POLICY #215	SUBJECT: Constituent Concerns
EFFECTIVE DATE: October 20, 2009 REVISION DATES: April 20, 2010, February 19, 2016	Page 1 of 4
AUTHORIZED SIGNATURE	

Delaware Children's Department Policy
Constituent Concerns

I. PURPOSE

The purpose of this policy is to establish uniform standards and practices throughout the Department regarding the handling of constituency concerns, complaints or inquires that represent an Executive Constituent Concern or once a constituent concern or complaint reaches the Office of the Secretary or the Office of Division Director. The objective of Policy #215 is to maintain a high level of public confidence while continuously working to improve the services we provide.

II. POLICY

Constituent concerns, complaints and inquiries provide opportunities to (1) identify possible problems and/or trends; and (2) to improve service provision, policy and practice. This policy establishes a common set of protocols and a database for recording and tracking every concern, complaint or inquiry received to ensure that each is responded to in a consistent and timely manner. This policy addresses the process when the concern, complaint or inquiry represents an Executive Constituent Concern or reaches the Office of the Secretary or the Office of a Division Director or when an Executive Constituent Concern is received at a regional office or location other than the DSCYF Administration Building.

All concerns, complaints and inquiries shall be researched and responded to: (1) as quickly and thoroughly as possible; and (2) resolved at the lowest level of the organization possible. Each division within the Department shall have policy and procedures governing the receipt and management of concerns received at the Division level and shall be in accord with this Departmental policy. Department policies and procedures related to constituent concerns, complaints or appeals shall contain written guidelines for procedures for receiving, investigating and resolving complaints involving Limited English Proficiency (LEP) persons.

III. DEFINITIONS

1. Appeal: Request for a review or hearing of a critical decision that includes the relief requested. Appeals are addressed by following the procedures contained in DSCYF Policy #213.
2. Constituent Concern/Complaint/Inquiry: A formal expression of dissatisfaction (complaint), concern or request for information about any aspect of Department services including policies, procedures, practices, employee behavior or quality of services provided. Concerns or inquiries received regarding the Child Protection Registry are excluded from this definition.

including policies, procedures, practices, employee behavior or quality of services provided. Concerns or inquiries received regarding the Child Protection Registry are excluded from this definition.

3. Constituent Concern Liaison: Division or Department (Office of the Secretary) representative assigned to address concerns/complaints/inquiries.
4. Constituent Concern Source/Complainant: The person expressing the concern/complaints/inquiry or the person representing the constituent who is expressing the concern/complaint/inquiry.
5. Executive Constituent Concern: Concerns/complaints/inquiries received from the Governor's Office, Cabinet Secretaries, legislators (State/U.S.), judicial officers, attorney and physicians.
6. Notification: Provision of written or verbal information regarding the division response to the concern/complaint/inquiry.

IV. PROCEDURES

Each Division will designate a person responsible for addressing concerns/complaints/inquiries (referred to as the Constituent Concern Liaison). All concerns/complaints/inquiries, whether written or verbal, received by the designated Division Concern Liaison shall be reviewed with equal regard and responded to accordingly.

A. Responsibilities of the Division Concern Liaison:

1. The Division Concern Liaison shall be sensitive to and address the needs of Limited English Proficiency (LEP) persons in receiving, investigating and resolving constituent concerns involving LEP persons.
2. Collect and record pertinent information including nature/description of the concern/complaint/inquiry, name of the constituent concern source, name of child and/or family involved, division cited in concern or complaint, name of employee involved, contact numbers or email and mailing address. Constituent concern sources should be advised that their concern/complaint/inquiry will be considered and a response provided within ten calendar days.
3. If the reported concern/complaint/inquiry meets the criteria of an Executive Constituent Concern, refer to the Office of the Secretary within four calendar days for data entry into the Constituent Concern database, coordination and follow-up.
4. If determined not to be an Executive Constituent Concern, the Division Concern Liaison shall enter information into the Constituent Concern data base.
5. Conduct a review of FACTS and solicit additional information as necessary to investigate the concern and determine compliance with policy and procedure. Reviews should always ensure a continuous focus on safety.
6. Formulate findings and develop recommendations based upon the information obtained during the investigation.

7. Report findings and recommendations in adherence to division protocol and/or policy. Provide a written response to the constituent concern source/complaint within ten (10) calendar days. Responses are written in accordance with the Department's policy on confidentiality (refer to section VI. Confidentiality). Responses should also include the following when appropriate:
    a. A thank-you to the constituent concern source/complainant for bringing their matter to the Division's attention
    b. Non-specific, general information outlining policy, procedure or practices relevant to the presenting concern/complaint/inquiry
    c. Provide assurance the examination of the concern/complaint/inquiry includes review of all relevant policy, procedure and practices.
    d. A statement reinforcing that safety is our top priority.
7. Enter findings, recommendations and response into the Constituent Concern database.

B. **Responsibilities of the Department Concern Liaison (Office of the Secretary) upon receipt of Executive Constituent Concerns:**

1. The Division Concern Liaison shall be sensitive to and address the needs of Limited English Proficiency (LEP) persons in receiving, investigating and resolving constituent concerns involving LEP persons.
2. Collect and record pertinent information including nature/descriptions of the concern, name of the constituency concern source, name of child and/or family involved, active division, name of employee involved and contact numbers or email/mailing address. Constituency concern sources should be advised that their concern/compliant/inquiry will be studied and a response will be provided within ten calendar day.
3. Conduct a review of FACTS in conjunction with the Division Constituent Liaison, soliciting additional information as necessary to research the concern/complaint/inquiry and determine compliance with policy and procedure. Reviews should always ensure a continuous focus on safety.
4. Formulate findings and develop recommendations based upon the information obtained during the examination of the concern/complaint/inquiry.
5. Report findings and recommendations to the Secretary.
6. Upon approval from the Secretary, provide a written response to the constituent concern source/complainant within ten calendar days. Responses are written in accordance with the Department's policy on confidentiality (refer to section VI Confidentiality). Responses should also include the following when appropriate:
    a. A thank-you to the constituent concerns source/complainant for bringing this matter to the Department's attention
    b. Non-specific general information outlining policy, procedure or practices relevant to the presenting concern/complaint/inquiry
    c. Provide assurance that the examination of concern/compliant/inquiry includes review of all relevant policy, procedure and practices
    d. A statement reiterating that safety is our top priority

7. Obtain Secretary's signature on written communication to be mailed to Constituent Concern Source/Complainant.
8. Enter findings, recommendations and response into the Constituent Concern database in FACTS.

V. REPORTING

Constituent concerns, complaints and inquiries will be recorded and tracked in a common data base. The Office of the Secretary will have departmental review and monitoring responsibility to assure compliance to the Constituent Concerns Policy. An annual report will be completed containing: (1) Division and Department data; and (2) analysis to identify possible problems or trends for improving service provision, policy and practice. The annual report will include the following information:

- Numbers and types of concerns/complaints/inquiries received
- Response time
- Sources of concern/complaints/inquiries
- Actions taken to improve services

VI. CONFIDENTIALITY

Constituent Concern Liaisons will have access to case records and all pertinent information related to the child or family being review.

In carrying out this policy, the Constituent Concern Liaisons must ensure and protect the confidentiality of records and persons involved in accordance with DSCYF Policy #215—Confidentiality of Client Records, the Health Insurance Portability and Accountability Act (HIPAA) and applicable federal and state laws.

VII. RESPONSIBILITY FOR THIS POLICY

The Department and Division Constituent Concern Liaisons and the DSCYF Policy Workgroup are responsible for providing guidance regarding this policy.