

*In the matter of the
Complaints Commissioner Law (2006 Revision)*

Special Report to the Legislative Assembly

The Existence of Internal Complaints Processes in Government Entities in 2007

**Prepared by the Office of the Complaints Commissioner
Date: 5th March, 2007**

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Aim of the Office: To investigate in a fair and independent manner complaints against government to ascertain whether injustice has been caused by improper, unreasonable, or inadequate government administrative conduct, and to ascertain the inequitable or unreasonable nature or operation of any enactment or rule of law.

The Existence of Internal Complaints Processes in Government Entities in 2007

Prepared by the Office of the Complaints Commissioner

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Forward

In accordance with the powers conferred on the Commissioner under section 6 of the Complaints Commissioner Law (2006 Revision) this report was completed by Analyst Scott Swing.

His Excellency the Governor was provided with a copy of this report in advance of its presentation to the Legislative Assembly.

Synopsis

In early 2005 the Commissioner undertook, with the support of the Chief Secretary, a three year programme to encourage government entities to implement or review their internal complaints process (ICP).

An internal complaints process can be defined as any process, whether formal or informal, which allows stakeholders (e.g. community members) to submit complaints to government entities and to have the complaint dealt with in a responsible manner.

In the summer of 2006 the OCC conducted the first survey of government entities to ascertain which ones had an ICP. A second survey was initiated in October of 2006 to determine what progress had been made by various government entities in developing and implementing their ICPs.

The method used to conduct the fact-finding portion of the project was a combination of telephone interviews, e-mail correspondence and in some cases face to face meetings.

Of the 79 entities studied in the second survey 61 entities (76%) were identified as having an ICP. This represents a major improvement since last year where only 34 entities were known to have an ICP.

While 18 of the entities studied do not currently have an ICP, many have recognized the importance of such a procedure and have started the process of developing an ICP for their entity. Several entities, while already having an ICP in place, recognized after reviewing documentation provided by the OCC that changes could be made to their procedures which could create an even more effective ICP.

Continued encouragement and assistance is warranted in promoting ICPs throughout government. The OCC will continue to work with entities throughout 2007 to assist and encourage further development.

In early 2008 the OCC will repeat this survey.

Special Report

Introduction

In early 2005 the Commissioner undertook, with the support of the Chief Secretary, a three year programme to encourage government entities to implement or review their ICP.

An internal complaints process can be defined as any process, whether formal or informal, which allows stakeholders (e.g. community members) to submit complaints to government entities and to have the complaint dealt with in a responsible manner. The process of receiving and addressing complaints is a vital tool in learning how to better serve ones clients. In the absence, or dysfunction of an internal complaints process the benefits to an organization could be lost. While the potential benefit to an organization can be great, the ICP itself can be relatively simple.

The program evolved as follows. In early 2005 the Commissioner suggested to the Chief Secretary that it would be appropriate to determine which government entities had implemented an ICP. In supporting the suggestion the Chief Secretary issued a memorandum asking the Chief Officer, Mr. Colin Ross, to issue a memorandum encouraging government entities to contact the Office of the Complaints Commissioner (OCC) for aid in creating, implementing, and reviewing their ICP. Mr. Ross later confirmed that the memorandum was issued.

In 2006 the first survey of various entities was conducted and the report "The Existence of Internal Complaints Processes in Government Entities in 2006" was composed. The report was then submitted to the Governor prior to its submission to the Legislative Assembly in January, 2007 under section 20(1) of the Complaints Commissioner Law (2006 Revision).

In October, 2006 the OCC organised a follow-up survey to ascertain what progress had been made by various government entities in developing and implementing their ICPs. The results of this study are contained in this report.

Internal Complaints Processes Explained

An ICP is a procedure which allows residents of the Cayman Islands to submit complaints against a particular entity and to have them addressed in an orderly and timely manner. Some ICPs may be formal and highly structured while others may be informal and flexible. A formal process is more appropriate for those entities that have a high rate of contact with the public or an extended hierarchical management structure. Those entities that do not interact regularly with the public, or have a smaller number of employees, may wish to have a less formal procedure.

Purpose of the Project and 2006/2007 Survey

The purpose of this project was to increase the recognition of the importance of an ICP and to continue encouraging government entities to develop and implement an appropriate ICP for their organization. The survey was first conducted in the summer of 2006 to determine which entities had an ICP in operation, as well as, which entities had made substantial progress in developing an ICP with the goal of implementation. As a continued effort to encourage and monitor the progress of entities in developing ICPs the OCC commenced a second survey in October 2006 concluding in February 2007.

When, in the course of the survey it was determined that there was no ICP in place, the OCC encouraged those entities to create and implement one in the near future and offered assistance in reviewing and providing feedback on draft procedures.

It should be noted that in keeping with the scope of this project tribunals or similar public bodies were not included in the first or the second survey. It should also be noted that the purpose of the

project was not to determine the appropriateness of a particular process or its effectiveness in dealing with complaints.

Methods

The method used to conduct the fact-finding portion of the project was a combination of telephone interviews, e-mail correspondence and in some cases face to face meetings. In late November and early December 2006 forty-two (42) entities were contacted by email requesting updates on ICPs and encouraging entities to begin the process of formulating an ICP for their department if they had not yet done so. Of the 42 entities contacted by email, 13 responded within the prescribed time frame. In January, 2007 a second email was sent to entities which had not yet responded notifying them that this report was being drafted and that should they wish to have the most current information included in this report they must provide it by the first part of February, 2007. Where time permitted the OCC also attempted to contact several entities by telephone.

Many of the responding entities, while not having a process in place, have worked with the OCC to develop, and in some cases implement their ICP prior to the writing of this report.

While the most efficient method of data collection could be considered email, it has been recognized that personal contact has been well received. The personal contact allowed greater opportunity to add clarity and assist entities in identifying strategies for the development and implementation of ICPs. The e-mail campaign was designed to introduce the recipients to the merits and structure of the ICP.

An attachment titled "Creating an Internal Complaints Process" (Annex A), created by the OCC, was included in emails to the entities and utilized as a reference tool when meeting with various entities. It detailed the benefits of having an ICP and described possible implementation techniques.

It is relevant to point out that the term "entity" is used in a manner which does not differentiate between the sizes of working units. In consequence, the Portfolio of Internal and External Affairs and the Women's Resource Centre are both recorded as entities. The government schools are not included as they do not answer to a ministry, but rather to a department – i.e., the Education Department. Statutory bodies and companies, such as Cayman Airways, are recorded as entities. Extraordinarily, the independent office of the Auditor General was included as an entity.

Entities Contacted

Almost all government entities, seventy-nine in number, were considered in this survey. Thirty-four of those seventy-nine were not contacted by the OCC for this survey as they were known, as the result of the first survey, to have ICPs. These included:

- | | |
|---|---|
| 1. Auditor General's Office | 19. Immigration, Department of |
| 2. Cadet Corps | 20. Information and Communications Technology Authority |
| 3. Cayman Islands Development Bank | 21. Judicial Department |
| 4. Cayman Airways | 22. Lands and Survey, Department of |
| 5. Cayman Islands Law School | 23. National Housing |
| 6. Cayman Islands Port Authority | 24. Portfolio of the Civil Service |
| 7. Cayman Islands Shipping Registry | 25. Probation and Aftercare |
| 8. CAYS Foundation | 26. Public Health, Department of |
| 9. CINICO | 27. Radio Cayman |
| 10. Counselling Services | 28. Royal Cayman Islands Police Service |
| 11. Crisis Centre | 29. School's Inspectorate |
| 12. Education, Department of | 30. Stock Exchange Authority |
| 13. Emergency Communications | 31. Tourism, Department of |
| 14. Employment Relations, Department of | 32. Vehicle Licensing and Transport, Department of |
| 15. Environmental Health, Department of | 33. Water Authority |
| 16. Health Insurance Commission | 34. Women's Resource Centre |
| 17. Health Services Authority | |
| 18. Her Majesty's Prison Service | |

Results

The purpose of increasing the recognition by all government entities of the importance of an ICP was achieved through continued contact with government entities through email and direct verbal contact. Contact with government entities provided confirmation as to which ones currently have an ICP in operation, as well as, which entities have made substantial progress in developing an ICP with the goal of implementation in early 2007.

The results of the OCC's survey are below (for the full data table see Annex B). It should be noted that these figures include those thirty-four entities listed above which were not contacted because they already had an ICP in place. It must also be noted that for the purpose of this study, entities where responses were not provided were considered to not have an ICP.

Total number of entities within study remit	79
Total number of entities studied	79
Total number of entities with an ICP	61
Total number of entities without an ICP	18

Those entities that have an ICP in place include:

1. Auditor General's Office
2. Cadet Corps
3. Cayman Islands Development Bank
4. Cayman Airways
5. Cayman Islands Law School
6. Cayman Islands Monetary Authority
7. Cayman Islands Port Authority
8. Cayman Islands Shipping Registry
9. CAYS Foundation
10. Cinematographic Authority
11. CINICO
12. Civil Aviation Authority
13. Communications Works and Infrastructure, Ministry of
14. Counselling Services
15. Crisis Centre
16. Customs
17. District Administration
18. Economics and Statistics Office
19. Elections Office
20. Electricity Regulatory Authority
21. Emergency Communications
22. Education, Department of
23. Employment Relations, Department of
24. Environment, Department of
25. Environmental Health, Department of
26. Financial Administration
27. Fire Services
28. Financial Reporting Authority
29. Government Information Services
30. Health Insurance Commission
31. Health Services Authority
32. Her Majesty's Prison Service
33. Immigration, Department of
34. Information and Communications Technology Authority
35. Internal and External Affairs, Portfolio of
36. Judicial Department
37. Lands and Survey, Department of
38. Law Reform Commission
39. Law Revision Commission
40. Legal Affairs, Department of
41. Legal Department
42. Legislative Drafting
43. Mosquito Research and Control
44. National Archive
45. National Gallery
46. National Housing
47. National Pensions Office
48. Portfolio of the Civil Service
49. Probation and Aftercare
50. Public Health, Department of
51. Public Libraries
52. Radio Cayman
53. Royal Cayman Islands Police Service
54. School's Inspectorate
55. Stock Exchange Authority
56. Tourism, Department of
57. Vehicle Licensing and Transport, Department of
58. Vehicle and Equipment Services, Department of
59. Water Authority
60. Women's Resource Centre
61. Youth and Sports, Department of

Those entities that do not have an ICP include:

- | | |
|---|-----------------------------------|
| 1. Agriculture, Department of | 10. National Museum |
| 2. Airport Authority | 11. National Roads Authority |
| 3. Boatswain Beach (Turtle Farm) | 12. Passport Office |
| 4. Cayman Islands Investment Bureau | 13. Planning, Department of |
| 5. Children and Family Services,
Department of | 14. Postal Service |
| 6. Computer Services, Department of | 15. Public Service Pensions Board |
| 7. General Registry | 16. Public Works, Department of |
| 8. Meteorological Office | 17. Sunrise Adult Training Centre |
| 9. National Cultural Foundation | 18. Telecommunications Office |

Those entities that did not respond to the survey include:

1. Boatswain Beach (Turtle Farm)
2. Children and Family Services, Department of
3. Meteorological Office
4. National Museum
5. National Roads Authority
6. Postal Services
7. Public Service Pension Board
8. Sunrise Adult Training Centre

Conclusion

Of the 79 entities studied 61 entities (76%) were identified as having an ICP. This represents an increase in the total number of government entities having an ICP from the launch of this project in 2005 to date of 31% (27 entities).

While 18 of the entities studied do not currently have an ICP, many have recognized the importance of such a procedure and have started the process of developing an ICP for their entity. Several entities, while already having an ICP in place, recognized after reviewing documentation provided by the OCC that changes could be made to their procedures which could create an even more effective ICP.

Continued encouragement and assistance is warranted in promoting ICPs throughout government. The OCC will continue to work with entities throughout 2007 to assist and encourage further development.

In early 2008 the OCC will repeat this survey.

Office of the Complaints Commissioner

Annex A: Creating an Internal Complaints Process

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1. Introduction

The Commissioner encourages each governmental organisation to create, and to periodically revise, their organisation's internal complaints review process.

An internal complaints review process provides the organisation with an opportunity to assess the level of the quality of the service, and the timeliness of the service, that it provides to the public. The results of the assessment provide the information required to improve upon the delivery of its services.

The need to monitor and to improve the service given by governmental organisations has become a very important topic in our society. Now, much more so than in the past, governmental organisations have a direct impact on almost every person. There are an ever increasing number of programs and regulations administered by civil servants, and the rules that accompany the programs often-times are very complex. Also, people who use services are no longer as patient and forgiving as they once were. They demand timely and quality service.

An internal complaints process allows the organisation to gain valuable information from the people it serves, and it allows the organisation to improve its reputation. Information given by people complaining comes free of charge and often contains useful criticism. An organisation that listens, and corrects any errors, will be spoken of well by those who once were dissatisfied. It will also gain the respect of the broader community.

It is the duty of governmental organisations to serve the public. It is the role of civil servants to serve in a kind, courteous and competent manner. An internal complaints process will aid in achieving these service outcomes. All complaints may have value. Even frivolous complaints, or complaints made in bad faith, can inform management of the challenges faced by employees.

In the final analysis, an internal complaints process ensures that the organisation correctly completes the service, or makes the right decision, and it encourages the communication of reasons for actions.

2. Elements of an Internal Complaints Process

A well-designed complaints process will inspire confidence in the process, and increase the likelihood that the potential benefits, stated in the Introduction, will be realised. In the following paragraphs, the elements of an internal complaints process will be discussed. Once the process has been adapted to the working environment of an individual organisation, it must be implemented and publicised.

2.1 Definition of a complaint?

The organisation must work within its legislative mandate. This may limit the nature and type of complaints that can be addressed by the internal complaints process. For example, some legislation does not provide legal authority for an organisation to reconsider a decision but rather refers the matter to an appeal tribunal. However, all organisations can receive and address complaints about aspects of the delivery of the service, such as delay in providing a response or processing an application or a rude staff member.

It may be useful to gather complaints about the legislation and its effects on the public even though no immediate result can be promised.

2.2 Who can complain?

Complaints should be received from anyone. If a person has a complaint that is relevant to the organisation's role and responsibility in the community, it best to receive the complaint. Of course, receiving a complaint does not necessarily mean that the complaint is valid. However, receiving the complaint allows the complainant to vent and allows the organisation to learn what is important to various people in the community and how various people perceive the role of the organisation. Receiving the complaint also allows the organisation to further educate people on the role of the organisation or alternate methods of seeking assistance, e.g. appeals or reviews provided for the relevant law.

2.3 How must the complaint be made?

Complaints should be received in writing or orally. Often people who are dissatisfied are not willing to spend further time writing a letter of complaint so a rule requiring complaints to be made in writing is counterproductive. However, it is worth considering whether or not a staff member should be assigned to make a note of an oral complaint and to ask the complainant to read it for accuracy and sign it. Contact details should also be noted.

Whether given in writing or orally, the complaint should carry equal weight. If not, then the complainant should be told the written complaints are treated differently.

2.4 Who will receive the complaint?

2.4.1 Senior Official

It is recommended that the complaints process be administered by a senior official within the organisation who is given reasonable powers. This will encourage the process'

credibility, effectiveness and accountability. The powers needed include the power to make a decision, reverse a previous decision and correct processes. (It is about the process not the staff member who applied or misapplied the rules. Staff issues are addressed by internal discipline.) Guidance can be taken from the mission statement of the organisation. No topic should be off-limits.

2.4.2 Experienced Official

It is recommended that the complaints process be administered by an officer who has an in-depth knowledge of the organisation gained through a reasonable number of years of experience in various divisions. Experience equips the officer with 'moral' authority to seek solutions and it assists the officer to locate the persons and solutions required.

2.4.3 Independent or Sequential Review

Depending on the size and culture of the organisation, the complaint can be received by a separate or 'independent' office in the department, or the complaint can be received by the senior official in the division of the organisation from which the complaint arose. For example, in larger organisations with a paramilitary structure such as the Police Service, a group of employees are set aside to hear and address complaints about service (and to investigate and address employee discipline). In small organisations with a familiar culture, such as the Law School, complaints by the students (primary users) and by the legal profession (secondary users) are handled by the Director.

It is possible to have a complaints process that uses established lines of accountability – a 'sequential' system. In this process, the complaint is first addressed by the line supervisor. While this may be the most cost-effective process in smaller organisations, the effectiveness of the process is subject to additional variables. For example, the supervisor may have limited powers, and thus be able only to address the specific complaint. Also the supervisor might not be empowered to (or inclined to) gather information that would influence the improvement of systems or effect changes to the system in question. Other duties reduce the likelihood that well reasoned recommendations are made. Recommendations made may be diluted as they are passed up the chain of command.

2.5 How is the Complaint Considered?

2.5.1 Time

The officer must acknowledge receiving the complaint and indicate the time-frame in which the complaint will be addressed. The time-frame must be reasonable in the light of the importance of the matter under consideration.

2.5.2 Gather information

All concerned parties must be given the opportunity to provide information and all relevant information must be gathered.

2.5.3 Confidentiality and Privacy

The process must protect the complainant's right of confidentiality (e.g. her application information or service concern must not be passed to other members of the organisation outside of the division) and privacy (e.g. not seek irrelevant - but interesting – personal information from her while investigating the complaint.)

2.5.4 Realistic Expectations

The complainant should be told that making a complaint does not mean that a decision will be reversed (as the original decision may be correct). Nor can the organisation guarantee that the Minister or the Legislature will improve a law or policy. Also, some complaints may take longer than others to investigate.

2.5.5 Decision and Reasons

The process must be concluded with a written decision including reasons for the decision. The reasons must be given in plain language and in sufficient detail (judged in the light of the gravity of the complaint) to allow the complainant to understand the result.

2.5.6 Remedies

The internal complaints procedure should include a wide range of remedies. The option to admit errors and apologize for them should be seen as not a weakness but as strength. For example, in addition to putting matters right, a letter of apology might be appropriate and, in some cases, compensation might be paid.

2.5.7 Share Result

Members of the organisation can learn from a complaint that has been received and addressed if this information is shared. They will be reminded of the existence of the internal complaints process. Also they will be informed of the manner in which a particular complaint arose and was resolved. Therefore the results of complaints should be shared within the organisation and, perhaps, publicly.

3. Document process and make it public

The internal complaints process should be clearly set out in the organisation's policy and procedures. Staff must be trained in the process and data must be collected. A clear summary of the process must be made available to the public, perhaps through information posters in waiting room and brochures. Employees should tell the public of the internal complaints process when it appears that the member of the public is not satisfied.

4. Make Exceptions

The internal complaints process must include a degree of flexibility. In some cases the complaint is so sensitive and grave that only the head of the organisation might properly receive it. In other cases, the process may not be suitable for some unanticipated reason.

5. Be Accessible

Public organisations must ensure that all persons have access to the internal complaints process. It is the one process that can improve defects in the other processes of the organisation.

6. Measuring Performance of the Internal Complaints Process

It is recommended that each organisation should include in its performance measurements targets for the addressing of complaints through its internal process.

Measurements should include targets such as the number of hours within which a telephone message left at the Complaint's desk is answered, the number of days within which a letter is sent to the complainant, and the number of days within which the complaint must be investigated. Also a target should be set concerning the preparation and communication of the result of the investigation.

The setting of targets, and the meeting the targets, will impress on the members of the organisation the importance of this process. Also, it will give additional emphasis and profile to the process, which in turn again enhances the importance of the process. Targets allow proper administration of the process. Finally, measuring performance allows the reports to the public about the volume and nature of complaints and their outcomes.

Sources:

Ombudsman of Ontario, 2003

Ombudsman of British Columbia, 2001

Ombudsman of Quebec

END of Annex A

Annex B: Data Table

* Organization confirmed as having ICP through first survey therefore not re-contacted for second survey.

Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* Auditor General's Office	Dan Duguay	Yes	Yes 26Jul06	Yes 15Aug06	Mr. Duguay supplied the Audit office's ICP document which was very comprehensive.
* Cadet Corps	Commandant Philip Hyre	Yes	Yes 26Jul06	Yes 7Aug06	There is an appeal process for cadets and the officers. Members of the public can complain to the Commandant who delegates to an officer who will investigate, make a ruling or refer to the Commandant for a ruling. The public can also complain to the Portfolio of Internal and External Affairs. The Cadet Corps is in the middle of drafting regulations. The OCC asked Commandant Hyre to update us when they are finalised.
* Cayman Airways	Mike Adams	Yes	No	Not Applicable	The OCC did not contact Cayman Airways as previous complaint investigations revealed to the OCC that there was an ICP in place.
* Cayman Islands Development Bank	Angela Miller	Yes	Yes 27Jun06	Yes 25Jul06	The OCC was advised that there is a complaints register and a procedure to follow when a complaint is lodged. They have not had the opportunity to review the process but will at a later date and revert back to the OCC.
* Cayman Islands Law School	Mitchell Davies	Yes	Yes 26Jul06	Yes 26Jul06	Ms. Morris (senior lecturer) informed the OCC that there is an informal procedure and a formal procedure to the Attorney General if the informal procedure is unsuccessful.
* Cayman Islands Port Authority	Paul Hurlston	Yes	Yes 28Jun06	Yes 31Jul06	Complaints are acknowledged, investigated and replied to within a week. The Port Authority will review the OCC's document to see if it can enhance their current system.

Annex B: Data Table

* Organization confirmed as having ICP through first survey therefore not re-contacted for second survey.

Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* Cayman Islands Shipping Registry	Arthur Joel Walton	Yes	Yes 26Jul06	Yes 15Aug06	The CISR has a written procedure in place for dealing with complaints compliments and suggestions. In light of recent changes within the Organization, the responsibility of this procedure will be re-assigned to the Manager, Client Relationships and as such it will be revised accordingly. As the revision is currently taking place, all suggestions given by the OCC's document will be considered and included as appropriate.
* CAYS Foundation	Daniel Bacallao	Yes	Yes 26Jul06	Yes 31Jul06	The OCC was advised that the children are encouraged to resolve their issues or complaints at the lowest level possible as part of their social skills training. If their verbal complaint is not resolved to their satisfaction, they are asked to complete a Grievance Form and submit it to one of the managers. The form is signed by the resident and the person receiving the complaint. The form is then passed on to the Deputy Care Manager or Care Manager of the Home. A meeting is then scheduled with the child, his advisor, the Case Manager and Deputy Care Manager to discuss the problem and gain consensus on the resolution. The results of the meeting are documented. If the complaint is not resolved, the child's Social Worker becomes involved. If the matter is still not resolved satisfactorily, the Care Manager will schedule a meeting with the child, other relevant persons and the CAYS CEO. Parents who have complaints will normally meet with the Care Manager and then the CEO if the matter is not resolved.

Annex B: Data Table

* Organization confirmed as having ICP through first survey therefore not re-contacted for second survey.

Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* CINICO	Carole Appleyard	Yes	Yes 27Jun06	Yes 12Jul06	After a telephone conversation Ms. Appleyard stated that there is an ICP and it has been reviewed by the OCC.
* Civil Service, Portfolio of	Peter Gough	Yes	Yes 27Jun06	Yes 28Aug06	The Portfolio of the Civil Service has a formal complaints procedure by which complaints are received, acknowledged and investigated.
* Counseling Services	Judith Seymour	Yes	Yes 27Jun06	Yes 27Jun06	Counseling Services have an informal process. However, Ms. Seymour will review our document with the staff & may contact the OCC in the future.
* Crisis Centre	Estella Scott	Yes	Yes 23May06	Yes 23May06	The Director speaks directly to complainant. If it is regarding the Director the complaint goes before the board of Directors.
* Education, Department of	Maria Bodden	Yes	No	Not Applicable	The Education Department was not contacted by the OCC because they have implemented an ICP as a result of the OCC's previous recommendations. There is currently a temporary dedicated employee. A full-time person will be hired.
* Emergency Communications	Juliette Gooding	Yes	Yes 26Jul06	Yes 18Aug06	Emergency Communications has had an informal process since 1996. Ms. Gooding supplied this office with their complaints procedure handbook.
* Employment Relations, Department of	Tanya Golaub	Yes	No	Not Applicable	Employment Relations was not contacted by the OCC because they have initiated an ICP upon our earlier recommendations.
* Environmental Health, Department of	Roydell Carter	Yes	Yes 27Jun06	Yes 27Jun06	Environmental Health's ICP has recently been audited by the OCC to ensure its effectiveness.

Annex B: Data Table

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Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* Health Insurance Commission	Mervyn Conolly	Yes	Yes 27Jun06	Yes 28Jun06	The complaint procedure and policy is updated annually and has been in place since April 2004.
* Health Services Authority	Craig Brown	Yes	No	Not Applicable	The HSA was not contacted because the OCC knew of its ICP due to an investigation.
* Her Majesty's Prison Service	Director Dwight Scott	Yes	No	Not Applicable	The Prison Service was not contacted by the OCC because HMP had previously implemented an ICP. The complainant can either fill out a complaint form or any piece of paper, or verbally complain to Director Scott. If written, the complaint is given to the shift commander who logs it and sends it to Director who deals with it accordingly within 1 week. However, as the result of recent meetings held with the OCC, prison officials are currently considering revisions to the ICP to better address complaints.
* Immigration, Department of	Franz Manderson	Yes Appeal Process and New Customer Service Desk	No	Not Applicable	Immigration was not contacted because, on the OCC's recommendations, the department is currently implementing a new customer service desk which will be equipped to deal with customer inquiries and complaints.
* Information & Communications Technology Authority	Christine Russell (Complaints Officer at ICTA)	Yes	Yes 27Jun06	Yes 27Jun06	Ms. Russell stated that the ICTA has an ICP in place. The complainant can fill out a complaint form online or at the Authority. The complaint initially goes to the licensee then back to the ICTA board if necessary.

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Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* Judicial Department	Valdis Foldats	Yes	No	Not Applicable	Judicial Administration was not contacted as the OCC had prior knowledge of its ICP. The complainant makes a complaint to the Clerk of the Court Mr. Foldats.
* Lands and Survey Department of	Alan Jones	Yes	Yes 27Jun06	Yes 1Aug06	Mr. Jones stated that they have procedures in place but that they will need to be revised in the near future. He will revert to the OCC at a later date.
* National Housing	Maxine Gibson	Yes	Yes 27Jun06	Yes 29Aug06	National Housing has an informal complaints process. All complaints are handled by the director who delegates as and if appropriate.
* Probation/Aftercare	Theresa Echenique Owen	Yes	Yes 23May06	Yes 23May06	Forms are posted in the waiting area complete with envelopes addressed to the manager who meets with complainant. If it is not resolved then it will be heard by the parole board.
* Public Health	Dr. Kumar	Yes	Yes 26Jul06	Yes 26Jul06	Since Public Health is part of the Health Services Authority the ICP is one and the same.
* Radio Cayman	Locksley Banks	Yes	No	Not Applicable	Radio Cayman was not contacted as it falls under the remit of ICTA (who does have an ICP).
* RCIP	Commissioner Kernohan	Yes	No	Not Applicable	The RCIP was not contacted since they have the Complaints and Discipline Department.
* School's Inspectorate	Senior Inspector Kate Mornoch	Yes	No	Not Applicable	The School's Inspectorate was not contacted because the OCC had prior knowledge that an ICP was being initiated.

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Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
* Stock Exchange Authority	Valia Theodoraki / Gerry Halischuck	Yes	Yes 26Jul06	Yes 9Aug06	Complaints received are addressed immediately by either Mr. Halischuck or the CEO. In appropriate circumstances, including potentially where efforts prove insufficient to resolve the matter adequately, the subject matter of a complaint can be addressed with the Board of the Exchange (known as the Council) and ultimately with the Stock Exchange Authority.
* Tourism, Department of	Joanne Gammage	Yes	Yes 23May06	Yes 23May06	There is a complaint form and a procedure for following up on complaints.
* Vehicle Licensing and Transport Department	Deputy Supervisor Roger Ebanks	Yes	No	Not Applicable	The department was not contacted because it has initiated an ICP upon our recommendations. The Department has their own internal complaints department. The complaints are dealt with directly by either Mr. David Dixon the Director, or Mr. Perry Powell his Deputy.
* Water Authority	Dr. Gelia Frederick-van Genderen	Yes	Yes 30Jun06	Yes 4Jul06	The Water Authority does have an ICP but it is not as detailed as the OCC document outlines. Ms. Frederick-van Genderen will reassess the ICP.
* Women's Resource Centre	Tammy Ebanks Bishop	Yes	Yes 26Jul06	Yes 2Aug06	There is an informal process. They have a complaints folder and all complaints go to Ms. Bishop who will consider the OCC document and reply at the end of September when the process has been formalised.
Agriculture, Department of	Dr. Alfred Benjamin	No (being drafted)	Yes 13Dec06	Yes 7Jan07	The Department has provided the first draft of their ICP which was reviewed by the OCC and suggestions were provided for amendments. The Department plans to complete and implement their ICP in early 2007.

Annex B: Data Table

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Entity	Contact Person	Internal Complaints Procedure	Entity Contacted	Entity Responded	Comments
Boatswain Beach (Cayman Turtle Farm)	Kenneth Hydes	No	Yes 26Jul06 27Nov06 31Jan07	No	To date the Boatswain Beach has not replied to the OCC.
Cayman Islands Airport Authority	David Frederick	No - (being drafted)	Yes 23Nov06	Yes 23Nov06	The CIAA is currently developing their ICP and plan to finalize in early 2007.
Cayman Islands Investment Bureau	Dax Basdeo	No	Yes 27Jun06 13Dec06	Yes 28Jun06 13Dec06	As the result of the first survey the CI Investment Bureau confirmed that they did not have an ICP but would endeavor to create one and would contact OCC if assistance was required. As the result of the second survey Mr. Basdeo noted that little progress has been made on their ICP but committed to developing their ICP in early 2007.
Cayman Islands Monetary Authority	Cindy Scotland	Yes	Yes 27Nov06	Yes 27Nov06	The Monetary Authority has had an ICP in place since June 2005. It is posted on their website.
Cayman Islands National Museum	Anita Ebanks	No	Yes 26Jun06 28Nov06 31Jan07	No	For the first survey Ms. Ebanks was faxed our survey as we were told this would be more convenient than an email. For the second survey both Ms. Ebanks' direct email as well as the general email for the Museum were used to send the OCC request for information. To date there has been no reply.
Cayman Islands Postal Services	Sheena Glasgow	No	Yes 28Jun06 27Jul06 13Dec06 31Jan07	No	To date Postal Services has not replied to the OCC.

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Cayman National Cultural Foundation	Marcia Muttoo	No	Yes 31Jan07	Yes 31Jan07	Ms. Muttoo committed to reviewing the OCC's ICP document as the result of her participation in the first survey. Upon being contacted for this survey Ms. Muttoo committed to working with the OCC to develop an ICP appropriate for the CNCF.
Children and Family Services, Department of	Deanna Look-Loy	No	Yes 27Jun06 13Dec06 30Jan07	Yes (during first survey only)	As the result of the first survey the OCC was informed by the Department that Debbie Whittaker would be contacting the OCC to begin the process of implementing an ICP. The OCC has yet to be contacted by anyone in the department in order to begin this process. The Department has to date not responded to follow-up emails.
Cinematographic Authority	Tamara Ebanks	Yes	Yes 27Nov06 30Jan07	Yes 31Jan07 9Feb07	Assistant Chief Secretary, Tamara Ebanks met with the OCC in early February 2007 and committed to developing and implementing an ICP in early 2007. Further to this meeting Ms. Ebanks has provided the OCC with a copy of their proposed ICP and has confirmed that it is in the process of being implemented.
Civil Aviation Authority	Richard Smith	Yes	Yes 13Dec06	Yes 13Dec06	As the result of the first survey the Civil Aviation Authority informed the OCC that they were in the process of reviewing their personnel policies and procedures manual and would take that opportunity to include a process for managing complaints. They expected to have this completed by mid September 2006. As the result of the second survey the Civil Aviation Authority confirmed that their ICP was finalized and documented on 11 September, 2006.

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Communications, Works and Infrastructure, Ministry of	Tamara Ebanks	Yes	Yes 30Jan07	Yes 31Jan07	Assistant Chief Secretary, Tamara Ebanks met with the OCC in early February 2007 and committed to developing and implementing an ICP in early 2007. Further to this meeting Ms. Ebanks has provided the OCC with a copy of their proposed ICP and has confirmed that it is in the process of being implemented.
Computer Services, Department of	Gilbert McLaughlin	No	Yes 27Nov06 30Jan07	Yes 31Jan07	Mr. McLaughlin has assigned Mr. Wesley Howell to work with the OCC in developing an ICP.
Customs, Department of	Carlton Powery	Yes	Yes 27Nov06 30Jan07	Yes 1Feb07	Mr. Powery confirmed that the Customs Department has an ICP.
District Administration	Kearney Gomez	Yes	Yes 27Nov06 9Feb07	Yes 9Feb07	Mr. Gomez confirmed by telephone that the Ministry has an ICP.
Economics and Statistics Office	Maria Zingapan	Yes	Yes 26Jul06 7Dec06 30Jan07	Yes 13Feb07	Ms. Zingapan confirmed on 13 February 2007 that they do have an informal ICP. She has also committed to reviewing their procedure and consider creating a more structured ICP.
Elections Office	Kearney Gomez	Yes	Yes 30Jan07 9Feb07	Yes 9Feb07	Mr. Gomez stated that the complaints process for the Elections Office is founded in legislation and must be pursued through the Courts.
Electricity Regulatory Authority	Philip Thomas	Yes	Yes 27Nov06	Yes 28Nov06	Mr. Thomas noted that their current ICP is informal and undocumented, however, has committed to giving consideration to creating a more structured process.

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Environment, Department of	Gina Ebanks-Petrie	Yes	Yes 13Dec06 30Jan07	Yes 2Feb07	As the result of the first survey the Department of the Environment was noted as being in the process of developing Office and Operational Procedures Handbooks and would make sure that the ICP was covered in the Administrative version of these documents. As the result of the second survey the Department was able to provide draft procedures, as well as an information sheet which provides their staff with information on how to handle complaints. Ms. Petrie noted that most of the staff are now familiar with the new procedure but that finalization of the procedure and formal briefings of all staff will be carried out in the very near future.

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Finance Administration	Sonia McLaughlin / Anne Owens	Yes	Yes 27Jun06 22Dec06 30Jan07	Yes 27July06 1Feb07 13Feb07	As the result of the first survey it was noted that the Portfolio of Finance and Economics did not have an ICP. The Portfolio recognised that such a system would be beneficial in that it would help improve the quality of service. Ms. McLaughlin stated that the Portfolio will require assistance and guidance with implementing the system and would be asking for assistance and would contact the OCC by mid August to get the process started. As the result of the follow-up contact made by the OCC in the course of conducting the second survey a meeting was held with Ms. McLaughlin and other key staff members from the Portfolio to provide further clarification and guidance on the ICP. Ms. McLaughlin committed to moving forward with the development of their ICP. Further to this meeting the Portfolio has provided the OCC with their draft ICP.
Financial Reporting Authority	Mr. Lindsey Cacho	Yes	Yes 27Dec06	Yes 28Dec06	As the result of the first survey the Financial Reporting Authority noted that they did not have an ICP. However, Mr. Cacho stated that they were in the process of compiling a Policy and Procedure Manual and in doing so they would include an ICP. As the result of the second survey Mr. Cacho confirmed that the ICP has been included in the Portfolio of Legal Affairs Policies and Procedures Manual and is currently in effect.

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Fire Services	Roy Grant	Yes	Yes 7Dec06 30Jan07	Yes 30Jan07 7Feb07 14Feb07	Mr. Grant responded on the 30 January, 2007 noting that the Fire Service did not have an ICP, however, felt that it was an important issue. On 31 January, 2007 Mr. Stuart Conolly and Mr. Rosworth McLaughlin from the Fire Service met with the OCC to review their draft ICP and receive feedback from the OCC. Further to this meeting Mr. McLaughlin updated the OCC on the 7 February, 2007 that they had completed drafting their ICP and were to be reviewing and revising as needed. They provided a final version to the OCC on 14 February 2007.
General Registry	Delano Solomon	No	Yes 27Jun06 27Dec06	Yes 27Jul06 28Dec06	As the result of the first survey the General Registry was noted as not having a documented ICP. However, they were hopeful that one would be in place by the end of October 2006. As the result of the second survey it was noted by Mr. Solomon they had not met there target but were committed to formulating an ICP as a priority project for early 2007.
Government Information Services	Ms. Patricia Ebanks	Yes	Yes 27Dec06 30Jan07	Yes 2Jul07	As the result of the first survey Ms. Ebanks stated that she would endeavor to implement an ICP. As the result of follow-up by the OCC Ms. Ebanks provided a draft ICP for review and subsequently made amendments recommended by the OCC.
Internal & External Affairs, Portfolio of	Donovan Ebanks	Yes	Yes 8Feb07	Yes 8Feb07	Mr. Ebanks was able to confirm that the Portfolio currently has an informal complaints process. However, Mr. Ebanks has expressed interest in considering some changes which may improve their ability to track and monitor complaints.

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Law Reform Commission	Cheryl Neblett	Yes	Yes 26Jul06 7Dec06	Yes 28Dec06	The OCC's request for information on ICP was referred to the Attorney General who in turn responded to the OCC requesting clarification as to the purpose of the OCC inquiry and referring to the independent nature of that office. A response was provided but to date no information has been provided directly by the Portfolio. However, as the result of information gathered through contact with the Financial Reporting Authority as well as the Cayman Islands Law School the OCC has learned that the Portfolio of Legal Affairs has completed a policies and procedures manual which contains an ICP for utilization by all departments under the Portfolio. The OCC was unable to get direct confirmation from the Attorney General.
Law Revision Commission	Michael Bradley	Yes	Yes 26Jul06 7Dec06	No	Note comment for Law Reform Commission
Legal Affairs, Department of	Hon. Samuel Bulgin QC	Yes	No	No	Note comment for Law Reform Commission
Legal Department	Cheryl Richards	Yes	Yes 7Dec06	No	Note comment for Law Reform Commission
Legislative Drafting	Myrtle Brandt	Yes	Yes 26Jul06 7Dec06	No	Note comment for Law Reform Commission
Meteorological Office	Fred Sambula	No	Yes 26Jul06 27Nov06 30Jan07	No	To date the Meteorological Office has not replied to the OCC.

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Mosquito Research and Control	Dr. William Petrie	Yes	Yes 30Jan07	Yes 31Jan07	Dr. Petrie noted that the current ICP is informal with the exception of complaints made about mosquitoes which are very carefully tracked through a computer based system. Dr. Petrie has committed to considering how their ICP might be incorporated into their existing computer system in order to better track and monitor complaints.
National Archive	Roger Craig	Yes	Yes 26Jul06 27Dec06	Yes 27Jul06 25Oct06 27Dec06	As the result of the first survey Mr. Craig committed to completing and implementing an ICP. On 25 October, 2006 a draft of the ICP was provided to the OCC for review. On 27 December, 2006 the OCC received confirmation that the ICP had been incorporated into the National Archive's Policy and Procedures manual.
National Gallery	Nancy Barnard	Yes	Yes 27Dec06	Yes 28Dec06	As the result of the first survey Ms. Barnard stated that they were working on implementing an ICP and would inform the OCC when completed. On 28Dec06 the OCC received confirmation that ICP had been drafted and implemented.
National Pensions Office	Cyril Theriault	Yes	Yes 27Jun06	Yes 27Jun06	As the result of the first survey Mr. Theriault initiated and shortly thereafter implemented an ICP for the National Pensions Office.
National Roads Authority	Colford Scott / Edward Howard	No	Yes 27Jun06 28Dec06 31Jan07	Yes 27Jun06 (No Response to Second Survey)	As the result of the first survey the National Roads Authority stated that they would discuss implementing an ICP and would contact the OCC for support if necessary. No further contact nor confirmation of an ICP has been made by the NRA to date.

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Passport Office	Janice McLean	No	Yes 12Jul06	Yes 7Dec06	Ms. McLean confirmed that the Passport Office does not presently have an ICP but has committed to establishing an ICP early in 2007 and will notify the OCC if any assistance is needed.
Planning, Department of	Kenneth Ebanks	No	Yes 13Dec06	Yes 19Dec06	As the result of the first survey the Planning Department confirmed that they did not have a formal ICP. However the Director recognized the need for a more structured approach to addressing complaints and stated that in the autumn of 2006 there will be a senior staff member who will exclusively deal with complaints. As the result of the second survey the Director of Planning noted that they have made progress in developing ICP and plan to have it implemented in early 2007.
Public Libraries	Benedicta Conolly	Yes	Yes 7Dec06 31Jan07	Yes 8Feb07	Ms. Conolly confirmed that the Public Libraries established their ICP in 2005
Public Service Pensions Board	Jewel Evans-Lindsey	No	Yes 28Jun06 7Dec06 31Jan07	Yes 27Aug06 (No further response received to date)	Ms. Evans Lindsay replied to the OCC and stated that she will reply back at a later date. Ms. Evans Lindsay has not provided the OCC with a response to date.

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Public Works, Department of	Max Jones	No	Yes 13Dec06	Yes 13Dec06	As the result of the first survey Mr. Jones stated he was interested in formulating an ICP. As the result of the second survey a meeting between the OCC and a number of PWD senior managers was held on 15 January 2007 at which time guidance and direction was provided by the OCC. The PWD's goal moving forward is to establish their ICP in early 2007.
Sunrise Adult Training Centre	Roberta Gordon	No	Yes 26Jul06 7Dec06 31Jan07	No	To date the Centre has not replied to the OCC.
Telecommunications Office	Kernilon Owens	No	Yes 7Dec06 31Jan07	Yes 1Feb06	Mr. Owens confirmed that the Telecommunications Office does not currently have an ICP.
Vehicle & Equipment Services, Department of	Dale Dacres	Yes	Yes 27Nov06 31Jan07	Yes 1Feb07	Mr. Dacres confirmed that the Department now has an informal ICP.
Youth and Sports, Department of	Dalton Watler	Yes	Yes 27Nov06 31Jan07	Yes 1Feb07	Further to Mr. Watler's initial response on 1 February a subsequent meeting was held between the OCC and Mr. Watler. At this meeting it was noted that the Department of Youth and Sports has an informal ICP. However, Mr. Watler has committed to considering changes which can be made in the process in order to better track complaints made.