or 2) a decision-making/arbitration role where they investigate the conflict and make a determination of who is responsible for the situation and what, if any, the consequences for the parties should be. The choice of these two approaches shall be offered to the parties. If a mediated approach is not successful, an arbitrated approach may be undertaken
- Valid and useful information about the issue shall be generated and documented as necessary and a common definition of the issue shall be developed
- Issues or concerns raised anonymously shall not be addressed and shall be considered a non-issue
- Parties to the conflict shall agree up front on the coverage of costs to be incurred by the conflict resolution procedures and on who shall be responsible for documenting the process
- The parties will refrain from drawing others not directly involved into the process as a way of garnering support or gaining attention. Such actions include “copying” the written Complaint by e-mail to others
- Complaints and conflicts shall be dealt with in a confidential manner. Meetings to resolve a Complaint shall be open only to the parties and those attempting to resolve the Complaint. The parties may have an advocate or supporter present. Meetings may be with the different parties individually, together or both. Minutes or a written record of what is said in these meetings shall be recorded, including the outcome of the meetings or resulting agreement(s)
- Where the Board is involved in a conflict resolution role, communication with it should be directly with the President rather than the entire Board. It is the President’s duty to inform the Board of the existence of the conflict but the Board may appoint one of their number, or an impartial party, to assist in resolving the matter
- The parties, and those helping to resolve the conflict, should avoid communicating the details of a Complaint, making or responding to allegations or giving advice by e-mail. Face-to-face communication (in person or virtually), as difficult as it is, should be relied upon. E-mail messages may be used for arranging meetings or communicating details of the resolution process
- If threats to persons are made, or the President of the Board perceives a possible danger to a party, including the possibility of one party being a danger to themselves, external professional assistance must be sought immediately
- The following remedies are available:
 - Take no action. For example, if WLPCA determines the Complaint has not been substantiated or if it is deemed to be outside the purview of the Association. WLPCA also reserves the right not to act on reports it thinks are being made in bad faith and/or in an attempt to harass or intimidate other community members or Members
 - A request for a private or public apology



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- A private or public reprimand from the Board to Director(s) involved
- A permanent or temporary ban from some or all WLPCA events. The Board shall maintain records of all such bans so that they may be reviewed in the future or otherwise maintained
- Revocation of WLPCA membership and forfeiture of fees paid pursuant to the requirements and processes provided in WLPCA's governing documents
- Removal from WLPCA Board pursuant to the requirements and processes provided in WLPCA's governing documents

9. PROCEDURES

9.1 INFORMAL COMPLAINTS

While an individual may wish to immediately file a formal, written Complaint with WLPCA, issues received in person, by mail or by e-mail should be resolved by a Director at the point of contact, if possible, prior to a Formal Complaint being made.

a) ONSITE COMPLAINTS

Issues raised by the public, including Members, should be resolved at the point of contact if possible. A member of the public or a Member may approach a Director with a Complaint at WLPCA events. The Director receiving the Complaint should attempt to defuse the situation and come to an informal resolution. Informal resolution of an onsite Complaint may just involve listening to the Complainant hear the concern.

If the Complainant wishes to escalate their concern to an Officer but does not want to launch a Formal Complaint, the Director who is involved in the initial discussion will forward the Complainant's name, contact information, a brief description of the incident, to the Vice President. The Complainant will be advised that they will be contacted within five (5) business days. If the Complainant advises that they wish to lodge a Formal Complaint, they will be advised of the procedure.

b) COMPLAINTS RECEIVED BY MAIL AND E-MAIL

Written and e-mail Complaints received by WLPCA are considered to be informal if they are not on a Formal Complaint form. If an Informal Complaint is sent to a general WLPCA e-mail address or has been misdirected, the recipient will forward the Complaint to the WLPCA Vice President. Directors who receive a Complaint letter or e-mail should attempt to resolve the Complaint following the Informal Complaint resolution process. If the Complaint cannot be resolved informally, the Complainant will be advised of the Formal Complaint process. Formal Complaints received by mail shall be forwarded to the Vice President.

c) THE ROLE OF THE DIRECTOR

The Director receiving a Complaint will gather and review any preliminary information available and attempt to resolve the issue informally through separate discussions with the Complainant. Directors must ensure that everyone involved in the resolution of the Complaint is aware of their responsibility to keep the issue confidential and respect the privacy rights of all parties involved.



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The details of Informal Complaints should be noted as soon as possible and may include such information as when and where the alleged issue occurred, who was involved, and the names of any witnesses. These notes may be required if a Formal Complaint is eventually filed.

d) RECORDS OF INFORMAL COMPLAINTS

Complaints that are informally resolved to the Complainant's and WLPCA's satisfaction will not be tracked. However, any records pertaining to the resolution of Informal Complaints, including but not limited to Director's notes, e-mails, and letters, are to be maintained in accordance with the WLPCA Records Retention Policy.

e) UNRESOLVED COMPLAINTS

If the issue cannot be resolved informally or the Complainant requests an investigation of the Complaint, a Formal Complaint Form must be submitted.

9.2 FORMAL COMPLAINTS

Formal Complaints against WLPCA shall be submitted to WLPCA via postal mail or e-mail, using the WLPCA Complaints Form. The form can be found on WLPCA's web site. WLPCA shall:

- Receive and note the date on the Complaint
- Ensure it is completed and signed
- Create and maintain a record of each formal Complaints received, and
- Indicate who the Complaint was forwarded to

This information may be used to verify or demonstrate the number of Formal Complaints received by WLPCA and to monitor Complaint resolution progress. The Vice President shall provide a summary to the Board on an annual basis.

Once the Formal Complaint is logged, a confidential copy of the Complaint will be forwarded to the Vice President, with the original going to the appropriate Designate according to the Investigation of Complaints section.

a) DETAILS OF COMPLAINT

The Complaint should provide details of the grounds of the Complaint, factual information of when and where the incident occurred, and a description of what happened. All Complaints must be signed by the Complainant. In the case of a Complaint made on behalf of a person under eighteen (18) years of age, a parent or legal guardian may sign; in the case of a person with a disability, their Support Person may sign on their behalf in their presence.

b) INVESTIGATION OF COMPLAINT

All Formal Complaint forms and any attachments will be forwarded to the Vice President. The Vice President or their appointed delegate will assume responsibility for the Complaint at this point. Should the Complaint involve the Vice President, the President shall assume responsibility.



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A review will be made in the context of existing WLPCA policies and procedures and accepted practices. If the Vice President deems the Complaint to be Frivolous or Vexatious it will not be pursued. The Vice President will advise the Complainant, in writing (using the same method as initial contact by the Complainant), of this decision and the reasons for it.

Upon completion of the review, the Vice President shall present a confidential written report which will include the allegations and findings of the review and recommend action as necessary. This report will be discussed with the Board, who will determine the necessary action, if any. The Vice President shall provide both the Complainant and those alleged in the Complaint with a written response which either:

- Reveals a contravention of WLPCA's policies regarding conduct and that appropriate corrective action will be taken, or
- Reveals that no contravention took place and the matter is closed

The original documents shall be sealed and maintained in accordance with current WLPCA practices. The Vice President shall advise the Secretary as soon as possible that the Complaint process is complete and the date the file was closed. This information will be added to the existing record.

c) DEADLINE FOR COMPLAINT RESOLUTION

Every effort will be made to investigate and respond to Complaints within thirty (30) days of receipt of the Formal Complaint by the WLPCA Vice President. If the review into the Complaint is not complete within this time, the Vice President shall advise the Complainant or their guardian, in writing, of the status of the review and the expected time frame for a response. In cases where the Complaint cannot be resolved within thirty (30) days, the Vice President shall endeavour to have the Complaint resolved no later than sixty (60) days following receipt of the Complaint.

d) WITHDRAWAL OF A FORMAL COMPLAINT

A Complainant may withdraw a Formal Complaint by writing to WLPCA. The Vice President may continue the review if they think further investigation is warranted. Formal Complaints that are withdrawn will be included in data collection with the status of "withdrawn" clearly indicated.

9.3 FRIVOLOUS OR VEXATIOUS COMPLAINTS

Frivolous or Vexatious means the Complaint is initiated with the intent to embarrass or annoy the recipient or is part of a pattern of conduct by the Complainant that amounts to an abuse of the Complaints process.

9.3.1 WHAT CONSTITUTES A PATTERN OF CONDUCT?

A "pattern of conduct" occurs when, on two or more occasions, a Complainant engages in one or more of the following:

- Brings Complaints concerning an issue that WLPCA has already investigated and determined to be groundless; or brings Complaint(s) concerning an issue which is/are substantially similar to an issue which WLPCA has already investigated and determined to be groundless
- Engages in unreasonable conduct which is abusive of the Complaints process, including, but not limited to:



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- Harassing, verbally abusing or otherwise seeking to intimidate Directors or others dealing with their Complaint
- Making excessive or multiple lines of enquiry regarding the same issue while their Complaint is in the process of being investigated
- Repeatedly challenging the findings of a Complaint investigation, complaining about the outcome and/or denying that an adequate response has been given
- Refusing to accept that an issue falls outside the scope of WLPCA's jurisdiction
- Making unreasonable demands on Directors by, for example, insisting on responses to Complaints and enquiries within an unreasonable time-frame
- Making statements or providing representations that the Complainant knows or ought to know are incorrect, or persuading others to do so
- Demanding special treatment from Directors
- Using new Complaints to resurrect issues which were investigated and completed in previous Complaints
- Changing the basis of the Complaint as the investigation progresses and/or denying statements he/she made at an earlier stage
- Refusing to co-operate with the investigation process while still wanting their Complaint to be resolved
- Failing to clearly identify the precise issues of the Complaint, despite reasonable efforts of Directors to help them clarify their concerns

9.3.2 COMPLAINT PROCEDURE

a) DIRECTOR RESPONSIBILITY

WLPCA shall establish, through the documented words and/or actions of a Complainant (such as e-mails, letters and Director notes reporting a conversation or incident) that the Complaint is Frivolous or Vexatious before applying the processes outlined in this section.

If a Director believes that a Complaint is Frivolous or Vexatious, he/she shall consult with the Vice President, provide any supporting materials (e.g. e-mails received from the Complainant) and advise the Vice President of the steps that have been taken to resolve the issue, including:

- The length of time the Director has been in contact with the Complainant and the amount of correspondence that has been exchanged with the Complainant
- The number of Complaints that the Complainant has brought and the status of each, and
- The nature of the Complainant's behaviour

Before escalating to an Officer(s), the Director(s) shall be satisfied that:

- The Complaint has been properly investigated
- Communication with the Complainant has been adequate, and
- The Complainant is not attempting to provide any significant new information when contacting WLPCA



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b) OFFICER RESPONSIBILITY

Officers, primarily the Vice President, are responsible for reviewing the information provided by Directors and determining if the Complainant's behaviour should be escalated to the appropriate Officer(s) as a Frivolous or Vexatious Complaint.

Officers shall review the information provided by the Director(s) in a timely manner. Officers may contact other Directors to determine if the Complainant is contacting multiple WLPCA Directors.

If, after reviewing the circumstances, the Officer determines that action under this Policy should be taken, he/she will determine the appropriate action(s) in accordance with this Policy. A warning letter will be sent to the Complainant indicating that the actions outlined in the letter will be put into effect if the Complaints of a Frivolous or Vexatious nature continue. If the Complaint includes multiple issues, the letter may also outline the priority assigned to resolving and responding to the Complaints.

c) TYPES OF ACTION TO RESTRICT COMPLAINANT IMPACT ON WLPCA

Actions available to WLPCA may include, but are not limited to:

- Limiting the Complainant's correspondence with WLPCA to a particular format (e.g. e-mail only), time (e.g. telephone calls only at specific times and days of the week) or duration (e.g. conversations may last no longer than ten minutes)
- Limiting the Complainant to a WLPCA particular point of contact (where possible, other Members should be advised not to respond to the Complainant but to refer them to the point of contact)
- Requiring any face-to-face interactions (in person or virtually) between the Complainant and WLPCA to take place in the presence of an appropriate witness
- Requiring that Complainants produce full disclosure of documentation or information before WLPCA will further investigate a Complaint
- Instructing WLPCA not to respond to further correspondence from the Complainant regarding the Complaint or a substantially similar issue
- Instructing WLPCA not to investigate any Complaints regarding an issue that has already been investigated or which is substantially similar to an issue which has already been investigated, and/or
- In extreme circumstances, instructing Directors to severely reduce or completely cease responses to further Complaints and correspondence from the Complainant. If deemed appropriate, the Officer may set up a face-to-face meeting (in person or virtually) with the Complainant in order to identify any misunderstandings and attempt to resolve the issue
- Revocation of WLPCA membership and forfeiture of fees paid pursuant to the requirements and processes provided in WLPCA's governing documents

9.3.3 PROCEDURE IF FRIVOLOUS AND VEXATIOUS COMPLAINTS CONTINUE

If a Complainant disregards the warning letter and continues to submit Complaints deemed to be Frivolous and Vexatious, the Director will advise the Board that the actions outlined in the warning letter will take effect immediately.



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9.3.4 NEW COMPLAINTS

Complaints on a separate or new issue from a Complainant who has come under this Policy will be treated on their individual merits. Officer(s), in consultation with the relevant Director(s), will decide if any restrictions which are currently in effect should be applied to the new Complaint.

9.3.5 MAINTAINING DETAILED RECORDS

Directors and Officers are responsible for maintaining detailed records of their interactions with Complainants (e-mails, notes of telephone conversations, and notes of in-person discussions) in order to justify any action being taken to restrict the Complainant's access to WLPCA. Records must be retained in accordance with the Records Retention By-Law.

10. RESPONSIBILITY

The responsibility for operating in an accountable, transparent, and, responsible manner shall be embedded within WLPCA's business and functions. To ensure this is the case, WLPCA's Vice President shall be responsible for implementation of WLPCA's Conflict Resolution Policy and for reviewing the Organization's performance against this Policy on an annual basis and reporting the results of this review with the Board.

WLPCA's Vice President shall manage any questions, concerns or Complaints related to WLPCA's Conflict Resolution Policy.

11. REVIEW SCHEDULE

The Conflict Resolution Policy shall be reviewed every three (3) years.

12. APPROVAL

Approved at the Board Meeting held on November 23rd, 2020.

Date Policy to be Reviewed:	November 23 rd , 2023
Date Policy Revised:	Not Applicable
Date Policy Issued:	November 23 rd , 2020
Policy Owner:	Vice President
Applies To:	All



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Appendix 1 – WLPCA Complaint Form



COMPLAINT FORM

Whiteoaks Lorne Park Community Association
 Post Office Box 52524 Turtle Creek Post Office
 Mississauga, Ontario
 L5J 4S6
www.wlpc.ca

Complainant Contact Information

Last Name		First Name	
Address			
City / Town		Province	Postal Code
Phone Number		E-mail Address	

Contact Considerations

What is the best time to contact you?	Special Contact restrictions
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Complaint Details

Date of Incident (YYYYMMDD)		Time of Incident
Location of Incident		Date Reported (YYYYMMDD)

Have you discussed this issue with a WLPCA representative? Yes No *If yes, please provide their name(s).*

Describe the details of the incident you are complaining about (who, what, where, when, and why) including any steps that have been taken to resolve it.

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