

Community Connections Support Services - Policies and Procedures

Section	Organizational Leadership Policy and Procedures
Subject	Investigations (oI041)
Applies To	All Service Areas
Effective Date	April 2006
Date Revised	May 2017

Policy: Investigations are conducted to objectively and impartially compile information to establish facts of what has occurred. Based on the information collected, investigations are to result in clear direction for remedial action and are adequately documented and shared with relevant parties.

Definition: For the purposes of this policy, an investigation is defined as:

A process to collect, review, analyze and assess facts with respect to the merits of an allegation. Facts are derived from evidence provided by the complainant, the respondent and witnesses either orally and/or from documentation. The report should also include inferences drawn by the investigator from the evidence received and any supporting documentation.

Complainant: The person reporting the allegation or complaint

Respondent: The person that is being complained about or has allegations brought against them.

Procedures: The procedure involving the investigation of a complaint/allegation requires steps and planning, establishing facts, evaluating for and reporting findings.

1. Receipt of Complaint or Allegation:

- Ideally complaints/allegations will be received in written format. In cases where the concern is raised orally or through a third party, it is important to document the concern as it is received.
- If a complaint comes in third party (ie. Initially received by CLBC or other source) ask for name and contact information of the complainant or for third party to be in touch and direct complainant to CCSS.
- If the complainant is not forthcoming to third party and/or is unwilling to speak to CCSS, the third party is to be notified that this may significantly impact the investigation as we are unable to interview the complainant for details.

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- If complainant will speak to a third party, that party must get dates, times, and names of people involved in the allegation for us to be able to proceed.
- Keep detailed notes of all contact information for all persons involved.
- When CCSS is notified directly of a complaint/allegation, the Director of Strategic Management (DSM) is to be notified and will determine if the allegation constitutes abuse or neglect of a person receiving supports. Reference must be made and crosschecked with CLBC policy on abuse and neglect.
- If it is determined that the allegation falls within CLBC definitions of abuse or neglect, a Critical Incident Report (CIR) form is to be completed by the CCSS employee that the allegation was reported to. A copy of the CIR is to be faxed to CLBC and a copy is to be provided to the DSM. DSM will then notify the CLBC lead on investigations by email that a CIR has been submitted, identify the local CLBC office that it was submitted to and provide the CLBC lead on investigations with the name and contact information of the employee who first received the complaint/allegation. It is not permissible to use the names of the parties involved in an email.
- Within 48 hours, CLBC will confirm with CCSS if they are proceeding with an investigation or if they are wishing to defer to CCSS investigation into the matter.

2. When CLBC Investigates:

- If CLBC is investigating, CCSS is responsible for notifying the respondent that they can expect to hear from CLBC.
- CCSS is to defer entirely to the direction received from CLBC and cooperate fully with any requests for interview or for sharing documentation.
- CLBC is responsible for notifying the RCMP, where applicable.
- CLBC cannot delegate any interviewing or process to a third party. CCSS involvement will be limited to collaboration in establishing interim safeguard measures and/or assisting in developing recommendations and reviewing findings for the final report.
- A general and final report will be shared with CCSS to be filed and noted in CCSS hard and electronic files. The DSM will determine what aspects of the report will be shared with the respondent party and provide this information in a format established by CCSS. CCSS may request the attendance of CLBC at any meeting set with the respondent to review investigation results.
- The DSM is to direct teams to follow through on recommendations outlined in the report that name CCSS as responsible for monitoring and completion. Progress updates must be provided to the DSM and attached to the investigation file.

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- The complainant will be notified of the findings and recommendations of the investigation via a joint communication plan established between CCSS and CLBC.

3. When CCSS Investigates:

- CLBC will make this determination only if the allegation does not fit their policy criteria for abuse and/or neglect.
- The Director of Strategic Management (DSM) will be lead on all investigations and will adhere to the following protocols.

1. Acknowledgment of Receipt of Complaint/Allegation and Notification:

- The respondent must be notified within 48 hours of the receipt of complaint that CCSS will be conducting an investigation regarding their conduct as an employee or caregiver. Non-specific details are to be reported to the respondent so that they are aware of the situation. Where the investigation is conducted in a Home Share situation, the Home Share Coordinator on case load is to act as support, if needed.
- Complainant must be notified within one (1) week, that CCSS has received their complaint and are opening an investigation.
- At this time, inform the complainant of estimated time-lines for resolution. Ideally, a final response and planned action for resolution will be forwarded to the complainant within one (1) month of the receipt of the complaint (unless other time-lines have been mutually agreed upon).

2. Review of paperwork:

- Review H/S checklists, Monitoring tools, ISPs, ISP reviews and check-ins, incident reviews, personal profiles, legal representation documents, behaviour support plans, safeguard plans and any correspondence indicating past concerns.
- Review any agency policy that is relevant to the allegation (ie. Code of Ethics, Contractual Relationships, Confidentiality, etc). The DSM may also need to seek counsel from other members of the Management Support Team.
- Determine any parties that will be interviewed (ie. Complainant, Respondent, other support agencies, CLBC Facilitator, family members and any potential witnesses / others affected by the incident).
- Prepare for interviews. Determine the specific details you are interested in obtaining and develop a set of questions designed to obtain relevant information.

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3. Interviews:

- The DSM will determine who will conduct interviews for the investigation. In Home Share, this is not to be the Coordinator on caseload as this will impact Coordinator-Provider relationship negatively.
- All interviews are to be conducted respecting confidentiality and privacy.
- Detailed notes are to be kept for each interview and submitted to the DSM as soon as possible.
- Interviews are to be conducted using the following guidelines:
 - Provide the interviewee with a summary of the complaint/allegation that is being investigated while respecting the privacy of others. Explain the importance of confidentiality.
 - Describe the role of the investigator and explain the process of taking, keeping and using interview notes.
 - Never repeat statements made by other parties or ask the interviewee to agree or disagree.
 - The investigator must remain objective and refrain from sharing any personal thoughts or feelings regarding the investigation.
 - Keep complete and accurate notes of all interviews including the name of interviewee, date, time and place of interview.
 - Keep all interview discussions relevant to the specifics of the complaint / allegation.
- The following parties need to be included in the investigation and interview process:
 - Home Share Provider (if HSP enlists community members as support, interview is to be rescheduled)
 - Person(s) Supported (preferably on their own)
 - Complainant
 - CLBC facilitator
 - other support agencies (ie. Day program, etc)
 - any witnesses
 - respite provider (where applicable)
 - natural supports (ie. Family, friends, community members)
 - HSC on caseload
 - other support staff

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4. Update to CLBC:

- notify CLBC and complainant regarding the status of investigation within 14 days after receipt.
- Ensure QSA and Facilitators are included on correspondence.

5. Evaluating:

- Compile all evidence.
- Determine consistency between evidence/statements of different individuals.
- Identify emerging themes and trends
- Determine credibility of statements. Determine biases of interviewees and possible impact on evidence given or consistency of statements (ie. Memory of details).
- Determine if the allegations are substantiated and if the respondent behaviour is in breach of any CCSS Ethical Codes of Conduct or other policies.
- Consider impact of the incident on other parties and determine if further investigation is required (ie. Address gaps in information). Address time-lines and notify complainant if more time is required to reach resolution.

6. Investigation Report:

- The Investigation Report is generated for Community Connections Support Services' records and is distributed to CLBC (where applicable). The Investigation Report will be kept as part of CCSS administrative files and copies will be provided to the files of relevant employees, contractors and persons served stored in the CCSS office in Kelowna, B.C. The Investigation Report should contain:
 - Name of person completing the report
 - Name(s) of investigator(s)
 - Date
 - File name or ID number of complaint
 - Summary of the allegations and date complaint was received
 - Overview of evidence collected
 - Statement of findings with evidence / rationale for the findings for each allegation in the complaint
 - Clear recommendations for action or disciplinary decisions as appropriate

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- Further considerations
- Attach evidence, such as background documents and interview records
- Email draft report to CLBC. Ask for feedback within 4 days for approval and suggestions to amend / make further recommendations.
- Finalize Report, file and share with CLBC

7. Investigation Report Summary:

- Once the Investigation Report is finalized, an Investigation Summary should be prepared. The Investigation Summary is distributed to the respondent and the complainant.
- The Summary is to be shared with the respondent in person. In Home Share, the HSC on caseload will review with HSP in person.
- The respondent is to be left with a copy of the summary report for their records.
- When possible, summary report is to be communicated to the person supported.
- The Investigation Summary should contain:
 - Date
 - File name or ID
 - A brief overview of the allegations and date complaint received
 - Statement of Findings (Must specify whether or not CCSS has found allegations to be substantiated)
 - Recommendations
 - Further Considerations

8. Track recommendations

- establish time lines for review of recommendations
- report back to CLBC and complainant what the status is of following through on recommendations and general outcomes.

References:

University of Newcastle, Australia

The Standards Board for England

Business Owner's Toolkit

Community Connections Support Services - Policies and Procedures

Douglas College

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