



CLARK REGIONAL EMERGENCY SERVICES AGENCY

9-1-1 Dispatch Center

Emergency Management – Emergency Medical Systems – Technical Services

Serving Battle Ground, Camas, Clark County, La Center, Ridgefield, Vancouver, Washougal and Yacolt

Date: January 26, 2011

To: Tom Griffith, Director
Anna Pendergrass, Operations Manager

From: Karen Johnson, Human Resources Manager

Cc: Dispatch Staff, CRESA Admin Board, file

Re: **Review of Complaint File for the Year 2010**

Per CALEA Standard 1.4.11 and CRESA Written Directive 01.009, I reviewed all internal investigations complaints filed with CRESA during 2010.

The purpose of this report is to identify any trends in conduct or performance to mitigate before they cause additional similar problems or expose the Agency and its users to preventable liability or risk. Trends will be reviewed to ensure that personnel provide professional service, that personnel are well trained, and that internal investigations are timely, fair and impartial.

General Overview

Out of 378,271 telephone calls received by 9-1-1 Operations in 2010, seventeen formal complaints were filed resulting in internal investigations. All but one of the seventeen complaints pertained to 9-1-1 Operations Division services and/or personnel.

This is the sixth year CRESA has completed an annual review of complaints to identify trends in conduct and performance. The number of complaints compared to calls per year in the last six years shows a very low ratio of complaints to calls:

<i>Year</i>	<i>Total Complaints</i>	<i>Total Calls</i>	<i>Ratio Complaints to Calls</i>
2010	17	378,271	1 : 22,251
2009	16	380,678	1 : 23,792
2008	23	396,760	1 : 17,250
2007	22	414,228	1 : 18,829
2006	12	427,289	1 : 35,607
2005	37	452,892	1 : 12,240

Of the 17 complaints filed in 2010, the origination is as follows:

- 2 filed by Law Enforcement User Agencies (12%)
- 4 filed by Fire/EMS User Agencies (23%)
- 1 filed by CRESA Managers or Supervisors (6%)
- 2 filed by CRESA Employees (12%)
- 6 filed by Private Citizens (35%)
- 2 filed by Business representatives – Public Sector Attorneys (12%)

The 17 complaints involved **20 individual allegations**. These 20 allegations resulted in the following investigation findings:

- 7 (35%) **Substantiated** Alleged action / behavior DID occur
- 8 (40%) **Unsubstantiated** Alleged action / behavior DID NOT occur
- 5 (25%) **Exonerated** Alleged action / behavior OCCURRED but was IN COMPLIANCE with procedure / policy
- 0 (0%) **Indeterminate** Insufficient information to determine WHETHER OR NOT action / behavior occurred

Analysis:

- ✓ 2010's 17 total complaints were fewer than the average 22 complaints per year over the prior 5 years. 35% of the twenty 2010 allegations were substantiated – lower than the average 52% substantiated over the prior 5 years.
- ✓ 12% of 2010 complaints were generated by Law Agencies – lower than the average 19% complaints by Law of all complaints in the past 5 years.
- ✓ 23% of 2010 complaints were generated by Fire Agencies – higher than the average 15% in the past 5 years.

- ✓ 47% of 2010 complaints were generated by Citizens or individuals representing Business – lower than the average 55% Citizen / Business complaints averaged in the past 5 years.
- ✓ 18% of 2010 complaints were initiated by CRESA staff –higher than the 11% average in the past 5 years.

Complaint Results Overview

The 20 allegations* from the 17 complaints included: (*an individual complaint could have more than one allegation involved)

- 11 of 20 (55%) Rudeness (4 of 11 – 36% were Substantiated)
- 9 of 20(45%) Service Delay or No Service (3 of 9 – 33% were Substantiated)
- 0 (0%) Fail to Verify Information*
- 0 (0%) Responder Safety concerns*
- 0 (0%) Improper off-duty conduct *

*One or more of 2010's complaints were filed in these categories

Substantiated Allegations

- 7 of 20 allegations were substantiated and due to employee error or poor conduct (“Person”)
 - 4 of 7 (57%) were caused by Employee rudeness
 - 3 of 7(43%) were caused by Failure to follow procedure

Unsubstantiated Complaints

- 8 of 20 allegations were unsubstantiated, and alleged on employee error or poor conduct (“Person”)
 - 7 of 8 (88%) were allegations of Employee rudeness
 - 1 of 8 was an allegation of Failure to follow procedure

Exonerated Complaints

- 5 of 20 allegations were found to be exonerated:
 - 5 of 5 were primarily caused by Technical issues (“Process”) that impeded employees’ actions
 - 0 of 5 were primarily due to Policy issues or sanctioned procedural concerns (“Policy”)*

*2 of 2009’s allegations were found to be policy based and were sent for review by the proper advisory councils or advisory boards. Neither policy-based issue surfaced during 2010.

Substantiated Complaints

Analysis:

- ✓ 11 of 20 (55%) of 2010 allegations from complaints dealt with employee conduct (specifically rudeness). This is higher the prior 5 year average of 31% for conduct complaints. 4 of 11 (36%) of 2010’s conduct complaints were substantiated – higher than the average 31% substantiated complaints in the prior 5 years. As a regular part of rudeness complaint reviews, the employee listens to the call and then the employee and supervisor discuss what occurred and how the issues could be avoided or better handled in the future.
- ✓ 9 of 20 (45%) of 2010 allegations from complaints dealt with errors in service (including delays in service, failure to send service, protocol violations, etc.). This is lower than the prior 5 year average of 66% for error complaints. 3 of 9 (33%) of 2010’s error complaints were substantiated, which is again lower than the prior 5 year average of 60% substantiated. As a regular part of error in service complaint reviews, the supervisor and/or Dispatch Operations Manager or Training Manager review the type of service error made. If it is an individual incident, the employee receives one on one counseling. If the issue stems from something that could benefit from a review with all staff, the topic is addressed using the most appropriate method: in-service refresher training, email notifications, etc.
- ✓ 0 of 20 (0%) of 2010 allegations from the 17 formal complaints dealt with responder safety issues related to employee conduct. CRESA’s goal, and the goal of each staff, is to consistently ensure responder safety. Therefore, to have no formal complaints pertaining to officer safety issues is the ideal outcome. In addition to the complaint process for individual incidents, CRESA and user agencies continue to hold regular meetings to discuss and ensure the best protocols, policies and procedures are used in the work, and to make appropriate changes as needed.

Unsubstantiated and Exonerated Complaints

Analysis and Summary:

- ✓ The majority of Unsubstantiated complaints (7 of 8) dealt with allegations of rudeness. Unsubstantiated complaints of rudeness are not uncommon, since a caller’s perception of a dispatcher’s actions or tone is subjective to that caller. It is valuable for both management and individual employees to review such allegations carefully, even if they are ultimately unsubstantiated. A key goal would be to understand callers’ perspectives and perceptions of employee’s communication, tone and call control might have sounded like to that caller. Understanding callers’

perspectives is not tacit agreement with the allegations; however, such understanding does help both employees and management maintain awareness that people who do not regularly interact with public safety first responder services are not always familiar with “call control” or other call-taking techniques that dispatchers must often use to effectively handle and dispatch calls.

- ✓ Complaint findings of Exonerated can often reveal “Process” or “Policy” concerns or expectations. While an employee’s actions may have been within standards, the public or user agency expectation of service may be different than what is possible by Process or provided by Policy. During 2010, the 5 complaints which were exonerated were determined to be so primarily due to technical or procedural issues right around the time of CAD implementation. System settings and/or other technical complexities impacted the call and dispatch processing. Each exonerated complaint was reviewed closely to determine where the problem was. The results from the review involved either or both instruction to staff on “work arounds” for technical issues that could not be immediately amended or changes to the technical systems to fix the cause of the problem so it would not impact future calls.
- ✓ CRESA continues to review patterns of Exonerated complaints, in addition to Substantiated complaints, to ensure Process or Policy concerns are addressed by the appropriate stakeholders at the lowest level. This year was atypical due to CAD implementation; however, CRESA continued to meet with user agencies and their respective stakeholders and advisory committees to discuss and implement quick resolutions to technical, procedural or policy issues that came up during the year.
- ✓ No complaints were found to be Indeterminate.

Complaint Investigation and Processing

Sixteen complaints were investigated by internal staff, as follows:

Investigator	# of Complaints Investigated	Findings	Timeframe to Complete
ADMIN SVCS: Hobson	1 complaint (1 allegation)	1 – Unsubstantiated	1 complaint was completed in 4 days
DISPATCH: Chaney	2 complaints (3 allegations)	1 – Substantiated 2 – Unsubstantiated	2 complaints were completed in 31 days (<i>1 day outside the 30 day max</i>)
DISPATCH: Elliott	4 complaints (5 allegations)	2 – Substantiated 1 – Exonerated 2 – Unsubstantiated	All 4 complaints were completed in 30 days or less (<i>average 21 days</i>)
DISPATCH: Gaylord	2 complaints (2 allegations)	1 – Substantiated 1 – Unsubstantiated	1 complaint was completed in 6 days. 1 complaint was completed in 36 days.
DISPATCH: Pendergrass	4 complaints (5 allegations)	1 – Substantiated 1 – Exonerated 3 – Unsubstantiated	All 4 complaints were completed in 30 days or less (<i>average 3 days</i>)
DISPATCH: Walker	3 complaints (3 allegations)	1 – Substantiated 2 – Exonerated	All 3 complaints were completed in 30 days or less (<i>average 25 days</i>)
TECH SVCS: Flewelling	1 complaint (allegation about multiple indiv.)	1 – Substantiated* 1 – Unsubstantiated*	1 complaints was completed in 21 <i>*The allegations were substantiated for 2 of 4 employees named in complaint</i>

Analysis and Summary:

- ✓ 14 of 17 investigations (82%) were completed within the required 30 day timeframe.
- ✓ 3 of 17 investigations (18%) took longer than 30 days to complete: 2 were completed in 31 days were up; 1 was completed in 36 days.
- ✓ 15 of 17 complaints involved employees working in the 9-1-1 Dispatch Operations Division. A total of 57 employees worked in this division as Dispatchers, Dispatcher Trainees working on the dispatch floor with a Communication Training Officer (CTO) or as Dispatch Supervisors. The following is the breakdown of the number of complaints filed regarding CRESA 9-1-1 Operations staff:
 - 37 employees had zero complaints filed on them
 - 17 employees had 1 complaint filed on them (5 of the 17 had 1 complaint substantiated)

- 3 employees had 2 complaints filed on them (each of them had 1 of 2 complaints *substantiated*)
- 0 employees had 3+ complaints filed on them
- ✓ Dispatch complaint investigators were assigned by the Operations Manager based primarily on Supervisor / Employee relationship. Complaint findings and conclusions were deduced from written CAD data, call recordings, radio recordings, employee interviews and/or complainant interviews.
 - There does not appear to be any targeting of employees by supervisors and managers.
 - Conclusions appear to be drawn from objective data, not subjective data
- ✓ 2 of 17 complaints involved employees working in one of the programs within Administration departments including Administrative Service, Emergency Management, EMS, HR or Technical Services. A total of 26 employees worked in these departments during 2010. The following breakdowns the complaints:
 - 22 employees had zero complaints filed on them
 - 4 employees had 1 complaint filed on them (2 of those 4 had 1 complaint *substantiated*)
 - 0 employees had 2+ complaints filed on them
- ✓ Administration complaint investigators were conducted by the manager of the named employee(s). Complaint findings and conclusions were drawn from written documentation, employee and/or complainant interviews
 - There does not appear to be any targeting of employees by supervisors and managers.
 - Conclusions appear to be drawn from objective data, not subjective data.

Trends or Patterns Discovered and Recommended Corrective Actions

Analysis:

- ✓ Corrective actions for 2010's substantiated complaints are very similar to the past 5 years' trends
- ✓ Appropriate corrective actions were determined by review of all relevant data, including employee's prior actions and/or complaints; time in the position; mitigating circumstances pertaining directly to the call; etc.
- ✓ Training, coaching and reviewing proper procedures and protocol was still the most commonly used correction:
 - It was the primary corrective action for 2 complaints
 - It was used in conjunction with Oral Counseling or Oral Warning for all other substantiated complaints
 - It was also used as a refresher tool for complaints determined to be unsubstantiated or exonerated
- ✓ Oral Counseling + review were recommended in 5 of the 8 substantiated findings.
- ✓ An Oral Warning + review was recommended in 1 of the 8 substantiated findings.
- ✓ Written Warnings, Suspension or stronger forms of corrective action were not recommended for any of the substantiated complaints.
- ✓ Complaint Investigators recommend corrective action in their report and conclusions. These recommendations are reviewed and approved by the Operations Manager (for Dispatch complaints) and the Director for all complaints prior to corrective action being delivered.
- ✓ Investigators followed due process regarding employee notification of complaints, investigation and delivery of corrective action as necessary.
- ✓ Where the corrective action was significant such as suspension, CRESA also notified the Washington Cities Insurance Authority (WCIA) for review and input prior to delivering corrective action.

Summary: Investigators conducted the 2010 investigations in a professional manner. There were no apparent patterns to indicate the targeting of employees by managers, supervisors, or personnel from user agencies. There were good examples of employees being held accountable for their behavior and performance, and receiving corrective action and remedial training appropriate to the nature and severity of the concerns.

Complaint Review and Reporting

- ✓ This review of 2010 Complaint Investigations will be reported to the Agency Director, is included in the Agency Annual Report and will be provided to the CRESA Administrative Board and CRESA employees.
- ✓ A copy of this review will be filed with the 2010 Complaint Investigations.
- ✓ A copy of this review will be included in the 2010 CALEA file for CALEA Standard 1.4.11.