



Complaint Process Review

Audit Report # 2014-008

By:

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Internal Audit Division

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Introduction

The mission of the Office of Injured Employee Counsel (OIEC) is to assist, educate, and advocate on behalf of the injured employees of Texas. OIEC fulfills its mission of assisting injured employees through its Ombudsman Program.

The purpose of this audit was to review complaints the agency received during fiscal year (FY) 2013 from June 1, 2013 and FY 2014 through July 31, 2014; determine whether policies, procedures, and directives in procedure ADMIN 08-03 were being followed; and establish whether these procedures adequately reflected management's needs and requirements.

Scope and Methodology

The initial scope of the audit included a review of the complaints received from June 1, 2013 through July 31, 2014 as documented on the agency's Complaint Tracking Worksheets for FY 2013 and FY 2014.

Complaints received are controlled by assigning each one a sequential number and a folder containing certain documents required by the agency's procedure ADMIN 08-03, which was issued in March 2009 and revised most recently in January 2014.

The agency also uses a Complaint Tracking Spreadsheet to record event dates and actions performed by various employees during the processing of a complaint. In accordance with the Sunset Review Commission's across-the-board recommendation, each complaint is classified as either justified or unjustified.

OIEC received 21 complaints from June 1, 2013 through August 31, 2013, of which 11 were justified; and 70 in FY 2014 through July 31, 2014, of which 45 were justified. The complaint folders were reviewed for inclusion of these documents:

- Routing Sheet with steps properly initialed and dated signifying their completion;
- Copy of Acknowledgement Letter (48 Hour letter);
- Copy of Agency Response Letter; and
- Complaint Form or correspondence received from complainant stamped to indicate receipt date.

The scope also included the review and assessment of written procedures governing the complaint process functions to determine whether they adequately reflected management's needs and requirements.

In the prior audit report dated July 24, 2013, several issues were cited in which staff did not meet the processing guidelines contained in procedure ADMIN 08-03. Management disagreed with the comments relating to excessive delays between the dates on the face of the complaints and the date stamped as received by the central office. During the period under review there were eight (8) instances in which the delays were in excess of 5 business days.

This project was conducted in accordance with the *Standards for the Professional Practice of Internal Auditing* as set forth by the Institute of Internal Auditors

Background Information in the Complaint Process at OIEC

In August 2011, September 2012, and March 2013 the agency issued revised ADMIN 08-03 OIEC Complaint Procedures. These revisions were in partial response to the recommendations in Audit Report #2011-006 Agency Complaint Process Review issued October 17, 2011, and to recommendations contained in the Sunset Advisory Commission report issued in July 2010.

In the current review, there were files for every complaint; however, the electronic copies of agency responses were not saved for several of the complaints received.

One issue was identified in this report as follows:

Issue 1 – Electronic copies of complaint responses were not saved.

In the current review there were several instances in which an electronic copy of the agency complaint response was not saved as required by procedure ADMIN 08-03.

Overall Conclusion

While most of the requirements of procedure ADMIN 08-03 were followed and evidenced on the Complaint Tracking Spreadsheet and the Routing Sheet in each Complaint Folder, there were several instances of excessive delays between the actual date of the complaint and the date they were stamped as received by the central office. This is an area of concern, but not necessarily an audit exception or finding. OIEC staff can only be responsible for the processing of a complaint from the date it is actually received in the central office. One measure to provide more assurance that this objective is accomplished would be to segregate the responsibility of date stamping each complaint as received from the other duties of tracking the complaint process in the system.

For purposes of this report, the average number of business days to respond to justified complaints was 18.6 business days for the period in FY 2013 and 17.6 business days for the period in FY 2014 through July 31, 2014.

Management has responded to the issue cited in this report.

I would like to thank Brian White, Deputy Public Counsel/Chief of Staff; Erick Dunaway, Associate Director of Operations; and Kristi Dowding, Operations Analyst and Customer Complaint Coordinator for their cooperation and assistance during the conduct of this audit.

Detailed Issue and Management Response

Issue 1 – Electronic copies of complaint responses were not saved

In the current review, there were several instances in which an electronic copy of the agency complaint response was not saved electronically as required by procedure ADMIN 08-03. In each of these cases the printed copy of the responses were filed in their respective complaint folders.

Recommendations:

Electronic copies of the complaint responses should be saved in their respective folders on the agency's N:/Drive.

Management Response:

Management agrees that in one instance the complaint response was not saved electronically; however, the response has now been scanned and saved in the proper folder. Accordingly, this issue has been resolved and a reminder has been provided to staff to ensure that an electronic copy of the complaint response is saved in addition to a hard copy.

Management appreciates Internal Audit's thoughtful recommendation to ensure segregation of duties. The agency has filled a vacancy to allow for continuation of this internal control.