

GUIDE TO COMPLAINT HANDLING AND TIMEFRAMES

Interim Operational Policy

Office of the Ombudsman

Anderson Square
64 Shedden Road, PO Box 2252
Grand Cayman KY1-1107
Cayman Islands

T +1 345 946 6283
F +1 345 946 6222
info@ombudsman.ky

ombudsman.ky

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POLICY STATEMENT

The Office of the Ombudsman has a broad investigative and regulatory mandate. Within this framework, the Complaints Division is responsible for receiving, assessing, investigating, and resolving complaints and disclosures made under the Complaints (Maladministration) Act (2018 Revision), the Police (Complaints by the Public) Act (2023 Revision), and the Whistleblower Protection Act (2021 Revision).

This Policy establishes a consistent and principled framework for the handling of complaints and disclosures within the Complaints Division. It ensures that each matter is managed promptly and impartially and in accordance with the principles of procedural fairness, natural justice and good administration.

Our Office is responsible for conducting fair and objective investigations and for making meaningful recommendations for change and improvement when supported by evidence and investigative findings. The procedures outlined in this Policy guide investigators in maintaining high professional standards of timeliness, independence, confidentiality and respect for all persons involved.

This Policy also serves to inform members of the public of what they can reasonably expect when engaging with the Office of the Ombudsman. It reflects our commitment to ensuring that all complaints and disclosures, whether concerning maladministration, police conduct or whistleblower protection, are treated with diligence, discretion and fairness.

While the Office strives to meet the indicative timeframes and service standards set out herein, timeframes may reasonably vary where the nature or complexity of a matter requires additional review. Where additional time is required, the reason will be communicated to the complainant and, where applicable, the relevant entity.

This Policy will be reviewed periodically to ensure that it remains aligned with legislative requirements, organizational priorities and recognized best practices for Ombudsman institutions.

Sharon Roulstone
Ombudsman

PART 1 – COMPLAINT HANDLING STAGES AND TIMEFRAMES

ACKNOWLEDGEMENT

- 1.1** All complaints submitted in writing and received by email, post or in person will be acknowledged and entered into our case management system (CMS) **within 3 business days**.
- 1.2** Where clarification or additional information is required, an Investigator will contact the complainant within this period. Timeframes may reasonably vary where the nature or complexity of the matter requires additional review.

INITIAL ASSESSMENT

- 1.3** The initial assessment is generally completed **within 15 business days** of the complaint being acknowledged. During this stage, our Office reviews the information provided to determine whether the matter falls within our jurisdiction and whether there is sufficient information to proceed. If additional time is required due to the nature or complexity of the matter, the complainant will be informed in writing.
- 1.4** During the assessment, our Office considers the nature of the issue, the steps already taken by the complainant, and the outcome being sought. Additional details may be requested if required.
- 1.5** Once the assessment is complete, the complainant will be updated on the action being taken by our office.

EARLY OR INFORMAL RESOLUTION

- 1.6** Where appropriate, the Office may seek to resolve a complaint through early or informal resolution rather than a formal investigation. This process is generally completed **within 30 business days** of the Office determining that it is suitable.
- 1.7** The aim of early or informal resolution is to address straightforward matters promptly and fairly, without the need for a full investigation.

- 1.8** If early or informal resolution is successful, the complainant will be advised in writing of the outcome. Where resolution is not possible, the matter may proceed to a formal investigation.
- 1.9** Early or informal resolution is not usually considered for serious, complex or systemic matters, or for protected disclosures made under the Whistleblower Protection Act.

FORMAL INVESTIGATION

- 1.10** Formal investigations are generally completed **within 60 - 90 business days** of the decision to investigate. Timeframes may reasonably vary where the nature or complexity of the matter requires additional review, or where coordination with multiple entities is necessary.
- 1.11** During this stage, the Office gathers and reviews relevant information to determine whether there has been maladministration, unsatisfactory conduct or other improper action.
- 1.12** At the conclusion of the investigation, findings, referrals and recommendations are prepared in accordance with the applicable legislation

Complaint Handling Process – Step-by-Step Guide & Timeframes

Step 1: Submission and Acknowledgement

Action: Complaint is submitted via email, post, or in person.

Timeframe: Within 3 business days

What Happens:

- Complaint is acknowledged.
- Entered into the Case Management System (CMS).
- If clarification is needed, an Investigator will contact the complainant.

Step 2: Initial Assessment

Action: Review of complaint to determine jurisdiction and sufficiency of information.

Timeframe: Within 15 business days of acknowledgement.

What Happens:

- Investigator assesses the nature of the issue, steps taken, and desired outcome.
- Additional information may be requested.
- Complainant is informed of next steps (e.g., informal resolution, formal investigation, or referral).

Step 3: Early or Informal Resolution (if applicable)

Action: Attempt to resolve straightforward matters without formal investigation.

Timeframe: Within 30 business days of determining suitability.

What Happens:

- Investigator engages relevant parties to resolve the issue.
- Complainant is notified of the outcome in writing.
- If resolution is unsuccessful, the matter proceeds to formal investigation.

Note: This step is not typically used for serious, complex, or systemic issues, or for whistleblower disclosures.

Step 4: Formal Investigation

Action: Comprehensive investigation into the complaint.

Timeframe: Typically completed within 60–90 business days from the decision to investigate.

What Happens:

- Investigator gathers and reviews relevant evidence.
- Determines whether maladministration, misconduct, or improper action occurred.
- Prepares findings, referrals, and recommendations in accordance with legislation.
- Complainant and relevant entities are informed of the outcome.

Additional Notes

- Timeframe Flexibility: Timeframes may vary depending on complexity or coordination needs. Any delays will be communicated.
- Review Cycle: This policy is reviewed periodically to ensure alignment with legislation and best practices.

Step 1: Submission and Acknowledgement

- Complaint submitted via email, post, or in person.
- Acknowledged and entered into CMS within 3 business days.
- Investigator may contact complainant for clarification.

Step 2: Initial Assessment

- Completed within 15 business days of acknowledgement.
- Determine jurisdiction and sufficiency of information.
- Complainant informed of next steps.
- Additional information may be requested.

Step 3: Early or Informal Resolution

- Attempt to resolve straightforward matters.
- Completed within 30 business days of suitability determination.
- Complainant notified of outcome.
- Not used for serious, complex, or whistleblower matters.

Step 4: Formal Investigation

- Comprehensive investigation initiated.
- Completed within 60-90 business days.
- Gather and review evidence.
- Prepare findings, referrals, and recommendations.
- Complainant and entities informed of outcome.

Additional Notes

- Timeframes may vary based on complexity.
- Delays will be communicated.
- Policy reviewed periodically for alignment with legislation and best practices.